

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 13, 2016
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilwoman Horgan.

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 2, 2016.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Mayor Menna announced that there were going to be changes made to the agenda and offered Councilwoman Schwabenbauer an opportunity to speak.

Councilwoman Schwabenbauer said she would like to advise the public that the budget document that currently existed was a draft and the committee was continuing to draft. She said the tax rate would continue to change and would move downward. She said she had also received emails from people in town that had been really helpful and said the Borough had set up an email account for people to email suggestions which was budget@redbanknj.org.

Mayor Menna said it was his recommendation that they not introduce the 2016 budget at this time but that it be tabled for further discussion.

RiverCenter Budget Public Hearing

James Scavone, Director of Red Bank RiverCenter, Robin Fitzmaurice, Treasurer, and Ned Gaunt, Chair of their Board, appeared before the Council to address any questions. Mr. Scavone summarized that the portion of the budget that comes from assessments would remain flat. He said it had remained flat since 2009 when it had been lowered. He said they supplement through grants, fund raising, sponsorships, etc. He said their largest income source was the International Food Festival and Oysterfest. He noted that, while they made a lot of money at those festivals, he said they also spend a lot to put them on.

Mayor Menna asked if the budget was available on line with line items.

Mr. Scavone said it was on line but said the full break down was not on line but was available by request.

Councilman Whelan asked if they had a breakdown of how much each property paid into RiverCenter.

Mr. Scavone said they did and noted that it was based on their assessed value. He said the assessment was .01 percent and said the average payment was a little over \$1,000. He clarified that there would be a huge range between the large properties and the smaller ones.

Mayor Menna noted that the assessment was often passed on to a tenant.

Councilwoman Burnham asked if they had any invested money or CDs.

Mr. Scavone said they did not at this time.

Mayor Menna opened the public hearing and asked if anyone would like to speak.

William Meyer—12 Monmouth Street—said he had been paying into RiverCenter for a very long time and said he understood taxes were going up again. He said he disagreed that landlords had the ability to pass on the taxes.

Mayor Menna said he had said that, in many instances, the landlords had leases that passed on that assessment.

Mr. Meyer said he would not want to put his tenants in a situation where they would have to go out of business. He added that he had been opposed to the parking meters. He said he would like to see the opportunity for

property owners to opt out of participating in RiverCenter. He again said taxes were out of control and he criticized the revaluation.

George Lyrstis—Bistro Restaurant—asked how much of the budget went toward marketing.

Mr. Scavone said it was approximately 51 percent or about \$493,000.

Mr. Lyrstis asked if there were line items available on that.

Mr. Scavone said a meeting had been up set up with business owners on April 25th because they had asked for that information.

Mr. Lyrstis said he felt RiverCenter was doing a great job. He said they organization had been adapting over the years but said he thought they needed to work together which he said meant the Borough, the businesses and the residents.

Mayor Menna said it was a symbiotic relationship and was changing every day. He said he appreciated the efforts of former Councilman Murphy and present Council Whelan, who each served as the Mayor’s representative to the RiverCenter Board, to keep him informed. He said he recommended that RiverCenter be a cheerleader for itself and called for more information on their website to promote themselves.

Alan Placer—HobbyMasters—said there was a large disconnect in communication between RiverCenter and the majority of businesses and also between Borough Council and Borough Officials particularly in regard to parking. He said the White Street Parking Lot was not being properly managed. He called for a professional management company. He asked about an ordinance on the agenda to extend parking hours.

Mayor Menna said there was nothing on the agenda regarding that issue and said he had no knowledge of it.

Mr. Placer again called for a Parking Management Company.

Mayor Menna said it was a good idea and said they would discuss it.

Mr. Placer said his business was losing customers due to the parking issue and said it could affect his ability to stay in town. He called for better communication.

Ned Gaunt—President of RiverCenter—said RiverCenter’s prime objective was to promote Red Bank. He said they do hear from time to time that there are concerns about some of the things that RiverCenter is doing and said the strongly encourage anyone with questions to reach out to them. He said they would like to meet with them. He said they have a practice at each of their meetings to invite someone in to talk about their business and their concerns.

Victor Kuo—Temple Restaurant, 91 Broad Street—asked Mr. Scavone if they needed more help or more money. He asked how the businesses could help to increase the budget. He also suggested that businesses from outside the district should be allowed to participate.

Mr. Scavone thanked Mr. Kuo and said that was an issue that needed ongoing dialog and said he had been encouraged by the dialog that had started recently.

No else one appearing, Councilman Zipprich offered a motion to close the public hearing, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Councilman Zipprich thanked everyone for attending. He complimented the RiverCenter staff on their efforts. He read from a New York Times article from 2001 regarding the revitalization of Red Bank. He noted the cooperation between the business community and RiverCenter. He said they, along with the Vistors’ Center, had done an awesome job of promoting the town. He thanked the business owners for their commitment to the community and for their help to keep Red Bank a destination.

Mayor Menna spoke of his history with Mayor McKenna. He noted that the tenure of the article had dealt with commercial development but said it had also been clear that the residential base was the natural recipient of the change in the downtown in that home prices had gone up and the school system had improved. He said they would continue to have challenges but said he felt challenges were good. He said he had recently heard that Red Bank’s Westside Lofts project had just been voted the best home on average based rent. He said not all development was bad. He also noted that, as Mayor McKenna has moved forward with the creation of RiverCenter, one of the first things he had done when he took office was to move forward with an expansion of the district. He said the Borough would continue to evolve and work together.

Councilman Whelan thanked Councilman Zipprich for bring the information the history and creation of RiverCenter and highlighting how far the Borough had come.

16-94 Mayor Menna read, “A Resolution Adopting 2015 Budget of the Special Improvement District.”

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

2016 Proposed Budget Presentation

16-117 Mayor Menna called for a motion to table “A Resolution Authorizing Introduction of 2016 Municipal Budget.”

Councilwoman Schwabenbauer offered a motion to table the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Mayor Menna said he was removing Ordinance No. 2016-5 entitled “Borough of Red Bank Calendar Year 2016 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)” from the agenda.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

WORKSHOP

Sandwich Board Signs

Mayor Menna explained that the last time the Council had acted on the Sandwich Board Sign Ordinance, it had included a sunset provision which has expired. He said the Council had to decide whether or not they would continue with it. He said he was recommending that they continue with it.

Councilwoman Burnham said she agreed and reviewed the RiverCenter application for sign approval. She said she would like to see the signs conform to the listed criteria. She said she knew Code Enforcement enforced placement of the sign but said she would like to see enforcement of the criteria for the design of the sign.

Municipal Clerk Borghi clarified that there was a Municipal ordinance governing the signs that had its own criteria for signs throughout the Borough. She said RiverCenter had secondary approval for signs within their district and that the requirements in their application would only apply to signs within their district.

Administrator Sickels confirmed that the sunset provision had expired and an amended ordinance could be provided for the next agenda.

Mayor Menna asked what the Council’s pleasure was on the issue.

Councilwoman Burnham said she would like to see them continue but said she would like to see them “classed up.” She said she would like to see them follow the rules.

Mayor Menna noted that Clerk Borghi had clarified that those rules only apply to signs within the RiverCenter district.

Councilman Zipprich asked that it be referred to the Code Enforcement Committee for modification.

Director Scavone explained that RiverCenter had developed design standards for sandwich board signs within the RiverCenter district. He said the application was submitted to the Borough and they then forwarded it for review by the Visual Improvement Committee. He said the Committee would then send back their recommendations. He stressed that RiverCenter had no enforcement power. He said they make recommendations and state their preferences for materials, etc. but again noted they had no authority to enforce.

Councilwoman Burnham asked if non-compliant signs would be cited by Code Enforcement.

Mr. Scavone said he did not know if the Borough Ordinance outlined material content.

Clerk Borghi said since the ordinance had expired, it was irrelevant.

Mayor Menna said the lack of an ordinance meant nothing was permitted which he said was bad for businesses that rely on exposure.

Tom Fishkin—Readie’s, 39 Broad Street—said he had been a RiverCenter board member and was aware of the guidelines that the Visual Improvement Committee had set up. He said materials had improved and suggested the guidelines be revised to allow plastic signs.

Mayor Menna said the matter would be referred to the Code Enforcement Committee for review.

Parking Signs

The Council reviewed the information on the “Parking” sign distributed by Councilwoman Burnham.

Mayor Menna said he liked the sign but felt the arrow should be bigger.

Councilwoman Burnham said she felt they should be able to view the sign as it would be installed. She reviewed details of the sign and said she had asked that it be installed at Wallace and Broad on Monday so everyone could review it in place. There was a discussion on the size of the sign and the possible conflict with hanging flower baskets. She said the original quoted price was \$1,700 plus another \$350 for installation. She said the vendor was now offering it for a total of \$1,500 installed.

Councilman Zipprich asked if it could be taken down if the Council didn’t like it.

Councilwoman Burnham said she was thinking positively.

Councilman Zipprich asked if it was reflective or internally illuminated.

Councilwoman Burnham said it was internally illuminated and spoke of the benefits of the sign as a management tool.

Councilman Zipprich commended her effort. He noted that recent proposed modifications to the sign ordinance had recently failed. He said the existing ordinance did not allow internally illuminated signs and said he was concerned it would set a precedent.

Councilwoman Burnham said she had been told by Planning Director Glenn Carter that a town did not have to comply with its own ordinances.

Mayor Menna questioned whether or not Mr. Carter would have said that. He said he disagreed and said the ordinance would apply.

Councilwoman Burnham said she would like to see it installed for everyone to view.

Councilman Zipprich again questioned the possibility of a challenge to the ordinance.

Councilman Taylor asked it if would interfere with the annual holiday decorations.

Councilwoman Burnham said it would not and reviewed specifics.

Councilman Taylor asked who would be responsible for the maintenance.

Councilwoman Burnham said the vendor would be.

Councilman Whelan asked if the Engineer had reviewed the proposal.

Councilwoman Burnham said he had not. She said the vendor was experienced and that would just cost more money.

Councilman Whelan said he was just concerned about the electrical issues and said he did not think there would be an additional charge.

George Lyristis said the Restaurant Association had offered to foot the bill. He said parking was an ongoing problem downtown and said they were looking for small solutions. He said the installation would not cost the town anything and said, if they didn’t like it after it was installed, they could take it down.

Mayor Menna said the Council was in favor of installing the sample sign.

APPROVAL OF MINUTES – March 23, 2016

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

MAYORAL APPOINTMENTS

None.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Schwabenbauer said she had no report.

Councilman Taylor reported that the Parks and Recreation Department had been very busy. He reviewed several programs currently underway including information on the annual Summer Camp program. He said they had hosted a town hall a few weeks ago and said they were discussing having more of them. He said, as a result of the last meeting, an Adult Soccer League had been formed. He said Recreation employee Oscar Salinas was now coordinating the Mayor’s Wellness Campaign. He reviewed other upcoming programs including Fitness in the Park and a Mother/Son brunch on May 7th. He also reported on the Department’s new Facebook page.

Councilman Whelan said the Fire and Police departments would be beneficiaries of a fund raiser to be held at the Dublin House that was planned for the following Sunday. He said the proceeds would go to each

department’s scholarship program. He also reported that RiverCenter would be hold the International Food and Wine Festival the following weekend.

Councilwoman Burnham who the scholarships would be for.

Administrator Sickels said graduating seniors that were children of department members would be eligible.

Councilman Zipprich had no report.

Councilwoman Burnham reported that St. Anthony’s Social Concern Ministry and the Monmouth Reform Temple had teamed up on April 4th to give out bike lights. She said they would be doing it again on June 6th. She also reported that the Environmental Commission was planning a cleanup with details to be announced. She said they also had a Facebook page.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Meridian Health to hang a banner on Shrewsbury Avenue from May 18-May 31, 2016 to advertise Paint the Town Pink.

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

By Consent Agenda:

Events Approved by the Special Events Committee:

- Request from Red Bank Catholic to hold Jason’s Dreams for Kids Inc. Festival in St. James Parking Lot on Saturday, May 7, 2016 from 11am to 4pm.
- Request from Pilgrim Baptist Church to hold 5th Annual Community & Bike Blessing Festival on Saturday, June 4, 2016 from 9am to 5pm and to close Leonard Street during the event.
- Request from Lunch Break to hold their Annual Picnic/Softball Community Event at Count Basie Field on Saturday, August 20, 2016 (with a rain date of August 21, 2016) from 10am to 4pm.
- Requested from Red Bank Regional High School Alumni Football game to change the date for their event at Count Basie Park from May 21, 2016 to May 14, 2016 from 2pm to 8pm.

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

PUBLIC COMMENT - Ordinances on First Reading and Resolutions Only

Mayor Menna opened the Public Comment and asked if anyone would like to speak.

No one appearing, Councilman Zipprich offered a motion to close the public comment portion of the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

ORDINANCES – First Reading

2016-4 Mayor Menna read, “An Ordinance Amending Chapter VIII, "Parking Lots and Handicapped Parking Spaces,” Subsection 8-2.8, "Restricted Parking” of the Revised General Ordinances of the Borough of Red Bank. (Linden Place).”

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Final reading and public hearing to be held April 27, 2016.

ORDINANCES – Public Hearing and Final Adoption

RESOLUTIONS

16-57 Mayor Menna read “A Resolution Tax Appeal Settlement Regarding Channing P. Irwin, Block 7, Lot 14 and C.P. Irwin Realty Associates, Block 9, Lot 32.01 a/k/a Irwin Yacht Works.”

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

ROLL CALL:

AYES: Taylor, Whelan

NAYS: None

ABSTAIN: Burnham, Zipprich, Schwabenbauer

Attorney Cipriani said that an abstention without a reason would be considered a vote with the majority. She said Councilmembers with a conflict would not count toward the quorum. She asked if the Councilmembers would like to put the reason for their abstentions on the record.

Councilwoman Schwabenbauer said she had a conflict.

Councilman Zipprich said he was not sure if he had a conflict but he expressed concerns on this resolution when it had been before the Council previously. He said he wanted to err on the side of caution.

Attorney Cipriani asked what the basis of the conflict would be.

Councilman Zipprich said he had done business with them.

Councilwoman Burnham said she wanted to abstain because she knew the individuals, had done business with them and was on boards with them.

Attorney Cipriani said if everyone had a conflict then, under the rule of necessity, everyone would be permitted to vote. She clarified that Councilwoman Burnham and Councilman Zipprich had conflicts based on personal relationships and Councilwoman Schwabenbauer had a conflict based on campaign donations. She said Councilwoman Schwabenbauer’s conflict was at a higher level and said, under the rule of necessity, Councilman Zipprich and Councilwoman Burnham could vote.

Mayor Menna called for another vote.

ROLL CALL:

AYES: Burnham, Taylor, Whelan

NAYS: None

ABSTAIN: Zipprich, Schwabenbauer

There being three ayes, no nays and two abstentions, the motion was declared approved.

Mayor Menna commended Planning Director Glenn Carter for his efforts to eliminate some of the Guarantee Bond requirements. He called for a vote on the following resolutions by Consent Agenda:

- 16-95 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by 199 Broad Street, LLC, for 199 Broad Street, Block 105, Lot 6.
- 16-96 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by 224 Maple, LLC, and Dr. Anu Chakraborty, for 224 Maple Avenue, Block 75.02, Lot 129.
- 16-97 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by BHE Corp. D/B/A Brannigans for 14 Wharf Avenue, Block 10, Lots 4 and 5.
- 16-98 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Broad Street Realty Associates, LLC, for 2, 8 and 10 Broad Street, Block 30.01, Lots 21, 22 and 23.
- 16-99 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Charles Williams and Evelyn Williams, for 119 Shrewsbury Avenue, Block 64, Lot 1.
- 16-100 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by 116-118 Chestnut Street, LLC, and Thomas J. Degnan, for Chestnut Street Improvements, 116-118 Chestnut Street, Block 63, Lots 8.10 and 10.01, and Block 75.05, Lot 16.01.
- 16-101 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Herbert Street, LLC, and Thomas J. Degnan, for Herbert Street Parking Lot, 116-118 Chestnut Street, Block 63, Lots 8.10 and 10.01, and Block 75.05, Lot 16.01
- 16-102 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Crosson Construction Co., Inc. for 47 Wallace Street, Block 29, Lot 19.
- 16-103 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Juan Torres and Aurora Torres for Juanito’s Market, 197 Shrewsbury Avenue, Block 69, Lot 9.
- 16-104 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Brad Jacobs and Allison Jacobs, for 170 Branch Avenue, Block 111, Lot 34.
- 16-105 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Metrovation Anderson for 218 Monmouth Street, Block 38, Lots 1 and 2.02.

- 16-106 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Patoch Construction Co., for Red Bank Catholic High School, Block 46, Lots 12 and 33.
- 16-107 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Red Bank Pharmacy, Inc., and KJD Realty, LLC, for 141-143 Broad Street, Block 59, Lot 2.
- 16-108 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by J. H. Reid General Contractor, for Bellhaven Commons, Locust Avenue, Block 39, Lots 1 and 2.
- 16-109 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by Andrew Trocchia/Millie-T, LLC, for 228 Maple Avenue, Block 75.02, Lot 128
- 16-110 A Resolution Authorizing the Release of a Site Improvement Performance Guarantee Posted by A&B Property Holdings, for 6 Newman Springs Road, Block 97, Lots 46.01 and 46.02.
- 16-111 A Resolution Authorizing Contract with Certain Approved State Contract Vendors Contracting Units Pursuant to N.J.S.A. 40A:11-12a. (Fiber LAN Solution)
- 16-112 A Resolution to Approve the Hiring of Parks and Recreation Park Assistants.
- 16-113 A Resolution Authorizing Tax Credits/Refunds Totaling \$4,066.00 due to Judgements of the Tax Court of New Jersey.
- 16-114 A Resolution Authorizing Tax Credits/Refunds Totaling \$4,562.60 due to Over Payment by Property Owner.
- 16-115 A Resolution Authorizing Change Order No. 5 Related to the Contract with Lucas Construction Group, Inc. for the 2015 Road Improvement Program Project.
- 16-116 A Resolution Amending the 2016 Temporary Appropriations.

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

ROLL CALL:

AYES: Burnham, Zipprich*, Schwabenbauer, Taylor, Whelan

NAYS: None

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

*Councilman Zipprich said he would be abstaining on Resolutions 16-95, 16-98, 16-100, 16-101, 16-110, 16-113 and 16-114 because he was not sure who was involved in the LLCs.

Mayor Menna said that would not be an issue because the Borough was returning the money of the individuals listed. He said in that case there would not be a conflict.

Attorney Cipriani agreed.

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming April 10-16, 2016 as Library Week in the Borough of Red Bank.

PAYMENT OF VOUCHERS

16-117A Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$1,721,993.50.”

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

OLD BUSINESS

None.

NEW BUSINESS

None.

AUDIENCE

Barbara Boas—135 Branch Avenue—asked why benches at the foot of White Street had been removed.

RiverCenter Director Scavone said they had been damaged by snow plows but were being repaired and would soon be replaced.

Councilwoman Burnham asked who was responsible for the painting and maintenance of the benches.

Mr. Scavone said RiverCenter was responsible for the benches they had put in and said they do maintenance once a year.

Councilman Zipprich noted that, last year, an Eagle Scout had assisted with the project.

Jimmy Dark—48 West Sunset—thanked Mayor Menna for his help with a tree and said it could be tightened up more. He also asked Councilman Zipprich if the street sweeper could be out more.

Councilman Zipprich said the street sweeper would begin a weekly schedule the following week.

Mr. Dark asked when Bridge Avenue would be paved.

Administrator Sickels said they were finalizing the water work on the street and that was the last item.

Mr. Dark also asked for pedestrian safety signs.

Mayor Menna said the issue was not signage but was enforcement. He said they would refer the matter to the Police Chief. He also said the County had pledged to work on Shrewsbury Avenue improvements once the Front Street bridge project was done.

Mr. Dark also commented on dips in the road in Riverside Avenue and Highway 35.

Mayor Menna said the Commissioner of the Department of Transportation had recently visited and said he had been discussing traffic issues with them for some time. He said the Borough had put in requests for improved crosswalks and traffic calming efforts as well as a traffic light at Bodman Place. He reviewed the traffic changes in the area and said he hoped for a solution soon.

Councilman Taylor called for enforcement on Bridge Avenue adding that, once its paved, he felt the problem would be even worse.

Councilman Whelan thanked Mr. Dark for his comments. He also noted that the Police Department had just completed a successful Pedestrian Safety Month. He said they would be reviewing the results to find areas in need of work.

Suzanne Viscomi—19 Morford Place—reviewed the response to an OPRA request she had made in 2013. She said she was told that various committees did not have to prepare agendas or track attendance and was not required to prepare minutes. She said there was not consistency. She said she had been told that the Rent Leveling Board did not have to keep minutes.

Both the Mayor and Clerk said that was not the case adding that the Rent Leveling Board was required to maintain minutes.

Ms. Viscomi called for the Council to change the policy and require the committees to keep minutes.

Mayor Menna asked if the Board of Education committees, such as Personnel, maintain minutes.

Mr. Viscomi said the Board did not have a Personnel committee but said the others did maintain minutes.

Mayor Menna noted that he had been a plaintiff in a case against a Brookdale Committee College subcommittee that had not disclosed the content of their meetings. He said a judge ruled that subcommittee meetings were public information as long as they were substantive. He said he was agreeing that each committee should be keeping minutes.

Councilwoman Burnham said the Environmental Commission did keep minutes.

Ms. Viscomi said her point was that there was no continuity.

Carol Popper—no address given—asked if the large traffic sign near the entrance to town could be moved.

Administrator Sickels said it was part of a DOT funded study and said they had chosen the location. He said it was specific to that sight for a period of time. He said they were waiting for results.

Ms. Popper suggested other locations that could benefit.

Freddie Boynton—365 Shrewsbury Avenue—asked the Council to consider parking on only one side of the street. He reviewed issues on specific streets.

Mayor Menna confirmed that the municipality did have that authority. He also noted they had done it in the past. He said, if they received a request from the community, they would seek input from those in the neighborhood.

Mr. Boynton also reported that a car had been parked on West Bergen Place for two years. He also reported that he had seen a public works vehicle that had employees that had had to wait for the rain to stop because the vehicle had no wipers. He said the driver had told him he did not have vehicle maintenance sheets and also said they did not see action even if they were filled it out. He reviewed incidents from years ago when he had been an employee where people had been hurt. He also asked for the pedestrian signs.

Mayor Menna said he understood the pedestrian issues and recounted the Borough's effort to install four-way stop signs in various locations.

Councilman Zipprich said there were also concerns on Chapin Avenue.

Mr. Boynton suggested they add speed bumps. He also said he had met with officials to discuss improvements to crosswalks on Shrewsbury Avenue.

Alan Placer—reported that English Plaza had been paved the previous night but said no notice had been given.

Mayor Menna said it was not a paving job but was patch work because a hazard had been identified. He suggested it had been a miscommunication.

Mr. Placer said there had been no communication.

RiverCenter Director Scavone said RiverCenter had sent an email regarding work on English Plaza. He said the Police had notified businesses along English Plaza and RiverCenter had sent a notice to the business community. He said they did not send information on the White Street Parking Lot because they had not known.

Victor Kuo asked about the budget approval process and the due date saying he understood it had to be submitted by April 28th.

CFO Poulos reviewed the statutory process and said the introduction would be on April 27th.

Mayor Menna noted they were still waiting for tax appeal numbers.

Mr. Kuo questioned why they waited until 2016 to introduce the budget for 2016.

Attorney Cipriani explained the statutory process and said the Borough was not allowed to introduce in 2015.

Mr. Kuo asked why not.

Attorney Cipriani said it was the law.

Administrator Sickels offered more information on the process.

Stephen Hecht—135 Branch Avenue—said he had missed the meeting when the representatives from the County Tax Board had attended. He said he had watch it on line and said they had done a good job. He noted that the deadline to opt out was on the 29th.

Administrator Sickels said it had been extended to May 31st.

Mr. Hecht asked if the Council would be putting the matter on an agenda.

Mayor Menna said the Council was currently discussing the matter with their professionals to review different options.

Mr. Hecht asked if there would be a public discussion.

Mayor Menna said there would be.

Mr. Hecht also reported that East Bergen Place was a mess with areas of patching.

Mr. Sickels said the Borough had received a grant to pave that street and the Engineer was in the process of reviewing underground lines before it was paved. He said it was being considered for the 2016 Road Program.

Mayor Menna asked that notices be hand delivered to residents before the work began.

EXECUTIVE SESSION

16-118 Mayor Menna read a resolution to adjourn to executive session to discuss personnel; no formal action to be taken.

Councilman Zipprich offered a motion to adjourn to executive session to discuss personnel seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Councilwoman Schwabenbauer offered a motion to close executive session meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

ROLL CALL

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

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

ABSENT: Councilwoman Horgan.

ADJOURNMENT

Councilwoman Schwabenbauer offered a motion to close executive session meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Respectfully submitted,
Pamela Borghi