

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
OCTOBER 26, 2016  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

**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.

2016-23        An Ordinance Adopting a Redevelopment Plan for the Property Commonly Known as 55 West Front Street and Identified on the Borough's Official Tax Map as Block 30, Lot 1.01

Mayor Menna noted that the Public Hearing on Ordinance 2016-23 had been advertised for this meeting but noted that the Planning Board had not memorialized their resolution. He said the Public Hearing would be carried to a future date.

Councilman Zipprich offered a motion to carry the ordinance and public hearing to November 21, 2016 at 5:00 p.m., seconded by Councilman Whelan.

**ROLL CALL:**

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

**NAYS:**        None

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

**WORKSHOP**

**Meeting Change**

Councilwoman Schwabenbauer said the next Council meeting was currently scheduled for Thursday, November 10.

Mayor Menna explained that the date had been chosen because the regular date would have been the date after Election Day.

Councilwoman Schwabenbauer said she would rather have it on Wednesday, November 9.

Mayor Menna said he would have a conflict but said it was up to the majority of the Council.

16-280        Mayor Menna read, "A Resolution Amending Time and Place of Borough Council Meetings for 2016."

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

**ROLL CALL:**

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

**NAYS:**        None

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

Councilman Zipprich asked about the second meeting in November.

Mayor Menna said it was also scheduled in the January resolution and was set for Monday, November 21, because the fourth Wednesday was the day before Thanksgiving.

**APPROVAL OF MINUTES – October 14, 2016**

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

**ROLL CALL:**

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

**NAYS:**        None

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

**MAYORAL APPOINTMENTS**

Mayor Menna appointed Steve Barsolona to the Zoning Board of Adjustment as Alternate No. 3 for an unexpired two year term expiring 12/31/16.

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

**ROLL CALL:**

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

NAYS: None

There being six ayes and not nays, the motion was declared approved.

Mayor Menna appointed Richard Angowski to the Zoning Board of Adjustment as An Alternate No. 4 member for an unexpired two year term expiring 12/31/17.

Councilman Taylor said he did not know who Richard Angowski was.

Mayor Menna noted Mr. Angowski had served on the Blue Ribbon Panel to review the Charter School expansion. He reviewed Mr. Angowski's credentials.

Councilman Zipprich offered a motion to approve the appointment, seconded by Councilwoman Burnham.

**ROLL CALL:**

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

NAYS: None

There being six ayes and not nays, the motion was declared approved.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from RiverCenter to install holiday decorations throughout the business district from October 28, 2016 through January 31, 2017 with tree lights only remaining until March 31, 2017.

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

**ROLL CALL:**

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

NAYS: None

There being six ayes and not nays, the motion was declared approved.

Mayor Menna read a request from RiverCenter for free parking throughout the business district on Friday, November 25 (Black Friday), Saturday, November 26 (Small Business Saturday) and Monday, December 12 through Christmas Day.

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

**ROLL CALL:**

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

NAYS: None

There being six ayes and not nays, the motion was declared approved.

Mayor Menna read a request from residents of South Street to hold a Halloween Block Party and to close the street from Branch Avenue to Brown Place on October 29, 2016 with a rain date of November 5, 2016 from 4:00 p.m. to 10:00 p.m.

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

**ROLL CALL:**

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

NAYS: None

There being six ayes and not nays, the motion was declared approved.

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

Councilwoman Schwabenbauer reported that CFO Poulos had been working on an RFP for payroll services and would be recommending an award to a company that would save the Borough \$65,000 over the next three years. She also reported that Moody's had issued their financial report for October which awarded Red Bank a AA3 rating which was the same rate as January. She said it was notable that they had commented that the Borough's balance sheet was now stronger as a result of the budget that had been adopted. She thanked everyone for their work on that. She said the Central Jersey JIF Renewal for 2017 had come in and said there had been a three percent change. She said they had done a successful FEMA filing for a January 2016 storm. She said they had filed for \$87,000 in expenditures and received a 75 percent payment in the amount of \$65,000. She said they also completed a tax sale and sold about \$327,000 worth of items.

Councilman Taylor reported that the Parks and Recreation Department would hold their first ever Halloween Egg Hunt on Friday, October 28 in Eastside Park. He reviewed the highlights of the event including face painting by the high school Key Club. He also reported that the Veterans Day service would be held at 51 Monmouth Street on November 11. He said the Department would also be organizing a winter clothing drive and said both youth and adult basketball programs were underway. He said they would be offering free pickle ball classes and explained the program which he said was similar to tennis. He said the Westside Tree Lighting would be Saturday, December 3 at 5pm at Johnny Jazz Park. He said the Holiday House Decorating contest would return and said judging would take place between December 16 and 19. He thanked David Prown for helping to organize the contest.

Councilman Whelan reported that the Parking Agreement with Count Basie Theatre had had another incredible month. He said it was a win-win for Red Bank that was still going strong. He said he also wanted to thank the Fire Department for their assistance with the Halloween Parade.

Councilwoman Horgan reported that the Education Technology Committee had met the previous night. She said they had received good feedback for the new website from both the public and staff. She said they were working on an internal procedure to make sure staff kept the content current. She said they would be launching a mobile app for the website possibly by the end of the year. She said they were also working on additional security measures and would be providing additional training for end users. She said the hardware upgrade was nearing completion at Borough Hall and reviewed details of the upgrade. She also noted that the Election was coming up and reported that there had been problems with Vote By Mail ballots. She said the Monmouth County Board of Elections had a hot line so voters could check on their ballots.

Councilman Zipprich reported that the Historic Preservation Commission had met the previous night to discuss additions to the Borough's Historic Inventory. He said the Shade Tree Committee had submitted a Certified Forestry Management Plan for 2016 through 2020 which had been received and approved by the State. He said he was excited about the upcoming technology advances reported on by Councilwoman Horgan. He also reported that he had represented the Borough at the Lunch Break Annual Gala on the previous Friday. He congratulated the honorees. He said the Halloween Parade had been a great event and thanked the organizers and participants. He said he had been disappointed that some politicians had politicized the event.

Councilwoman Burnham said she had no report. She said there had an issue parking for a recent Navesink River Municipalities meeting due to Count Basie Theatre parking.

Mayor Menna said it was the responsibility of the Committee to let the Clerk know when they were meeting so the Clerk to make the appropriate notifications.

Municipal Clerk Borghi confirmed that the Navesink River Municipality Commission meetings were on the calendar and said the procedure was that the theater could only use numbered spaces. She said all of the non-numbered spaces in front of the building were to remain open for Borough use. She said the days that they do not let the theater use the lot were for largely attended meetings such as Council, Planning Board, Zoning Board, etc. She said most of the smaller committees don't need parking beyond that front lot.

Councilwoman Burnham said they have a large turnout for their meetings.

Municipal Clerk Borghi said she could add that meeting to the list of nights that the theater could not use the lot.

Councilman Whelan added that the agreement was strongly enforced to ensure that only theater patrons used the lot.

#### **PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only**

William Meyer—12 Monmouth Street—asked about “Schedule A” that was referenced in Ordinance 2016-25.

Mayor Menna noted it was on for first reading.

Mr. Meyer said no Schedule A have been provided. He said it appeared the most important part was not available.

Municipal Clerk Borghi said this had been discussed at a prior meeting and again noted that the attachments were not released until after an Ordinance was introduced.

Mayor Menna noted Mr. Meyer had been in attendance when that was previously discussed.

Ms. Borghi said, once the Ordinance was introduced, the document would be available and posted to the Borough's website for review before the public hearing.

Mr. Meyer expressed his concern and said it was his opinion that it should be available.

Attorney Cipriani said she recalled that Mr. Meyer had made the same complaint on a previous Ordinance. She confirmed that it was the process to have the additional documents provided once the first reading occurred. She said there would be ample opportunity to review the document.

Mr. Meyer said he felt it put everyone at a disadvantage and said people would have to make a separate trip to Borough Hall to get the additional document.

It was again noted that the document would be posted to the website after the meeting and also that it would be available at the next meeting.

Mr. Meyer said people would like to look at it before the next meeting.

Mayor Menna noted that this was not the public hearing which would be announced upon introduction.

Mr. Meyer said, since the Borough owned the property, they could do whatever they wanted with the lot. He said he did not see the rationale for it to be an area in need of redevelopment. He said he felt the lot should be reconfigured and offered specifics on his suggestion. He said he felt the Council was heading toward radically increasing the cost of parking in Red Bank which he said would make them less competitive.

Jim Scavone—Executive Director, Red Bank RiverCenter—said he wanted to express the business communities support of this step toward trying to solve the parking problem in Red Bank. He said it was a problem they had been facing for years and said the business community needed the support of the Borough to try to solve the problem. He said they were encouraging the Council to take this step to help them solve the problem and to help the business community to continue to thrive. He said he wanted to publicly state their support.

Lou Maschi—Patrizia's Restaurant--said he was in total support of the Ordinance and said he disagreed with statements made by Mr. Meyer. He said the district was at a parking disadvantage and noted the number of current vacancies. He said he had also supported the 55 West Front Street project and said he had originally stated that weekends were not a problem in town but he clarified that that was not the case. He said the problem was that people who come town mostly on the weekends and said there was very little sales during the week. He noted the high number of Red Bank residents that were renters. He said he felt that renters did not care for homes like owners and said he felt that contributed to the ability to attract people to town. He said he was in full support of a parking garage to help attract patrons.

Councilman Zipprich asked Mr. Maschi if he operated the Patrizia's in Great Kills.

Mr. Maschi said he did.

Councilman Zipprich asked if he had a parking problem there.

Mr. Maschi said he did and said they were working on renting space across the street. He said they also offer valet parking at that location.

George Lyristis—Bistro/Teak—said he wanted to show his support and said he hoped the Council would vote with courage. He said he had been in town for 20 year and said, without a garage, he didn't think he would be here another 20 years.

Nicole Urbont—West Street—said she was speaking on the JCP&L resolution. She said they had been talking about development and attracting people to town. She said, if the wire went up, they would not have that because people would not want to live in the shadow of that. She thanked the Council for their continued support.

Alan Placer—Hobbymasters, 62 White Street—said his business was experiencing the worst September/October that their business had had since 1979. He noted that he had been pleading for a garage and said he was thrilled to see the progress. He said he promised that Hobbymasters would not be in Red Bank in two years if the Borough could not fix the parking problem. He said their business does internet sales and said that was not where the problem was. He said the problem was walk in customers could not find parking. He said he had no problem with doubling the rate and said he could not find parking as cheap as Red Bank anywhere. He said he believed parking was a business that would make the town money. He said he wanted to remind everyone that this vote was not to pick a garage but just to say they wanted to move forward on working toward a garage.

Tom Fishkin—Readies, 39 Broad Street—said he wanted to echo the previous comments and said that, as a business owner and RiverCenter Board members, he appreciated the step that was being taken.

Tom Labetti—45 Elm Place—asked about Resolution 16-270 and asked if the Borough had considered hiring Martin Allen who had won a similar case in Morristown.

Mayor Menna said that was the person they would be hiring.

Mr. Labetti also asked about 16-271. He said it had not been available on line and asked if the draft was available. He said it was regarding JCP&L and how much would be contributed.

Mayor Menna said it would be capped at \$10,000 for now.

Mr. Labetti said the plan referred to in Ordinance 2016-25 had not been posted on line prior to first reading. He said he felt the public should be involved and should be able to give feedback.

Mayor Menna said they would be involved.

Mr. Labetti said he would like to see it posted to the website prior to first reading. He called for the Council to table it until the public had a chance to review it.

Mayor Menna said the public would have plenty of opportunity to read it because the public hearing would not be for a few weeks.

Mr. Labetti suggested it be posted to the website in a section that would allow for comments. He said the public should be able to offer feedback that may be incorporated into the plan.

Mayor Menna said that was exactly the process.

Administrator Sickels said there was nothing to review until there was a final draft that had been introduced. He said once the Council votes to introduce a plan, then it would go to the public and they would solicit comments at a public hearing. He noted there would be a public hearing at both the Planning Board and at the Council.

Councilman Zipprich said he felt Mr. Labetti was concerned that it had not made the agenda on Friday and had been added on Tuesday.

Councilman Whelan said that was not the issue. He said Mr. Labetti was just stating that he wanted to see the plan before it was introduced. He also pointed out that a similar procedure had been followed regarding the property at 55 West Front Street. He said the matter had been introduced at the end of September and people had had a whole month to review it.

Michael Simpson—SOME Architects, 65 Monmouth Street and Red Bank Business Alliance—said he felt this was a really good step. He said he felt the public discourse would be really good. He compared this to the input received during the development of the Master Plan. He said it would be great to see the content of the plan. He said there was not a Master Plan in Red Bank, to his knowledge, which had not included a parking deficiency. He noted the business community paid a significant part of the taxes and said, if that community was hampered, it would contribute to assessments going down. He pled with the Council to get the ball rolling to get the public discussion started.

Damon Mertha—39 West Street—said he also found parking an issue in town and noted that he had dropped people off, parked his car at his residence and walked back to a restaurant. He also thanked the Council for their support with the JCP&L resolution.

Robert Lowe—77 East Bergen Place—said he lived and worked in Red Bank and supported the local businesses. He discussed the appeal of Red Bank and said he was supportive of the parking garage. He said he felt home values would go down if they did not support this issue.

Stephen Catania—14 Monmouth Street, the Cheese Cave—said he wanted to echo the support of his fellow business owners. He said the parking problem was decades old and suggested they use resources such as RiverCenter, the business community and residents to get input.

Johnell Garmany—Garmany—said he was in support of the parking garage. He said shopping centers in neighboring towns were a real threat. He recalled the downtown years ago when it was known as “Dead Bank.” He compared activity in Asbury Park with lack of activity in Red Bank. He noted that he had parking with his business but said he was concerned for the town.

Mayor Menna said he agreed with his assessment and explained the need for Red Bank to take similar actions to those towns.

### **ORDINANCES – First Reading**

2016-25            Mayor Menna read, “An Ordinance Adopting a Redevelopment Plan for the Property Commonly Known as the White Street Parking Lot Located at 75-79 White Street and Identified on the Borough’s Official Tax Map as Block 31, Lot 2.01.”

Mayor Menna introduced Anthony Rodriguez of CME Associates and said he had prepared the plan being presented.

Mayor Menna asked if there were any questions or comments from the Council.

Councilwoman Horgan said she was in favor of a parking garage but had a problem with how this matter was handled procedurally. She said she did not like the fact that it had been linked with 55 West Front Street. She said she wanted to know who would be developing it and if the Borough would retain ownership. She said there were a lot of questions that needed to be answered. She said she would vote to introduce it but said she wanted everyone to know that she had serious questions. She again said she did not think they had followed proper procedure to get to this point.

Mayor Menna asked the Borough Attorney to explain the process.

Attorney Cipriani said the answer to the question of who would develop it would be whomever the Council chooses or no one. She said this was the process for redevelopment. She explained that the plan ordinance was presented on first reading then referred to the Planning Board. She said it would come back to the Council and, if the Council chose to adopt the Redevelopment Plan Ordinance, then the next thing that would probably happen would be to put out on RFP to get proposals for redevelopers. She said that would not happen without further action of the Council. She said once they reviewed the proposals, they could designate a redeveloper of their choosing. She said it would be for a certain period of time and the designation would end if there was no redeveloper’s agreement. She said the redeveloper’s agreement was another opportunity to refine the agreement. She said, if they could not come to an agreement, that designation would end and they could try with another redeveloper or go a completely different direction. She said, at any point, they could stop.

Councilwoman Horgan said it was important that the public have input. She said, as long as that was a part of the process, she was fine with it for now.

Councilman Whelan thanked Attorney Cipriani for the clarification. He said he was glad that Councilwoman Horgan would support it so she could see what was coming. He said he also read comments by Councilwoman Burnham where she said she wanted to see what it would look like and who would pay for it. He said the only

way to get those answers was to introduce. He noted she had said she didn't like the process but he noted they were following the process by law. He again thanked Attorney Cipriani for clarifying that. He also said he wanted to address her comment that she didn't like the fact that it was tied to 55 West Front Street. He noted that, for two or three months, they had been separated. He also noted that the front page of the plan only noted the White Street Municipal Parking Lot and did not reference 55 West Front Street. He said it had been a blessing to be the Chair of Parking and the liaison to RiverCenter while working with the Business Alliance. He said he had engaged with the community and heard their stories and concerns. He said he understood that the businesses needed help. He said the redevelopment plan would strengthen the Borough's toolbox to solve the parking problem.

Councilman Zipprich said he supported the introduction of the Ordinance. He said objected to the fact that the Parking Committee had not met on the issue in the past six or eight weeks. He said he also objected to the fact that they had broken the Mayor's own rule in the fact that this ordinance and draft plan had not been distributed with the regular packet but had been added later.

Councilwoman Burnham said she was in favor of a garage and would vote to introduce. She said she agreed that public input was very important. She expressed concern about the cost of the redevelopment. She said the first step had been \$8,000 and said the second step would be \$80,000.

Mayor Menna and Councilman Whelan both asked where she had gotten that number.

Councilwoman Burnham said they had discussed it previously.

Mayor Menna said they had decided not to go that route.

Councilwoman Burnham said it would cost money and said she would check on the cost the following day. She said RiverCenter was supposed to contribute \$40,000 toward that cost and asked if anything had happened with that.

Mayor Menna said it may not be necessary for RiverCenter to contribute that money because they were doing it in a smart fashion. He said he would leave his comments at that because they had discussed it in Executive Session.

Councilwoman Burnham asked him to elaborate.

Mayor Menna said they had not spent \$80,000, they were not spending \$80,000 to get to this stage and said he did not think they would spend anywhere near that. He said he did not know where that number was coming from.

Councilwoman Burnham said it had come from a few meeting ago when they had discussed it.

Mayor Menna said he would not discuss confidential discussions in a public meeting. He said he thought everyone had understood the Executive Session discussions about how they were going to more wisely proceed to save money. He said the \$80,000 had been taken off the table a long time ago.

Councilman Zipprich asked if, at some point in the process, the parking garage fails, how would it affect 55 West Front Street.

Mayor Menna said it wouldn't. They were completely separate and independent. He asked Mr. Rodriguez to confirm.

Mr. Rodriguez said that was correct.

Councilman Zipprich asked if they would have ample parking on their facility.

Mayor Menna said they would and again noted it was a separate and independent project.

Councilman Taylor said he wanted to echo Councilman Whelan's thanks to the business community for coming out. He said it had been a long process but said they were moving forward. He said he also wanted to thank the residents that had come out in support. He said the issue would affect the entire town. He asked those residents in favor to share their thoughts with their neighbors. He said it was an issue that was not easily won in the court of public opinion. He said there was a lot of misinformation out there. He explained how a healthy business community would help lower residential taxes.

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

ROLL CALL:

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

NAYS: None

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

Public hearing to be held December 14, 2016.

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

2016-22 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter VII, "Traffic," Section 7-3.4, "Parking Prohibited During Certain Hours on Certain Streets" Schedule II, "Parking Prohibited Certain Hours."

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

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

**ROLL CALL:**

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

NAYS: None

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

Councilman Zipprich offered a motion to adopt the ordinance on final reading, seconded by Councilman Taylor.

**ROLL CALL:**

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

NAYS: None

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

2016-24 Mayor Menna read, "An Ordinance Amending and Supplementing the Ordinances of the Borough of Red Bank, Chapter 105, Personnel Policies, Section 105-3, "Authority."

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

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

**ROLL CALL:**

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

NAYS: None

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

Councilman Zipprich offered a motion to adopt the ordinance on final reading, seconded by Councilman Whelan.

**ROLL CALL:**

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

NAYS: None

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

**RESOLUTIONS**

16-270 Mayor Menna read, "A Resolution appointing Special Counsel Regarding Red Bank vs. Riverview Medical Center."

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

**ROLL CALL:**

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

NAYS: None

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

16-271 Mayor Menna read, "A Resolution Authorizing the Mayor to Execute a Cooperative Agreement with Respect to Joining in a Proportionate Share of the Litigation Costs in Regard to the JCP&L Monmouth County Reliability Project."

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

**ROLL CALL:**

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

NAYS: None

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

16-274 Mayor Menna read, "A Resolution Authorizing Curfew from October 30 and 31, 2016."

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

**ROLL CALL:**

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

NAYS: None

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

16-275 Mayor Menna read, "A Resolution Acknowledging Receipt of Best Practices Inventory as Prepared by the Chief Financial Officer."

Councilwoman Schwabenbauer offered a motion to approve resolution, seconded by Councilwoman Horgan.

**ROLL CALL:**

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

NAYS: None

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

16-276 Mayor Menna read, “A Resolution Accepting Performance Bond Issued by Oakland Square, LLC to replace a Performance Bond Issued by Station Place at RB, LLC.”

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

**ROLL CALL:**

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

NAYS: None

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

16-277 Mayor Menna read, “A Resolution Requesting Approval of Special Item of Revenue and Appropriation According to NJS A 40A:4-87 (Click it or Ticket--\$1,200.00).”

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

**ROLL CALL:**

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

NAYS: None

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

16-278 Mayor Menna read, “A Resolution Requesting Approval of Special Item of Revenue and Appropriation According to NJS A 40A:4-87 (Body Armor--3,707.94).”

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

**ROLL CALL:**

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

NAYS: None

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

16-279 Mayor Menna read, “A Resolution Awarding Contract to Prime Point for Payroll Services.”

Councilwoman Horgan offered a motion to approve resolutions, seconded by Councilwoman Schwabenbauer.

**ROLL CALL:**

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

NAYS: None

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

## **PROCLAMATIONS**

### **PAYMENT OF VOUCHERS**

16-281 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$3,849,610.21.”

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

**ROLL CALL:**

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

NAYS: None

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

## **OLD BUSINESS**

### **NEW BUSINESS**

### **AUDIENCE**

Vicky Nelson—166 River Street—said she walks her dogs each day at Count Basie Field and said she had gotten to know the two women that worked there. She commended their efforts at helping to keep kids out of trouble and said she understood they no longer worked there because there was no money to pay them. She said she had spoken with the Recreation Director and said he had suggested that she plead with the Council to try to find funding to continue to staff the park. She said they were wonderful people.

Councilman Taylor said he agreed completely.

Administrator Sickels said he had discussed the issue with Director Hoffmann. He noted they had been budgeted as seasonal employees and said he had suggested that the Director submit a recommendation and proposal to the Recreation Committee to extend their employment as long as it was within his budget. He added that, if they didn't have the funds this year, they could budget for it next year.

Ms. Nelson suggested the Borough should seek contributions from the organizations that use the park on the weekends.

Administrator Sickels said they were waiting for a recommendation from the Director.

Councilman Taylor again said he agreed with her. He confirmed that they were hired as seasonal employees and noted that their hours had been extended this year. He said he would love to have them there more but they needed to find the money.

William Meyer—12 Monmouth Street—said he felt the Mayor had appeared cranky with members of the Council at this meeting and at previous meetings. He said, in the past, people had made comments to him about it. He said he had previously asked the Council, and was asking again, for how much money was being spent certain aspects of this “redevelopment movement” regarding solving the parking problem or going with a parking garage. He expressed concern that there was no specific information about what was being planned. He said the fact that they would get to look at it later didn't help because he said they wanted to get on top of it earlier. He said it would cut into the public's time to react and said some people thought it was intentional. He said if they did not know how much had been spent or did not want to tell him, he said that was not impressive. He asked to be told how much had been spent and what the Borough was getting for it. He said there had been \$73,000 in soft costs wasted by a previous member of Council in connection with a concrete sprinkler park that nobody wanted.

Mayor Menna asked CFO Poulos to provide Mr. Meyer with an itemization of payments made to CME Associates or Maser regarding the parking study with respect to the designation. He said it would be made available to both Mr. Meyer and the public.

Councilman Whelan said he disagreed with Mr. Meyer's comments that the Mayor was being snarky. He also asked Mr. Meyer to confirm that the Cheese Cave was a tenant of his.

Mr. Meyer confirmed that they were.

Councilman Whelan noted that he had been in attendance earlier to desperately beg for parking. He said he did not think it was a stupid project.

Mr. Meyer said he had never said it was a stupid project. He asked how he could comment on a project when nobody knew what was proposed.

Councilman Taylor said they had to start the process somewhere. He said nobody knew what the project would look like. He said what the Council had done tonight was start the process.

Mr. Meyer again said he never said it was stupid and would not comment on a project that he did not know the specifics of.

Ben Forrest—16 Locust Avenue—said he wanted to thank the Recreation Department and Police Department for their support of the 20<sup>th</sup> Annual Candidates Night. He said it was very successful and well attended.

Freddie Boynton—365 Shrewsbury Avenue—said he knew Council was concerned about the park and said he was glad to see them working together for the park. He noted that he had brought up several times the issue crosswalks on Shrewsbury Avenue. He also reported on an incident that occurred the previous Friday at Shrewsbury Avenue and West Westside Avenue. He said he had seen an accident and had called the Police Dispatcher to report it. He said he had not been aware that it had already been reported. He said the dispatcher was very short with him.

Mayor Menna asked if he knew who he had spoken with.

Mr. Boynton said he did not but noted the time was 4:41 pm. He said he felt the dispatcher was very rude and said he felt that, if the dispatcher was promoted to police office, he would bring that attitude out on the street. He said he had come down to the Police Department and had asked for the Chief. He said the Chief had not been in but said he had spoken with someone else and reported the incident.

Chief McConnell said he had investigated the report. He noted that Mr. Boynton had been asked if he wanted to start an Internal Affairs complaint but he had declined. He said he had reviewed the tape of the phone call and acknowledge that it was short but added that there had been several phone calls coming in at the time and, in his opinion, it had been handled properly.

Mr. Boynton said he disagreed and said he had not been asked to fill out a form. He again expressed concern about the way the phone call had been handled. He said if someone calls about an accident, the dispatcher should take time to talk to them. He also reported that there had been a television on the curb on Shrewsbury Avenue for two months. He said he had reported it but it was still there.

Mayor Menna said if it was placed out illegally, it should be picked up but said there should be summonses issued. He called for it to be picked up the following morning.

Damon Mertha—39 West Street—Thanked the Council again for the JCP&L resolution.

Barbara Boas—135 Branch Avenue—said there had been three recent accidents on the corner of Branch Avenue and East Bergen Place. She noted the speed limits were 30 miles per hour on Branch and 25 miles per hour on East Bergen Place but said people traveled much faster. She said there were no crosswalk and narrow crosswalk areas. She expressed concern for kids walking in the area.

Mayor Menna said Branch Avenue was a County Road and was a problem in both Red Bank and Little Silver. He called for a lower speed limit.

Ms. Boas called for enforcement in the area.

Councilman Whelan said he would work with the Chief to review reports and work on enforcement in the area.

Councilwoman Burnham suggested they look into a four way stop at the intersection of East Bergen Place and South Street.

Mayor Menna noted that it had been investigated and it had been determined that there was insufficient data to warrant it.

Councilwoman Burnham called for a change to the criteria.

Mayor Menna said he agreed but said they would have to reach out to the State Legislators to make that change. He noted that they would have to commission an analysis by the Engineer that would cost approximately \$3,500 with no guarantee.

Tom Labetti—45 Elm Place—said he was disappointed that they had to hire an attorney to go after the hospital. He said didn't understand why they hadn't come to a settlement. \

Attorney Cipriani said the matter was active litigation and the Council should not discuss it.

#### **EXECUTIVE SESSION**

#### **ADJOURNMENT**

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

ROLL CALL:

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

NAYS:            None

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

Respectfully submitted,  
Pamela Borghi