

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 25, 2015
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Murphy, Burnham, Horgan, Schwabenbauer, Zipprich and DuPont.

ALSO PRESENT: Borough Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney O'Hern and Engineer Ballard.

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 4, 2015.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

RiverCenter Budget Presentation

RiverCenter Director James Scavone reviewed the 2015 budget for the Special Improvement District. He noted that the assessment would remain the same for the seventh year in a row and said the Board was very proud of that fact. He noted that they had lowered the assessment in 2008 after a downturn in the economy. He said the budget reflected a significant increase of 35 percent for Business Recruitment. He said they had also increase the hours of the part time sidewalk maintenance staff. He said they had also increased the Infrastructure Design portion of the budget. He pointed out that, in addition to the assessment, the organization had raised an additional \$300,000+ through fundraising which was mostly applied to marketing and advertising. He also reviewed highlights for the coming year.

Councilman DuPont reviewed the budget and said that it was a great success and epitomized the relationship a Borough could have with an entity such as RiverCenter. He said the Borough would have accomplished some of the achievements, such as one of the Best Small Towns, without the collaboration with RiverCenter. He also commended them on maintaining a flat budget for seven years.

Councilman Zipprich thanked Mr. Scavone for the presentation and commended the accomplishment of maintaining a flat budget with increased programming.

Councilman Murphy thanked the Mayor for meeting with Mr. Scavone and his staff. He commended RiverCenter and the Board of Directors for their efforts and said they did an outstanding job.

Councilwoman Burnham commended RiverCenter on their efforts. She asked how much it cost to run RiverCenter.

Mayor Menna asked her to clarify her question.

Councilwoman Burnham said she was asking about employees.

Mr. Scavone said there were two full time office employees, one part time office employees and two part time sidewalk maintenance employees.

Councilwoman Burnham asked about the section of the budget that stated they would use their capital improvement funds to finance larger construction projects in the district. She asked if they would consider putting money towards a garage.

Mr. Scavone said he could not speak for the board but said he knew the Board was in favor of a parking garage. He said he was sure that they would work with the Borough in any way they were able to.

Councilwoman Burnham also asked if there was something going on on Linden Place.

Mr. Scavone said not that he was aware of. He reviewed projects that he was aware of.

Councilwoman Burnham said she had heard that RiverCenter was going to purchase cigarette receptacles.

Mr. Scavone said that was not the case and said they had actually done research and determine they were not in favor of them because they were dirty, tended to fill with water and weren't generally worth having.

A discussion followed on the issue of cigarettes around Borough bars.

Mr. Scavone said, on behalf of the Board, he wanted to express their appreciation for the support and partnership of the Borough.

Mayor Menna also thanked Mr. Scavone and the Board for their partnership. He said commended the Board's receptivity to the concept of expanding the district to the train station area and said they were about to see the fruits of that expansion in terms of revitalization.

Councilwoman Horgan said she wanted to echo the comments of the other Council members. She commended the staff for always being helpful.

Mayor Menna asked if any members of the public had any comments or questions for the Director.

No one appeared.

15-50 A Resolution Approving the 2015 Budget of the Special Improvement District of the Borough of Red Bank.

Councilman DuPont offered a motion to introduce the resolution on first reading, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna noted that a Public Hearing would be held on March 11, 2015 at 6:30 pm before a vote on final adoption.

RESUME REGULAR ORDER OF BUSINESS

Councilman Murphy offered a motion to resume the regular order of business, seconded by Councilman DuPont.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

WORKSHOP

Councilman DuPont said there was a bill in the assembly that would provide municipalities with an abundance of tax exempt properties to receive additional State aid. He said he would give the sample resolution supporting Assembly Bill 1635 to the Clerk and asked that it be listed on the next Council agenda.

Mayor Menna asked which Assembly member introduced it.

Councilman DuPont said it was Caroline Casagrande.

Mayor Menna noted that she represented Red Bank and he was surprised that she had not contacted local officials since they had been lobbying for something like this for fifteen years.

APPROVAL OF MINUTES – February 11, 2015

Councilman DuPont offered a motion to approve the minutes, seconded by Councilman Murphy.

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, DuPont

NAYS: None

ABSTAIN: Horgan, Zipprich

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

MAYORAL APPOINTMENTS

- Kalman Pipo to Historic Preservation Commission as a Full Member to an unexpired three year term expiring 12/31/16.
- Barbara Boas to Historic Preservation Commission as a Full Member/Planning Board representative to an unexpired three year term expiring 12/31/17.

- George Bowden to Historic Preservation Commission as Alternate Member #1 to an unexpired three year term expiring 12/31/15.
- Mark Fitzsimmons to Historic Preservation Commission as Alternate Member #2 to an unexpired three year term expiring 12/31/17.

Councilman Zipprich offered a motion to affirm the appointments, seconded by Councilman DuPont.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy—said he wanted to thank the Mayor for setting up a meet and greet at St. Anthony's for the Community. He said the Police Chief and his staff as well as himself and Councilwoman Burnham had attended. He said they talked about crime and overcrowding and also the effect of smoke detectors. He said it had been productive and again thanked the Mayor and Councilwoman for their support.

Councilwoman Burnham reported that the Community Garden had two plots left and said anyone interested could download an application from the Borough's website or apply in person at the Parks and Recreation Office. She also reported that there would be a speaker at the Red Bank Public Library on March 12 talking about organic gardening.

Councilwoman Horgan reported that the Education and Technology Committee had met the previous week with Department Heads to discuss the IT needs of the Borough. She said it was the first in a series of meetings they would have to identify the Borough's needs including re-vamping the website and looking into a full time IT person. She said the Committee wanted to ensure the Borough employees had everything they needed to do their job as well as provide information to residents. She said she felt it was a very productive meeting.

Councilwoman Schwabenbauer reported that the Parks and Recreation Committee had held its first public meeting the previous Monday and she said a lot had come out of the meeting. She said it was the first time she had met the full committee and said they were an impressive and dedicated group of people. She said they had talked about many things and reviewed the highlights of upcoming programs. She reported that the Borough had six teams involved in the Two River Basketball League and noted the 7th & 8th grade girls' team was undefeated. She also noted that the girls had been invited to Rutgers University's Women in Sports Day, had had courtside seats and were seen on ESPN. She said they were trying to get more girls involved in sports and were starting a softball league this year. She said the Department was accepting applications for boat slips and confirmed the Community Garden information reported earlier. She said they had had a lively discussion on the project at Marine Park. She said there had been proponents of a temporary dog park and also some who had voiced concerns about that option. She said others in attendance said they had an idea for a potential project but were waiting for the formal RFP to come out. She said another group of residents had approached her with another idea but were also waiting for the RFP before they presented it. She said the next step would be to publish the RFP. She said the next meeting would be March 4 and they would be talking about the RFP. She reviewed the process that would ultimately lead to the committee being able to make a decision.

Mayor Menna thanked her for her efforts and said the public appreciated it also.

Councilwoman Burnham asked if the RFPs would be reviewed and discussed by the entire Council.

Mayor Menna said he would defer to the Councilwoman in charge but said, in the past, proposals would be received and docketed then distributed to the Committee and also the Council. He said the Committee would inform the Council of what their position was but the Council had gotten to view all of the proposals.

Engineer Ballard said the RFP would be handled like a bid including the award and back up documentation.

Councilman Zipprich thanked everyone for their thoughts on the recent passing of his father. He reported that the Historic Preservation Commission had met and reorganized and offered best wishes to the new chair. He thanked the previous Chair and Vice Chair for their service to the Commission. He said he wanted to acknowledge Councilwoman Burnham's commitment to preservation on behalf of the Commission. He also reported that the Shade Tree Committee was working on spring planting and redoing the forestry management plan. He said the Public Works Committee had met with the Administrator and Engineer and reviewed the 2015 Road Program budget, the Water/Sewer Utility and the ongoing winter emergencies. He asked anyone seeing potholes to report them to the hotline at 732-530-2691. He said the Streets and Roads crew had been going their utmost to keep up and had been doing a great job. He said they had also reviewed the FEMA applications that had been on the books since Superstorm Sandy and said thanked the Administrator and Public Works Director for keeping on top of the items. He reported that so far this year, the Public Works Department had generated over 150 requisitions

and thanked the CFO for providing the information. He said he thought it was important to commend the DPW team for staying in front of the workload. He also reported that he had attended a Cub Scout meeting and discussed civics on the local level and the importance of leadership in the community. He said the Middle School would be hosting an African American Heritage event the following evening and noted that March would be Women's History Month. He said, at the next meeting, he would be introducing an Eagle Scout that would be volunteering with the Public Works Department doing some community service hours. He said he also wanted to thank the Volunteer Fire Department, especially former Chief Tom Welsh for all they do for the community and wished the best to 2015 Chief Joe Lauterwasser.

Councilman DuPont said the Finance Committee had met and were waiting for the budget to come in. He said they were optimistic that they would be proposing a very strict and responsible budget.

COMMUNICATIONS AND PETITIONS

None.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

David Prown—44 Hillside Place—said he was infuriated by the plan to put pay stations on western Monmouth Street and parts of Bridge Avenue. He said he felt it was already a done deal and was being done without proper notification to tenants and business owners. He commended John Ward of redbankgreen.com for his report that made him aware of the issue. He asked if there had been a focus group or a survey. He said he felt the Borough should have reached out and called for a sense of communication. He said RiverCenter should be embarrassed by the lack of communication on the issue. He thanked Councilwoman Burnham and said many business owners would not have known about it if it wasn't for her. He said he felt the western side of the RiverCenter district did not get the same level of service. He said the changing of the parking procedure at the western end of Monmouth made no sense to him when there was already a plan in place. He called for enforcement of the two hour parking limits. He questioned the costs and asked if a study had been done regarding enforcement versus pay station. He asked if the stations would be near awnings. He said they were not friendly to short term shoppers. He asked the Council to think about it more and consider calling for enforcement after 6pm.

Stuart Goldstein—Monmouth Meats—said he agreed with David Prown. He said it would be difficult for someone running into a shop to have to find a pay station. He also said the two hour parking was never enforced. He suggested changing the time limit to one hour and enforcing it. He said currently people park in the area all day long. He said it would be another nail in the coffin for small businesses.

ORDINANCES – First Reading

2015-02 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter IX, "Licensing of Taxicabs."

Mayor Menna reviewed the changes being proposed.

Councilwoman Burnham asked if a regulation banning smoking in the cabs could be added.

Mayor Menna said they could add that language and clarified that it would be a ban on smoking at all times not just when passengers were present.

Councilman Murphy offered a motion to introduce the ordinance, seconded by Councilman DuPont.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna said the public hearing was scheduled for March 11, 2015.

2015-03 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter V, "Animals," Section 5-1 "Dogs," of the Revised General Ordinance of the Borough of Red Bank."

Mayor Menna reviewed the contents of the ordinance that would provide for humane treatment of animals.

Councilman DuPont offered a motion to introduce the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilman Zipprich asked how the ordinance would be enforced.

Mayor Menna said anyone who witnessed abuse would call to report it and the Animal Control Officer would investigate. He said the State Statute on Animal Cruelty was a criminal statute and carried a much

higher burden of proof. He said the local ordinance would simplify it by making it a civil act that would be easier to enforce.

Mayor Menna said the public hearing was scheduled for March 11, 2015.

2015-04 Mayor Menna read, “ An Ordinance Amending and Supplementing Chapter XII “Open Housing Practices; Rent Control; Protected Tenancy,” Section 12-2 “Rent Control” of the Revised General Ordinances of the Borough of Red Bank..”

Mayor Menna explained that the Ordinance amendment would call for the addition of alternate positions on the recommendation of the Board. He said the Council had also received a letter from the Board Attorney which noted that the ordinance currently called for tax reductions to be passed on to the tenants. He said the Court had ruled that if the town had one of those ordinances, they had to have a similar ordinance allowing them to pass tax increases on also. He said the suggestion was to remove that portion so that, if landlords were seeking an increase, they would still have to appear before the Rent Leveling Board.

Councilman Zipprich asked if that was addressed in the ordinance before them.

Mayor Menna said it was not but he was suggesting that, since there was an ordinance before them regarding the Rent Leveling Ordinance, they should include that language also and advertise accordingly.

Councilwoman Horgan offered a motion to introduce the ordinance with the additional language, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna said the public hearing was scheduled for March 11, 2015.

2015-05 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VIII, “Parking Lots and Handicapped Parking Spaces,” Sections 8-2.3, “Installation of Parking Meters” and 8.24 “Operation of Parking Meters”, Schedule I, Section B-Street Meters.”

Councilman Murphy offered a motion to introduce the ordinance, seconded by Councilman DuPont.

Councilwoman Horgan said she would like to revisit some of the issues brought up by the business owners.

Mayor Menna said there would be a public hearing.

ROLL CALL:

AYES: Murphy, Horgan, Schwabenbauer, DuPont

NAYS: Burnham, Zipprich

There being four ayes and two nays, the motion was declared approved.

Mayor Menna said the public hearing was scheduled for March 11, 2015.

2015-06 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VIII, “Parking Lots and Handicapped Parking Spaces,” Schedule II, Permit Parking Zones.”

Mayor Menna reviewed the content of the Ordinance and explained the reasoning for removing the Great Swamp Lot from the list of metered lots.

Councilwoman Burnham asked what would happen to the old meters because she had heard they were worth money.

Administrator Sickels said he had asked the Parking Manager to determine what was needed for spares and said the rest would be auctioned.

Councilman Murphy said the ordinance would also clarify that the permits must be used in a designated lot.

Councilman Murphy offered a motion to introduce the ordinance, seconded by Councilman DuPont.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna said the public hearing was scheduled for March 11, 2015.

ORDINANCES – Public Hearing and Final Adoption

2015-01 Mayor Menna read “A Refunding Bond Ordinance of the Borough of Red Bank, in the County of Monmouth, New Jersey, Providing for the Refunding of all or a Portion of the Borough’s General Obligation Bonds, Series 2007, Dated July 15, 2007, Appropriating an Amount Not Exceeding \$5,400,000 Therefor and Authorizing the Issuance of Not to Exceed \$5,400,000 General Obligation Refunding Bonds of the Borough of Red Bank for Financing the Cost Thereof.”

Mayor Menna asked if anyone would like to speak.

No one appearing, Councilman DuPont offered a motion to close the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilman DuPont offered a motion to adopt the ordinance on final reading, seconded by Councilman Murphy.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

RESOLUTIONS

15-51 Mayor Menna read, “A Resolution Authorizing Amendment to Change Funds.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-52 Mayor Menna read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$1,673.88 due to Overpayment by Property Owner.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-53 Mayor Menna read, “A Resolution Honoring 2014 Fire Chief Thomas J. Welsh.”

Councilman Murphy offered a motion to approve the resolution, seconded by Councilwoman Burnham.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-54 Mayor Menna read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$801.55 due to Judgments of the Tax Court of New Jersey.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-55 Mayor Menna read, “A Resolution Authorizing the Advertisement of Bids for Certain Water Purification Chemicals.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilwoman Burnham asked how much money they were talking about.

Mayor Menna said they didn't know.

Councilwoman Burnham said she understood it had to be over a certain amount of money before they were required to bid.

Engineer Ballard said the bid threshold was \$17,500.

Councilwoman Burnham asked if that meant it would be over \$17,500.

Mayor Menna said it took a great deal of water purifiers.

Engineer Ballard explained that the purchase was not optional but was for water treatments chemicals that were required. She approximated the cost at around \$30,000.

Mayor Menna noted that the purchase was made annually.

Councilwoman Burnham asked if the Borough was on New Jersey American Water.

Engineer Ballard said the Borough was currently using New Jersey American Water but said the chemicals were needed for when they used their own water.

15-56 Mayor Menna read, "A Resolution Authorizing Acceptance of Grant Agreement between the Borough and the County of Monmouth, Department of Human Services, Division on Aging, Disabilities and Veterans Services."

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-57 Mayor Menna read, "A Resolution Authorizing Transfer of Current Fund Appropriation Reserves."

Councilman DuPont offered a motion to approve the resolution, seconded by Councilman Murphy.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

PROCLAMATIONS

None.

PAYMENT OF VOUCHERS

15-58 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$4,716,036.93."

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

OLD BUSINESS

None.

NEW BUSINESS

None.

AUDIENCE

Freddie Boynton—365 Shrewsbury Avenue—said there had been a incident at Bank Street and Leighton Avenue regarding a loose pit bull. He said the police had been called but nobody had responded. He called for more enforcement regarding pit bulls running loose on the west side.

Mayor Menna said the Council was extremely proactive regarding issues with animals. He said, if a report was received, they will track down what happened. He praised the police department and said they were vigilant but said he would look into the situation.

Councilwoman Burnham said it took the police a half an hour to respond.

Mr. Boynton also said sidewalks were not being shoveled.

Councilwoman Burnham said he should call her.

John Hutton—Fisher Place—said he had come to the realization that the tennis courts in Marine Park were not going to be rebuilt. He said he took issue with the comments that, prior to the damage, the tennis courts were predominately used by people from outside of Red Bank. He said he had submitted a list of users and said more than half lived in Red Bank. He said he also did not think it would be a bad thing to have a destination for people from outside of Red Bank.

Councilman DuPont said he did not believe it was a fait accompli. He said he believed the courts should be rebuilt but didn't know if they should be clay. He said he did not think the area should be a dog park. He said he understood that the area had been vacant for two years following Hurricane Sandy and said he was looking forward to the recommendation of Councilwoman Schwabenbauer and the Parks and Recreation Committee. He questioned where the comment about non-residents using the Courts came from.

Councilwoman Schwabenbauer said it was made by a resident during the Parks and Recreation meeting.

Mr. Hutton said he knew for a fact that a lot of Red Bank residents used the Courts.

Councilman DuPont said he wanted to assure Mr. Hutton that it was not a fait accompli.

Councilwoman Schwabenbauer agreed and said the RFP did not preclude the return of the tennis courts.

Councilwoman Burnham said there was a proposal that she had given to Councilwoman Schwabenbauer.

Mayor Menna said the process was not to submit proposals to individual Council people but to reply to the RFP so a fair comparison could be made.

Councilman Zipprich said he and Councilwoman Horgan, who sat on the Parks and Recreation Committee had been advocates of an RFP.

Councilwoman Burnham said she took issue with Councilman DuPont's comments. She said she agreed that she had suggested using the area for a dog park but said, when she had gotten on Council, she had been contacted by the Tennis Association who had given the Borough a proposal but said nothing had happened. She said they asked her what to do and she had told them to come to a Council meeting with the proposal and present it again. She said that was what they had done but nothing had happened and they were fed up with Red Bank.

Councilman DuPont said he didn't think they should be fed up with Red Bank. He said there was a process that should be followed. He asked that Councilwoman Burnham forward the proposal to Councilwoman Schwabenbauer and the Committee so it could be considered with the RFP process.

Councilwoman Burnham said she didn't think they needed an RFP and cited a State Statute that would allow them to lease the property without an RFP. She read the details of the Statute.

Mayor Menna said her interpretation differed from the interpretation of four Borough Attorneys who felt the relationship the Borough had with the Association had to go through the public process for a number of reasons.

Councilwoman Burnham said they could interpret it either way and said if they wanted the tennis courts they would apply the Statute and if they didn't want the tennis courts they would claim it did not apply.

Councilman DuPont disagreed and said it was a matter of transparency. He said they had to let the Parks and Recreation Committee bring comments and suggestions. He said it was unfortunate that the individual had come forward and said it was a fait accompli, because, he said, it was not. He said if there was a proposal, he asked that it be provided. He called for the committee to review all of the proposals and to make a recommendation.

Councilwoman Burnham said after two and a half years, the person was fed up and was taking their money and using it somewhere else.

Councilman DuPont said that did not mean that the Borough couldn't take FEMA money and rebuild the tennis courts and given them to a non-profit to run. He said they would still have to go through the RFP process. He said he knew Mr. Sickels had been working on the project and said he expected the Borough to receive money to rebuild.

Councilwoman Burnham said the Borough had applied for FEMA funds in 2013 and still hadn't gotten anything and said she felt it would be another year or longer.

Councilman DuPont disagreed.

Councilman Zipprich said he had noted in his report that the FEMA issue had been discussed at the DPW meeting and said Mr. Sickels could offer an update.

Mr. Sickels said submissions had been made to FEMA and to the Borough's insurance companies to replace the tennis courts as they were, repair the building that was there and to repair the sewer lift station adjacent to the tennis courts. He said they had also applied for another source of funding to relocate the electrical controls and the restroom building to avoid repeated damage. He noted that they had received an alternate proposal for the tennis courts besides the one from the meeting that was alluded to and said, according to the Borough Attorney and to Green Acres which has oversight over the park, the Borough must do an RFP to license or commit to any private entity for that property. He said they had been bringing the new Councilperson up to speed and the committee would be meeting the following week to discuss the final draft of the RFP.

Councilwoman Burnham disagreed. She said she also had an email from the DEP that said a dog park would not be a change in use.

Councilman Murphy said that was different than bringing in a private entity.

Kathleen Gasiencia—110 Locust Avenue—said she thought it was a great idea to offer the tennis court space for ideas through an RFP and said she didn't understand why the Tennis Association could submit their proposal in the form of an RFP.

Mayor Menna said there wasn't a problem with that.

Ms. Gasienica said the process would take some time and said the current condition of the property was an eyesore. She called for immediate attention to improve the visuals of the public space. She said she was in favor of a temporary improvement to the site at no cost and said she felt users of a dog park would help maintain the space.

Councilman Zipprich questioned the statement that it wouldn't cost anything and questioned liability, enforcement and repurposing and said he did not see how it could be done at no cost.

Councilwoman Burnham said Maple Cove had been created at no cost to the town or taxpayers. She said she had spoken to the insurance company and had been told that there would have to be a sign. She said she had a prototype for the sign. She said the fencing was in place and they would just have to buy two dispensers for doggie bags. She reviewed the benefit of having the dog park.

Suzanne Viscomi—19 Morford Place—offered to repost the video of the tennis court presentation. She also said she had read through the ordinance regarding the meters and said, aside from the businesses concerns, she also had concerns as a resident in the area and how they would be impacted. She described parking problems in the area and questioned meters on Bridge Avenue in her neighborhood.

Mr. Sickels explained that the meters would not be going north of West Front Street.

Ms. Viscomi also called for better enforcement.

Kate Triggiano—22 Leighton Avenue—noted that western Monmouth Street was mostly service oriented businesses and said they were not the type of businesses she would want to pay a meter to use. She also noted that her family in adjacent towns that no longer wanted to come into Red Bank because of the meters. She said she also did not think they should have to choose between a tennis court and a dog park. She said they should be able to have both and asked if there was other land available in the park.

Councilwoman Schwabenbauer said the tennis court was fairly small. She said there was not opposition to a dog park, but said it was a question of where it would go and said they were looking at alternate locations. She agreed that the tennis court area was a huge asset for the town and said the committee was looking at the highest and best use which was what the RFP process was about.

Ms. Triggiano said she agreed that it would not be a bad thing to bring people in from out of town. She also agreed that a dog run would be a popular destination. She commented on how successful the Dog Days event had been. She said events like that made it worthwhile for people to pay a meter and would draw people to town.

Councilwoman Burnham said it was not always about revenue. She said a park was about quality of life. She suggested two tennis courts, a dog run and a boating facility could all be put into Marine Park.

Stephen Hecht—135 Branch Avenue—said he felt they were speaking in hypotheticals and wanted the Committee to consider tennis courts that did not have to become part of a nonprofit entity. He noted there were other courts in town that were not privately managed and said many neighboring communities also manage their own courts. He said he did not know about legally, but said he felt the previous courts had had the aura of a private club including fee being charged. He said, if tennis courts were considered, he would like equal consideration to be given to keeping them under Borough control.

Mayor Menna said all options were on the table and that was what Councilwoman Schwabenbauer would be doing.

Administrator Sickels said there were other considerations that had been discussed at the Parks and Recreation meeting including the need to repair or replace the retaining wall between the Boat Club and the tennis court which would affect fencing and other issues. He said they were focusing on the utilities that needed to be relocated and tied into the sewer lift station which was raised to make it flood proof. He said they were about to put bids out for repairs to the infrastructure of the park and said some of that work may affect the availability of the courts. He said until the utility work was awarded, they did not know what would be needed for staging, etc. and couldn't commit the property.

Marge Lowe—9 Wall Street—discussed pedestrian issues in her neighborhood particularly in regard to snow and ice.

Councilwoman Burnham said she wanted to return to comments made by Administrator Sickels regarding staging. She noted she was asking for a temporary situation and compared her request to the request that was made to have the Community Garden behind the library which she said Mr. Sickels denied. She said the tennis court area could be used as a dog park until it was needed.

Councilman Murphy said it was the Council's decision and said the garden had turned out great. He said Mr. Sickels had not made the decision, the Council had. He said it was not as easy as it might seem and said the issue should be discussed with the Council since it was their decision.

Councilwoman Burnham again noted that they had wanted the garden behind the library and said the bulkhead still wasn't done.

Mayor Menna noted that every Council person received a packet of information with budget and bonding information and said they all had an input on the matter. He reviewed the process that would be followed.

Councilman DuPont said Councilwoman Schwabenbauer and the Committee were going through the process, would be evaluating the proposals and coming back with a recommendation. He said he believed in the process and said it would be coming back to the Council for a vote.

Councilwoman Burnham said she did not want to see a year go by.

Councilman DuPont said he was sure Councilwoman Schwabenbauer would come back with a great proposal as quickly as possible.

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

EXECUTIVE SESSION

None.

ADJOURNMENT

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Respectfully submitted,

Pamela Borghi