

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 11, 2015
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman DuPont

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

ABSENT: DuPont

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

Police Commendations:

Police Commissioner Murphy noted that Patrolman Balmer was present with the Department’s new Police dog, Hunter. Commissioner Murphy reviewed the history of the Police Dog program and noted that it was funded almost entirely by public donations.

Commissioner Murphy also noted that Police Officers David Smith, Thomas Doremus and Tanner Shea were being commended following their recent effort to resuscitate a River Road resident who had collapsed after removing ice from his walkway. He read reviewed the details of the incident.

The officers were presented with commendations from the Police Department and resolutions from the Council.

Mayor Menna commended the officers and the Department as a whole. He praised the relationship the Department had with the Borough.

Eagle Scout Project:

Councilman Zipprich introduced Eagle Scout Zach Forrest.

Eagle Scout Forrest appeared before the Council to tell them about a Community Project he was working on to help refurbish park benches and picnic tables. He said he had wanted to give back to the community and had approached the Public Works department about the project. He said he would be working to get the equipment ready for the coming spring and summer.

RiverCenter Budget Presentation

Mayor Menna noted that, due to advertising requirements the RiverCenter Public Hearing would be held over to March 25 but asked if anyone present had any questions for comments for Director James Scavone.

David Prown—44 Hillside Place—asked what percentage of the total budget was spent on the expanded district.

Mr. Scavone said he believed it was less than twenty percent but said he would review it and get back to him.

Mr. Prown asked if twenty percent of the Board was from the expanded district.

Mr. Scavone said he thought it was over twenty percent.

Mr. Prown asked how many Board members represented the expanded district.

Mr. Scavone said he thought it was thirteen.

Mr. Prown asked for their names.

Mr. Scavone said he had been notified that the public hearing was being carried to March 25 so did not have the information with him. He told Mr. Prown he would email him the information and bring it to the next meeting.

Mayor Menna for a motion to close the Public Comment and carry the Public Hearing to March 25, 2015 at 6:30 pm.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

WORKSHOP

Pet Shop Law—Mayor Menna reviewed the details on a new law that will require Pet Shops to keep detailed records on the pets they have for sale. He said the law would be enforced in Red Bank and records would be verified during inspections.

Councilwoman Burnham said there were yearly Fire Inspections done by the Borough and also inspections by the Health Department.

Councilman Zipprich asked if it applied to all types of pets.

Mayor Menna said it did.

Sign Ordinance—Mayor Menna said the draft of the revisions to the sign ordinance had been prepared and would be provided to the Council. He noted it was a lengthy document.

Councilwoman Burnham said the goal was simplification. She said they were waiting for the final draft and asked Administrator Sickels when that would be available.

Mayor Menna said he believed the draft had been prepared for the Council and would be distributed electronically.

Councilwoman Burnham asked if it was the final draft.

Mayor Menna said it wasn't final because the Council had to have an opportunity to offer input and they would determine the final draft.

Administrator Sickels said it had been received from the Engineer that day and said it would be distributed to the Council.

Mayor Menna said it would be helpful to communicate any concerns to the Chair rather than review it clause by clause.

Councilman Zipprich said he had discussed issues regarding the Historic Preservation Commission.

DEP Letter—Councilwoman Burnham said she had been made aware of a letter received from the New Jersey Department of Environmental Protection stating that Red Bank had an inadequate water supply. She asked if anyone was aware of it.

Engineer Ballard said she had spoken with the DEP and confirmed that it was an input error on the DEP's end. She said she had received confirmation in writing the previous day.

Administrator Sickels also confirmed that it was an error and noted that the Engineer had just received the response recognizing it was an error which was why it had not been distributed.

APPROVAL OF MINUTES – February 25, 2015

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

MAYORAL APPOINTMENTS

Michael Natelli to the Board of Health as a full member for an unexpired three year term ending 12/31/2015.

Ann Ciabattoni to the Library Board of Trustees as Mayor's Alternate for an unexpired one year term ending 12/31/2015.

Councilman Murphy offered a motion to affirm the appointments, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy—noted there had been an article in the Asbury Park Press featuring the Red Bank Senior Center. He said it was a great article and commended Director Jacqueline Reynolds and her staff. He also reported that Ladies Auxiliary member Beatrice Welsh had recently passed away and gave information on services.

Councilwoman Burnham—said the Community Garden was full and said there was a waiting list. She also noted that the Committee had applied for a grant for a Mantis Tiller valued at \$349 and said the winner would be determined by April 3. She also reported that Red Bank Regional had a Cyber Patriots Team competing in finals in Washington, D.C. She said it was a nationwide competition.

Councilwoman Horgan—said the First Annual Mayor's Ball would be held May 1 at the Oyster Point. She said it would benefit the Red Bank Public Library and the Parker Family Health Center. She reviewed the honorees and said tickets were going fast. She said sponsorships and ad journal opportunities were available.

Mayor Menna reported that a special drink was being created for the event and thanked the committee and commended their enthusiasm.

Councilwoman Schwabenbauer said the Parks and Recreation Committee had met the previous Wednesday. She said it was reported that the Engineer had gotten the go ahead from FEMA to go out to bid for infrastructure improvements at Marine Park. She said they also had discussed the RFP for proposals for the former tennis court area. She said it had been distributed to the Council for comment and would be posted to the Borough's website.

Councilman Zipprich reported that the Red Bank Middle School had held their African American Heritage Presentation the previous week. He commended the Department of Public Works for their response and reviewed the plan they had put in place. He complimented the team on a job well done. He also reported that the Shade Tree Committee would be meeting to discuss Spring surveys of the Borough's tree canopy and possible planting of replacement trees. He also reported that the Red Bank Borough Education Foundation had awarded a \$5,000 Rosemary Kopka grant to the Red Bank Board of Education which was matched to purchase Chromebooks for the students. He said the foundation was preparing to conduct a raffle with a drawing at the end of May. He also noted that March was Women's History Month and reviewed several quotes from women throughout history.

COMMUNICATIONS AND PETITIONS

Mayor Menna read the list of events that had been approved by the Special Events Committee (subject to final plan approval):

- Request from the Dublin House to erect a tent on their front patio on Tuesday, March 17th for St. Patrick's Day.
- Request from RBC Make a Wish Foundation Carnival to hold their event on Saturday, May 16th in the St. James Grammar School Parking Lot.

- Request from Strength & Honor Motorcycle Club to hold their 3rd Annual Poker Run on Sunday, June 7th, from 9am to 11am and to reserve parking in front of Riverside Gardens and in a section of English Plaza.
- Request from the Count Basie Theatre Foundation to hold a reception on their patio to benefit the National Multiple Sclerosis Society on Saturday, June 13th with cocktails from 6:30pm to 8pm and an after concert dinner and post reception from 10pm to 11pm.
- Request from the Count Basie Theatre Foundation to Gala dinner and dancing on the patio, June 26th with cocktails from and dinner from 10 pm to midnight on condition they comply with 11pm noise ordinance.
- Request from George Sheehan Classic to hold annual race on June 12th and 13th including three running events and use of Marine Park.
- Request from St. Anthony of Padua to hold procession for Feast of St. Anthony along with a parish picnic on Saturday, June 13th with a walking route to begin at 10:30am starting at St. James Church to Peter Place, across Maple Avenue, up Chestnut Street to St. Anthony of Padua Church including closure of Herbert Street between Bridge Avenue and railroad tracks.
- Red Bank Charter School Annual Requests:
 - To hold Spring Dance at Red Bank Senior Center on Friday, Friday, June 5th from 5 pm to 10:30 pm.
 - To hold Rehearsal (9 am to 11 am) and Graduation Ceremony (5pm) in Riverside Gardens Park on Monday, June 15th with a rain date of Tuesday, June 16th.
 - To hold their annual Welcome Picnic at Eastside Park on Wednesday, August 26 from 3pm to 8pm with a rain date of Thursday, August 27th.
- Request from Liberty Hose Fire Company to hold Annual Robert “Doc” Holiday Memorial Car Show in White Street Parking Lot on Sunday, July 12th and to request the closure of White Street from 7am to 4pm with a rain date of Sunday, July 19th.

Councilwoman Horgan offered a motion to approve the requests en masse, seconded by Councilwoman Schwabenbauer.

Councilman Zipprich noted he would be abstaining on the two requests from the Count Basie Theater.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

ORDINANCES – First Reading

None.

ORDINANCES – Public Hearing and Final Adoption

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

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

Pete Muller—Middletown—said he would be interested in obtaining on of the proposed new licenses. He gave examples of the need for additional licenses.

Paul Kuhla—Middletown—said he was part of Yellow Car which he said was a major asset to the community. He noted there was already 45 licenses in Red Bank and questioned the need for more. He called for better enforcement.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

Councilwoman Horgan offered a motion to adopt the ordinance on final reading, seconded by Councilwoman Burnham.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

Councilwoman Horgan offered a motion to adopt the ordinance on final reading, seconded by Councilwoman Burnham.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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.”

Mayor Menna would be amended to provide for eleven fifteen minutes spaces for shopper convenience in several areas and using standard meteres.

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

Mary Jennings—Middletown—noted that she owned property on Bridge Avenue and asked where the metered parking would be.

Mayor Menna said it would include both sides of Bridge Avenue from Oakland Street to West Front Street and would include fifteen minute spaces.

Ms. Jennings said the west side was just coming around and asked for a break for the businesses. She said the two hour parking would work if it was enforced. She said it would also generate revenue.

Councilman Murphy said they were more concerned about turning over the spots than they were about revenue.

Ms. Jennings said that could be done now.

Councilman Murphy asked if she had parking on her property.

Ms. Jennings said she had purchased adjacent property for parking. She also said enforcement would free up parking and said it was bogged up by people getting on the train. She asked them to hold off on implementing the meters and try six months of enforcement.

A discussion followed on the technology and convenience of pay stations.

Councilman Murphy asked Parking Manager Bill Wilk about enforcement. He said it was not the first time he had heard that enforcement was not being done.

Mr. Wilk said the enforced three days a week between nine and six.

Roy Jennings disagreed and said there was a lack of enforcement. He claimed he had reported incidents and had never seen them enforce. He claimed the Borough was losing a lot of money.

T.J. Moss—Fins and Feathers, Monmouth Street—agreed saying that he had seen no parking enforcement being done on Monmouth Street. He claimed pay stations could be abused by people reloading from their phones.

Fred Boynton—365 Shrewsbury Avenue—questioned previous statements that said the Parking Officers enforcement by zone. He claimed to have gotten tickets on the same street two days in a row and said none had been given on Monmouth Street.

Councilman Murphy said 96 tickets had been issued since the first of the year but said he was not sure where they had been issued.

Peter Noble—239 Spring Street—asked why the meters were going in. He recalled being a beat cop and chalking tires. He called for ticketing. He said he did not see a heavy volume in the area in question. He noted the area included short term stores and said it would send a bad message. He said they were “in and out” stores. He again questioned the need and said he felt it was a mistake.

Councilman Murphy again noted that it was not about revenue and said the meters were to move parking along.

David Prown—44 Hillside Place—said the way to move cars was through enforcement. He again stated that parking was a not being enforce in the area. He agreed with the suggestion to hold off for six months. He asked if there were any other pay station in the Borough on streets.

Mr. Wilk said there was one on Wharf Avenue.

Mr. Prown stated there was not a lot of action there.

Councilwoman Burnham noted they had also been placed in Maple Cove.

Councilman Murphy noted that Wharf Avenue was in the area of Brannigan’s. He agreed that they had been placed in Maple Cove but were removed because there wasn’t a lot going on there and placed in a busier area.

Mr. Prown said he felt the western Monmouth corridor was being made the guinea pig. He asked about the return of investment for the personnel regarding enforcement versus capital cost of preparing the street, purchasing of equipment and maintenance.

Councilman Murphy said, regarding the equipment that they had just purchased, it would take a year and a half to get their money back. He said to hire someone part time would be an unending expense. He also noted the convenience of the pay stations and well as the ability to capture data. He said the app had been installed in February and already had 260 hits.

Mr. Prown said they did not have hire additional personnel but could use existing. He asked about the Mayor's statement about the interspersment of fifteen minute meters.

Administrator Sickels said there was two parts to that. He said both the meters and pay stations were designed for turnover. He said they were more user friendly than tickets. He said tickets had gone down since they had put in pay stations. He said the reason for the pay stations on Monmouth and Bridge was because the spaces were about to become more prime because there were two large residential complexes that were about to take occupancy. He said the Borough wanted to make sure the spaces would be available for the customers. He said the pay stations were friendlier, self-policing and adjustable. He noted that they could be programmed to offer the first fifteen minutes for free. He said the committee was also discussing designating spaces throughout the district as permanent fifteen minutes spaces for picking up and dropping off at businesses. He said that would be in a separate ordinance. He said the problem with marking the tires was people would rub the marks off. He said that was one of the reasons they put meters in. He again said the pay stations would be a management tool and would help with turn over. He noted they would be programmed for various times, paid for through phones and would not take payment beyond two hours for the same space.

Mr. Prown questioned the technology. He noted that the businesses in the district at Broad Street and Eastern Monmouth Street were different from the business at Bridge Avenue and Western Monmouth. He questioned the year and a half return on investment saying he didn't see that kind of volume.

Councilman Murphy said the estimate was based on other pay stations. He acknowledged that he was hearing complaints of lack of enforcement and said he would look into it. He also noted the upcoming residential projects and the desire to have the pay stations/meters in place before they opened.

Mr. Prown asked the Council to keep the business owners in the loop. He said he would like to be a part of the conversation.

Councilman Murphy noted that they fifteen minutes spaces were suggested by RiverCenter.

Mr. Prown said it needed more thought.

Walter Green—64 Oakland Street—said he street had the same problems with commuters. He said enforcement worked when he called and knows cars have moved over to Monmouth Street because he had seen the same cars that used to be on Oakland Street. He said he believed meters on Monmouth would force the cars back to Oakland Street.

Councilman Murphy said they didn't like to ticket in residential areas because they didn't know who had a visitor and who was a commuter. He said they would ticket based on phone calls. He encouraged residents to report. He said the parking kiosks would be better record keepers and again noted it would not allow parkers to renew beyond two hours. He said it was not about revenue. He said he would be looking into the comments about lack of patrol. He said ticket complaints were down and he credited the pay stations.

Frank Corrado—53 Oakland Street—asked if the equipment had already been purchased.

Mayor Menna said it had.

Mr. Corrado asked why they had been purchased before they had discussed installing them.

Mayor Menna said the decision had been made in 2011 and the purchase had followed.

Mr. Corrado asked why they were debating it.

Mr. Sickels said they had to modify the ordinance to allow for enforcement. He discussed the history of the project.

Mr. Corrado asked how much the pay stations had cost.

Mr. Sickels said \$135,000 noting they were approximately \$13,000 each. He said some were electric and some were solar.

Mr. Corrado asked what the difference in cost would be for standard meters.

Mr. Sickels said he did not have the numbers but said the pay stations would offer more convenient. He also noted that they were more efficient and reviewed the labor involved with collecting from the coin meters.

Jackie Merlino—Bagel Station, 168 Monmouth Street—stated she was not in favor of the meters. She said she had already had customer complaints.

Kate Triggiano—address not given—asked how many spaces there were in the White Street lot.

Mr. Wilk said 273.

Ms. Triggiano asked if they were allowed to print expired reports for those spaces to see how recently a spot expired.

Mr. Wilk said they could.

Ms. Triggiano asked if they printed the reports to check on when a spot expired.

Mr. Wilk said they did.

Ms. Triggiano estimated she had paid between \$1,000 and \$2,000 in parking fines. She said she had been told by a former member of the parking staff that they were no longer able to print the reports. She noted she had received tickets five minutes after the time had expired and was unable to come to court to contest it. She criticized the statements that the pay stations would be easier and would receive fewer complaints.

David Prown—told Councilman Murphy that he was comparing apples and oranges when he said complaints were down. He said the situation of complaints dropping when they went from meters to pay stations was different from the situation where there was free parking going to charging for the spaces.

Councilman Murphy said he offered the comparison to show where they came up with the number.

Mayor Menna said Councilman Murphy was saying that there were a number of complaints and problems with the meters and those complaints had seriously dropped.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

Councilwoman Schwabenbauer questioned if it was a manpower issue. She said she understood that it was being done to help the businesses but said the business owners apparently felt that it wouldn't help. She suggested possibly temporarily hiring additional staff to do enforcement.

A discussion followed to regarding the current staff which was determined to be Mr. Wilk and three other staff.

Mayor Menna said there were some questions about the amendments to include fifteen minute spaces and also noted that they did not have a full Council present. He suggested tabling the matter so everyone could review and bring it back when they had a full Council.

Councilwoman Burnham asked about the Class I Police Officers.

Police Chief McConnell said they had lost two of the three officers and the third was transferred to Parking.

Councilwoman Burnham asked if the full force was 40 officers.

Chief McConnell said it was actually 42 but the Class I Officers were not considered part of the permanent force.

Administrator Sickels said he wanted to point out that the comparison of complaints was regarding summonses for parking meters that had dropped when pay stations were installed.

Councilwoman Burnham claimed the pay stations often did not work.

Councilman Murphy said they were able to monitor the stations and said they would notice an inconsistency if one wasn't working.

Mayor Menna said he felt the problem was often user error.

Councilwoman Burnham said that would show that people were having problems with them.

Mayor Menna said he felt some people would have a problem with any machine.

Administrator Sickels said another benefit was that people would receive a message on their phone when the time was about to expire.

Mayor Menna noted the new technology was the way of the future.

A discussion followed regarding the type of customer they wanted to attract.

Councilwoman Horgan said she agreed with Councilwoman Schwabenbauer that they needed to look at enforcement.

Councilwoman Burnham said she wanted to go on the record as saying that she had called for enforcement earlier.

Councilman Murphy told her she had stated in a Parking Committee meeting that she was in favor of the ordinance.

Councilman Murphy offered a motion to table the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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 that it would remove the Great Swamp Lot from the list of metered lots because it was not Borough property.

Administrator Sickels said it also clarified that permits would be issued for specific lots.

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

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

RESOLUTIONS

15-60 Mayor Menna read, “A Resolution Supporting Assembly Bill A1635.”

Mayor Menna said he had read the proposed bill and it would have no effect in Red Bank or most towns. He said it would allow for the issuance of two additional licenses but said he did not know of any town in Monmouth County that was under the number currently allowed. He reviewed the language in the bill.

Municipal Clerk Borghi clarified that State Statute currently allows for municipalities to issue one liquor store type license for every 7,500 residents and one bar type license for each 3,500 residents which meant by State Statute, the Borough could have one liquor store and four bars. She said the bill proposed that towns could issue two additional licenses over what was allowed by law meaning Red Bank could have six bars. She said most towns that would have a high number of non-profits were probably similar to Red Bank in that they probably already had downtowns with licenses that had been grandfathered in before the statute so would not benefit from the bill.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-61 Mayor Menna read, “A Resolution Authorizing Release of Maintenance Guarantee Regarding Metrovation/Terranomics Development, 21-25 E. Front Street, Block 10, Lots 6 & 7.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-62 Mayor Menna read, “A Resolution Authorizing Change Order No. 1 and Final Related to the Contract with Thassian Mechanical Contracting, Inc. for the Replacement of Existing Boilers and Cooling Tower Project.”

Councilman Zipprich asked Engineer Ballard to confirm that the project was complete and that the problems had been addressed.

Engineer Ballard said the project with Thassian was complete and said they would be moving to Phase II which would address the issues.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-63 Mayor Menna read, “A Resolution Releasing Performance Bond and Accepting Maintenance Bond for Replacement of Existing Boilers and Cooling Tower.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-64 Mayor Menna read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$25,384.41 due to Judgments of the Tax Court of New Jersey.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-65 Mayor Menna read, “A Resolution Supporting Steps by New Jersey Officials to Protect and Support Federal Military Bases Located in the State of New Jersey.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-66 Mayor Menna read, “A Resolution Authorizing the Acceptance of an Irrevocable Letter of Credit Posted by Oakland Square, LLC Regarding Block 42, Lot 19.01.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-67 Mayor Menna read, “A Resolution Authorizing the Appointment of Regular Crossing Guards for the 2014-2015 School Year.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-68 Mayor Menna read, “A Resolution Authorizing Tax Credit/Refunds Totaling \$286.39 due to Interest Charged in Error.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-69 Mayor Menna read, “A Resolution Requesting Monmouth County DOT to Evaluate the Need to Adjust the Timing and Operation of the Traffic Signal at Broad and Front Streets.”

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

Mayor Menna explained that the resolution had come as the result of an extremely good meeting that had been held the previous Friday between representatives of the County, Senator Beck and himself as well as traffic and pedestrian safety advocates. He reviewed the changes they were seeking for the area.

Councilman Zipprich asked if the study would take place before changes were implemented.

Mayor Menna said they could not implement changes before the study and said it was the first step.

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-70 Mayor Menna read, “A Resolution Requesting New Jersey DOT to Designate State Highway 35 in Red Bank as a ‘Safe Corridor.’”

Mayor Menna this resolution came as a result of the same meeting and reviewed the benefits of such a designation.

Councilman Zipprich asked how it would help with pedestrian safety.

Mayor Menna said it would slow traffic down and would fit in with what they were trying to do on Riverside Avenue.

Councilwoman Schwabenbauer asked if meant other changes for Maple Avenue and asked if people would still be able to park on Maple Avenue. She said she was concerned for those who used the Y and resident on the street.

Mayor Menna noted he had been on the Council when the State Department of Transportation tried to eliminate all parking on Maple Avenue and said they had fought it. He said if anything the designation should make it easier to park because it would slow traffic down. He noted that the DOT was against parking on Riverside Avenue.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-71 Mayor Menna read, “A Resolution Appointing Acting Electrical Subcode Official.”

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

Councilman Murphy asked if it was a part time or full time position.

Administrator Sickels said it was part time.

Councilwoman Burnham asked the Borough was sharing services with the appointment.

Mr. Sickels said they were not. He said the person had a full time job elsewhere but would work for the Borough part time.

Councilwoman Burnham asked if the Borough shared him with Little Silver.

Mr. Sickels said the Borough does provide services to Little Silver and he would do work there but the employee was not shared. He was a member of the Red Bank office.

Councilwoman Burnham said it sounded like Red Bank shared the employee.

Mr. Sickels clarified that there was an Interlocal Agreement in place where Red Bank would provide Construction services to Little Silver.

Councilman Murphy explained that the Borough of Little Silver hired the Borough of Red Bank to do construction services and the employee worked for the Red Bank Construction Department.

15-72 Mayor Menna read, "A Resolution Authorizing Transfer of Current Fund Appropriation Reserves."

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

15-73 Mayor Menna read, "A Resolution Amending the 2015 Temporary Appropriations."

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming March 2015 as Women's History Month in the Borough of Red Bank.

PAYMENT OF VOUCHERS

15-74 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$724,916.07."

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

OLD BUSINESS

Councilman Murphy said he had called T&M Associates over the weekend about a complaint the Council had heard before regarding a property on Harding Road. He noted there was a retaining wall at the top of the hill that had fallen in the street two or three years prior. He said it was a County Road asked that a letter be written to the County to inquire about the status of the repair.

Mayor Menna said he wasn't sure if it was private property or County but asked the Administrator to send a letter the next day to the County Engineer and to copy the Freeholder in charge of County roads.

Councilman Murphy said he would like to see a clarification on ownership.

Mayor Menna said it was the responsibility of either the property owner or the County and needed to be fixed.

NEW BUSINESS

None.

AUDIENCE

Rose Sestito—190 River Street—said she had attend Parks and Recreation Committee meetings to ask about the status of the proposed spray park on Locust Avenue and had been told that the Council Committee for Parks and Recreation would be discussing it on March 4. She said she was concerned because the grant was due to expire in May. She noted that she had been involved in the summer camp and described the need for a place to take the children to cool off on hot days. She said Parks and Recreation funding was being cut and the park would be a way to save money rather than taking the children on trips. She said it security was a concern, the Borough should lock it up like they do with Count Basie field.

Councilwoman Burnham said she had spoken with Mr. Sickels the previous day and asked him to repeat what he had said.

Mr. Sickels said he would defer to the Department Chair.

Councilwoman Schwabenbauer thanked Ms. Sestito for reminding her of the issue. She said they had discussed the matter and Ms. Sestito was correct that the grant would run out in May. She said they had reviewed the terms of the grant and had reviewed the status of the park. She said Engineer Ballard would be putting the bids out. She said they did not want to lose the grant and noted that there was no guarantee the bids would be acceptable or that the park would look exactly the way it was configured now. She assured her that they were working on it. She reported for those that had been following the issue that the park was approximately half the size that it originally had been which would help address some of the concerns that had been brought up.

Councilwoman Burnham said Mr. Sickels had told her that the Borough was going to go ahead with a smaller water feature.

Mr. Sickels said he had stated that the specs included alternates which included the water feature.

Councilwoman Burnham said she had spoken with the gentleman at the County that gives the grants and he had told her that the Borough could still get the grant if they lost the water feature all together if there was public opposition or it is was too much which she felt it was. She said she didn't understand why they were still moving ahead with the water feature when the public didn't want to do it.

Councilman Zipprich noted that petitions with 300 signatures in favor of the park had been presented to the Council.

Councilwoman Burnham said she did not want to get into that.

Councilman Zipprich said he also believed the grant would provide 47 percent of the funding for the project.

Engineer Ballard confirmed the dollar amount.

Councilwoman Burnham noted it was a matching grant so the Borough would have to put up similar funds.

Administrator Sickels said the direction from the Chair was that she would like to have all of the information. He explained the various factors that had to be considered in addition to cost. He said the committee voted to put the specs out. He said the Council would get to review it again when the time came to award the bid.

Councilwoman Burnham asked if there would be another public meeting before they moved forward.

Mr. Sickels said they could not award the bid without a resolution and the public would have an opportunity to comment on the resolution.

Councilwoman Burnham asked Engineer Ballard how much had been spent on the project so far.

Engineer Ballard estimated approximately \$75,000.

Councilwoman Burnham said she thought it was more and asked Engineer Ballard to bring more information to the next meeting.

Councilman Murphy said he felt the bidding process was the right thing to do. He noted the water park was bid as an alternate and said there were just as many people that wanted the water as there were that did not want to the water park.

Mayor Menna noted the Engineering work had already been done. He said the Chair was saying that they were putting it out to bid to see what the costs would be and then they would make the decision if the water park would be a part of it or not.

Councilwoman Schwabenbauer said she wanted to clarify that the way the bid worked was that they put out a request for the primary piece along with a request for alternates. She said when the bids came back, they could accept the primary part but may or may not accept the alternate piece. She said the water feature was an alternate so they had the option of whether or not they wanted to include it.

Suzanne Viscomi—19 Morford Place—discussed the parking problems in her neighborhood and said it had been so bad since Brothers Restaurant was closed. She also said there was a resident on Allen Place that placed a cone in a spot to save the space. She offered a picture of the coned off space. She said enforcement was needed. She said she didn't want there to be issues when it got busier.

Administrator Sickels said they would assume that the traffic cone was left by someone with the Borough and would pick it up.

Fred Boynton—365 Shrewsbury Avenue—thanked Administrator Sickels and Public Works Director Watson for their help with a situation. He also noted that there had been an issue with the County on his Aunt's property on Shrewsbury Avenue where they were supposed to replace dirt that had been removed. He said there was a problem when it rained and asked for someone from the Borough to reach out to the County to help resolve the issue.

Carl Colmorgen—67 Oakland Street—said he wanted to thank Rich Hardy and Bobby Holiday. He said he had met with them after the previous Council meeting to report and issue with water that was collecting in the area of Peters Place and Broad Street. He said they had taken care of it the following morning. He commended them for taking care of it so quickly.

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

EXECUTIVE SESSION

None.

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

ABSENT: DuPont

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

Respectfully submitted,
Pamela Borghi