

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MAY 27, 2015
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Mayor Menna and Councilman DuPont

Councilman DuPont arrived at 6:35 pm.

SUNSHINE STATEMENT

Council President Murphy 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.

Council President Murphy announced that Ordinance No. 2015-17 and accompanying Resolution No. 15-113 had been removed from the agenda because information had been received by the Finance Committee at the end of the day and they needed time to review.

Councilman DuPont arrived at 6:35 pm.

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.

Council President Murphy reviewed a recent incident where several individuals worked to save Red Bank resident Richard Moran who had suffered a serious cardiac episode.

15-127 Council President Murphy read, “A Resolution Commending Police Officers Ashon Lovick, Jorge Torres and Shane Dengel.”

Councilman Zipprich 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.

15-128 Council President Murphy read, “A Resolution Commending EMTs Robert McCord and John Squires and Paramedics Lori Corson and William Beresford.”

Councilman Zipprich 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.

15-129 Council President Murphy read, “A Resolution Commending 2nd Deputy Fire Chief Peter DeFazio.”

Councilman DuPont 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.

15-130 Council President Murphy read, "A Resolution Commending Philip Simone."

Councilman Zipprich 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.

15-131 Council President Murphy read, "A Resolution Commending Robert Haugh."

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.

The resolutions were presented to the individuals and Mr. Moran thanked them for their efforts.

Presentation by David Pascale and Kate Okeson of 077Q1 LGBT Neighbors of Red Bank

David Pascale noted that he and Ms. Okeson were both members of the Red Bank Human Relations Advisory Committee which was a committee that promoted inclusivity and diversity for all Red Bank residents. He said, on this night, they were representing the LGBT community to present a Pride flag to the Council.

Kate Okeson noted that the flag had also been presented to the Council last year and said they were requesting that the Borough continue to have open doors in Red Bank especially to the youth. She said the flag symbolized the month in which they commemorate a series of events in 1969 that were a major point on the time line that was specific to the LGBT community. She said they were requesting that the Council fly the flag at Borough Hall for the month of June.

Council President Murphy asked Councilman Zipprich to read a proclamation proclaiming June 2015 as Lesbian, Gay, Bisexual & Transgender Pride Month in the Borough of Red Bank.

Councilman Zipprich read the proclamation and thanked the 077Q1LGBT Neighbors of Red Bank for reminding the Borough to celebrate its diversity and for providing the Borough with the Pride Flag for the second year in a row. He reviewed the efforts of Mr. Pascale and Ms. Okeson with the Human Relations Committee and with their contributions to the Two River Pride celebrations that had been held in the Borough.

Councilwoman Burnham said she had attended a few of the dances known as "Gaylas." She said it was a safe comfortable place for children that did not know where they fit in.

RESUME REGULAR ORDER OF BUSINESS

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

WORKSHOP

No Workshop items.

APPROVAL OF MINUTES – May 13, 2015

Councilman DuPont offered a motion to approve the minutes, 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.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Burnham reported that she had presented a \$3,000 scholarship to Sam McPherson on behalf of the Red Bank Elk Lodge #233 for Outstanding Community Service. She also reported that she had participated in the recent Basie Awards at the Count Basie Theatre and had served as an award presenter.

Councilwoman Horgan had no report.

Councilwoman Schwabenbauer reported that Parks and Recreation was now accepting Summer Camp registrations. She also noted the Director of the Department has resigned the previous Friday. She said the job would be posted and reported that someone who had filled in for the position before was willing to assist until an appointment was made. She also reported that there would be Special Meeting of the Council the following night to review the proposals that had been received regarding the redevelopment of Marine Park.

Councilman Zipprich reported Robert Holiday Jr. would be serving as the Acting Director of Public Works while Director Watson was out on medical leave. He noted that Mr. Holiday had been a Borough employee for 32 years. He also noted the West Front Street Bridge had opened the previous Monday as scheduled. He said he had also attended the Basie Awards and thanked Councilwoman Burnham for cheering the students on. He thanked the Parks and Recreation staff for stepping up and making the Memorial Day ceremony a success. He also thanked Elks Lodge 233 for their assistance with the ceremony. He also reported there would be a fund raiser on June 12 for the Preservation of the T. Thomas Fortune property to be held at the Two River Theatre from 6 to 10pm.

Councilman DuPont had no report.

Councilwoman Burnham said she wanted to add that there would be an International Night at the Primary School on the following Friday from 6 to 8pm.

Councilman Zipprich noted that the Red Bank Borough Education Foundation would be holding their 50/50 raffle at the event.

COMMUNICATIONS AND PETITIONS

Council President Murphy read a request told hold the 2nd Annual Michael (POP) Conlin Irish Wake Fundraiser at The Dublin House on July 25, 2015 from 2:00-7:00 pm and to close White Street by English Plaza to Broad Street to Monmouth Street to The Dublin House for approximately 20 minutes for Pipes & Drum Band procession; approved by Special Events.

Councilman Zipprich offered a motion to approve the request, 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.

Council President Murphy read a request to hold the 35th Annual Red Bank Crop Walk for the Hunger on October 18, 2015; approved by Special Events Committee.

Councilman DuPont offered a motion to approve the request, 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.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

Council President Murphy opened the public comment portion of the meeting and asked if anyone would like to speak.

No one 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.

ORDINANCES – First Reading

ORDINANCES – Public Hearing and Final Adoption

RESOLUTIONS

15-118 Council President Murphy read, “A Resolution Supporting the *Click It or Ticket* Mobilization of May 18-31, 2015.”

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.

15-119 Council President Murphy read, “A Resolution Authorizing Approval of Sidewalk Cafes.”

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.

15-120 Council President Murphy read, “CDBG Block Grant Resolution Authorizing the Mayor to Sign a Certification Prohibiting the Use of Excessive Force and a Certification Prohibiting the Use of Federal Funds for Lobbying.”

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.

15-121 Council President Murphy read, “A Resolution Authorizing the Filing of a Recycling Tonnage Grant.”

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.

15-122 Council President Murphy read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$4,954.43 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, DuPont

NAYS: None

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

15-123 Council President Murphy read, “A Resolution Appointing Affordable Housing Planner.”

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

Councilwoman Burnham asked if the Borough already had a COAH Planner.

Administrator Sickels said there had been a COAH representative but said he had retired. He said the Borough’s Planner was Richard Kramer from T&M Associates but noted he was on leave so there was a need to appoint someone in his place.

Councilwoman Burnham asked if the Planner had to be with T&M or if they could appoint an independent Planner.

Mr. Sickels said T&M had prepared the Affordable Housing Plan that the Borough was trying to have certified so they had to be a part of the process.

Councilman DuPont said this was part of a recent Supreme Court case which was why they were seeing the appointment as well as the authorization to file in Court to certify the plan to avoid Builder Remedy lawsuits.

Councilwoman Burnham asked if the Borough still had obligations to COAH or if they had been fulfilled. Attorney O'Hern reviewed the recent Court decision and the action that was being taken to protect the Borough.

Councilwoman Burnham asked if there would come a time when the Borough will have supplied enough Affordable Housing or if it was an ongoing thing.

Mr. O'Hern said it was ongoing and reviewed the process and explained why it was necessary to have someone from T&M involved in the process.

Administrator Sickels said the Borough's plan had been adopted and approved and said they had been involved in litigation with Fair Share Housing but said they had since signed off on the plan. He said all they needed was the stamp of approval from COAH but COAH went away. He said the Courts decided the Courts were in charge so they had to file with the Court for approval.

Councilman Zipprich asked for an explanation of the third round rules which Attorney O'Hern explained.

ROLL CALL:

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

NAYS: None

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

15-124 Council President Murphy read, "A Resolution Authorizing the Borough Attorney to File a Declaratory Judgment Action to Have the Borough of Red Bank's Affordable Housing Plan Declared Constitutionally Compliant."

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.

15-125 Council President Murphy read, "A Resolution to Oppose the Six Flags Solar Farm Project."

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.

15-126 Council President Murphy read, "A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (Police Vehicles)"

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.

15-132 Council President Murphy read, "A Resolution Appointing Tamila Bumback as Acting Director of Red Bank Parks and Recreation."

Councilwoman Schwabenbauer 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.

15-133 Council President Murphy read, “A Resolution to Approve the Hiring of Parks and Recreation Park Assistants.”

Councilwoman Schwabenbauer 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.

15-134 Council President Murphy read, “A Resolution to Approve the Hiring of Parks and Recreation Summer Staff.”

Councilman Zipprich 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.

15-135 Council President Murphy read, “A Resolution to Approve the Hiring of Seasonal Part Time Parks and Recreation Administrative Assistant (Bilingual).”

Councilwoman Schwabenbauer 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.

15-136 Council President Murphy read, “A Resolution Appointing Robert Holiday, Jr. as Acting Director of the Red Bank Department of Public Works.”

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.

15-137 Council President Murphy read, “A Resolution to Approve the Promotion of Certain Public Works Employees.”

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.

15-138 Council President Murphy read, “A Resolution Appointing Technical Services Library Assistant.”

Councilwoman Horgan 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

15-139 Council President Murphy read, “A Resolution for Payment of Bills Amounting to \$3,880,947.30.”

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

Councilwoman Burnham asked about a letter that Locust Avenue residents had received stated that T&M was applying for DEP permits in regard to Bellhaven. She asked Councilman DuPont if he had previously stated he was not in favor of a water park at Bellhaven.

Councilman DuPont said that was correct.

Councilwoman Burnham said she was not in favor and asked Councilwoman Schwabenbauer if she had also stated she was not in favor.

Councilwoman Schwabenbauer said she would like to clarify the issue. She said there had been previous discussions on whether or not they had wanted to include a water park at the site. She said they had put it out to bid with the water feature listed as an alternate plan. She said prior to going out to bid, the Borough had applied for permits which was why the letters had gone out.

Councilwoman Burnham said she, Councilman DuPont and the Mayor were not in favor of the plan and said Councilwoman Schwabenbauer had said she was not in favor of the plan. She asked why they were continuing.

Council President Murphy said he would not be able to say yes or no to the plan until he saw the bid results.

Councilwoman Burnham said the votes were not there for the water feature and asked why they continued to pay tax payer T&M for testing, surveys and design. She said it was an environmentally sensitive area and said the public had come out to say they were against it.

Councilman Zipprich disagreed and noted there had been a petition with 300 signatures of families in the area that were in support of it.

Councilwoman Burnham said they did not know that for sure.

Councilman Zipprich said they did know for sure. He also noted that the plan had come through the Parks and Recreation Committee and said they had agreed to put it out to bid with the water feature as a alternate.

Councilwoman Burnham said she felt it was clear that most people were adamantly against it and asked why they kept pushing it forward. She asked who had authorized the application to extend the grant time.

Administrator Sickels said the environmental assessments and soil testing had to be done regardless of what work was being done there and was not tied to the water feature. Secondly, he said the water feature had been toned down considerably based on public comment. He said the specs had been prepared as an alternate when Councilwoman Schwabenbauer had taken office. He said rather than have the plan specs redone, they had put it out as an alternate to find out what the actual costs would be. He said some Council members had expressed concern about the cost estimate. He said until they go out to bid on the plan with the scaled back alternate plan, they won't know what the costs are. He said, rather than incur additional engineering expense to alter the bids, they decided to save the money. Before going out to bid, he continued, they always run the matter past the DEP to get them to review for concerns or changes. He said, in order to get them to review it, the Borough had to file for permits because the Department wouldn't entertain anything unless it was officially filed.

Councilwoman Burnham said she felt they were continuing to pay T&M to do testing. She said she felt you could test anywhere in the Swimming River and find contamination. She said she had a letter that stated that the DEP case on the property was closed. She also criticized creating another park and said she felt the Borough could not maintain the ones they had.

NEW BUSINESS

AUDIENCE

William Meyer—12 Monmouth Street—said he was not aware of a petition regarding Bellhaven.

Councilman Zipprich said it was available in the Clerk's Office.

Mr. Meyer said he had not met anyone in favor of the project. He said he felt Red Bank had lost the fireworks display because it had gotten too big and said he felt the same would be true of a water park at Bellhaven. He also criticized the statement that they would have to go out to bid to determine the cost. He said he was not in favor of the project. He reviewed the amount of funds that had been spent on the project so far particularly on engineering fees.

Councilwoman Schwabenbauer said the amount spent on engineering fees so far was \$43,000.

Lee Cramer—95 Locust Avenue—said he lived across the street from the property and spoke in opposition to the plan. He questioned who signed the petition.

Councilman Zipprich said a copy was available in the Clerk's Office.

Mr. Cramer said he felt no one in the neighborhood affected was in favor of the project and cited environmental and flooding concerns.

Councilwoman Burnham suggested they start a petition against the project.

Freddie Boynton—365 Shrewsbury Avenue—questioned the petition of 300 signatures and said everyone he had spoken with on the west side was against it. He called for a protest on the project and also cited flooding issues. He said the funds should be spent on kids with special needs.

Councilman Zipprich said that that was what they were trying to do. He said Mr. Boynton had previously criticized the fact that the Easter Egg Hunt was in Eastside Park. He said there was currently no park on the west side. He said the park could offer handicapped equipment.

Mr. Boyton agreed that the Easter Egg Hunt used to be in Count Basie Park. He also criticized the location of the park that would place special needs children near the water. He criticized the lack of crosswalks in the area.

Frank Corrado—53 Oakland Street—expressed his concerns about Bellhaven.

Councilman Zipprich asked if Mr. Corrado had been part of the advisory committee of the Environmental Commission when the project began.

Mr. Corrado said he was.

Councilman Zipprich asked if the Park and Recreation Committee had taken into consideration testimony that the Commission had contributed.

Mr. Corrado said they had and commended them for adding native species to the list but said, outside of that, not much else was considered. He said he had proposed an alternative but felt he had been yelled at.

Councilman Zipprich said he did not remember yelling at him.

Mr. Corrado agreed that the Environmental Commission had participated and had provided an alternate plan. He again said, outside of native species plantings, none of their suggestions were included. He expressed concerns about environmental concerns at what he called an environmentally sensitive area including the fact that it was a bald eagle foraging area. He questioned by the Democrats were not in support of environmental issues. He suggest Johnny Jazz park be considered as an alternate site.

Councilman Zipprich said the Parks and Recreation Committee took all of the considerations presented by the Environmental Commission and found that their proposal would cost three times the price of a traditional playground which was outside the budget and outside the grant money. He also noted that the Committee had cut the size of the park in half.

Councilwoman Horgan agreed that they had cut the size of the park and had moved it closer to the road. She said no decision had been made yet but said they had listened to everyone.

Mr. Corrado said it was the first he had heard that pricing had been done and said he would be interested in seeing it.

Administrator Sickels said the downsizing and moving closer to the road was in direct response to comments by Mr. Corrado and other representatives of the Commission. He said they had also explained that the proposed materials were frowned upon by the Joint Insurance Fund because of maintenance issues. He said they were looking at more durable, cost effective products. He said the suggestion that had gotten the biggest reaction was the suggestion to move the project to an intersection at a very busy highway when it was intended as a neighborhood park. He said the water feature involved small nozzles on a very flat service and would be accessible to a child in a wheel chair or with walking limitations.

Councilman Murphy said he understood they were waiting for bids to come in with the water feature proposed as an alternate. He questioned why they were moving forward with that portion and said Councilwoman Burnham had stated that there were three individuals on the Council that were not in favor of the park.

Councilwoman Schwabenbauer said there were two reasons why it had been put out that way. First, she noted, it had already been drafted that way and it would have cost more money to have it redrafted. Secondly, she said, that was the way the grant had been drafted and they had wanted to send it out in compliance with that draft. She said she thought they had already gone out and recent found out they had not.

Councilman Murphy asked if there would be a public meeting before the vote.

Councilwoman Schwabenbauer said there would be.

Council President Murphy said he had heard nothing but good things about the park but would not say “yes” or “no” until he saw it on paper.

Councilwoman Burnham said she had spoken with the grant giver and was told that if there was public outcry or opposition, they could write a letter and drop the water feature. She said obviously Mr. Sickels didn’t want to do that.

Councilman Murphy said that was not true and questioned her statements that half the town didn’t want the water feature.

Councilwoman Burnham said she had spoken with the grant giver to ask how to amend the grant. She said she was told that the Borough Administrator would have to write a letter that there had been public outcry about a certain feature.

Mr. Sickels said the issue was that, if the Borough voluntarily removed that feature, there would be a reduction in the grant money. He said, if they put it out to bid and choose not to award that feature as an alternate due to cost, etc., it would have a different connotation. He said it was not the kind of park that would bring people in by the busload but was a neighborhood park. He reviewed the steps in the approval process and noted thing would be awarded without Council review and approval.

Councilwoman Burnham noted the groups that had already spoken in opposition to the plan.

Mr. Corrado claimed that the DEP was not on the side of the environment. He also questioned the application for a permit to cut into the buffer zone.

Council President Murphy said it had been stated that there would be a public forum before the Council voted.

Laura Dardi—63 Oakland Street—said she had also appeared on behalf of the Environmental Commission but also wanted to offer her personal point of view. She said she was concerned about sanitation issues including the fact that there would be no bathrooms at the park. She said she felt it would be an attraction to out of town visitors.

Councilman Zipprich asked Ms. Dardi if she used Eastside Park and asked what restroom facilities were at that location.

Ms. Dardi said she did use that park and there were no facilities.

Council President Murphy disagreed and said there were porta-potties there.

Councilman Zipprich said if the Bellhaven Park was built and it was determined there was a need, he said he was sure the Borough would do something similar to what had been done at Eastside Park.

Council President suggested the matter be brought up at the public forum.

No one else appearing, Councilman Zipprich offered a motion to close the audience portion of the meeting, 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.

EXECUTIVE SESSION—None.

ADJOURNMENT

Councilman DuPont offered a motion to adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi