

**MINUTES
SPECIAL MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MAY 28, 2015
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Municipal Clerk Borghi and Administrator Sickels.

ABSENT: Mayor Menna and Councilman Murphy.

Councilman DuPont called the meeting to order.

SUNSHINE STATEMENT

Councilman DuPont 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 May 13, 2015.

PRESENTATION OF MARINE PARK REDEVELOPMENT PROPOSALS

Councilman DuPont asked Councilwoman Schwabenbauer to open the presentation.

Councilwoman Schwabenbauer introduced the three proposals and explained that process to ask questions. She also noted there were comment forms available for anyone who did not wish to speak.

- **Proposal #1 James P. Cullen**

Mr. Cullen reviewed his proposal to rebuild the previously existing clay tennis courts. He explained how he had gotten involved in the process and how much he enjoyed the clay courts. He said the benefits to the community included the fact that the clay courts were a unique landmark. He introduced Jeff Bessler who stated that statistics showed that a greater percentage of youth who played tennis went on to college as opposed to those who participated in other sports or no sports. He said the also participated in a greater percentage of community events. He said it would also be a beneficial program for seniors.

- **Proposal #2 Jetsun**

Anthony Setaro introduced the team of people who had worked on their proposal. He explained the history of their partnership and reviewed the details of their plan. He said they had reviewed the Master Plans of the town that called for the location to be a gathering place. He said they had reviewed the history of the property. He said the Request for Proposals had asked for recreation that did not currently exist and also recreation opportunities for all ages. He said they reviewed existing recreation in the town to see what was missing and what they could give back to the residents. He said recreation at their facility would be free to Red Bank residents 65 and older and also those who were four and under. He said their proposal would include complete waterfront access including kayak rentals. He said it would be a privately funded and operated under a 25 year lease agreement with the town. He reviewed some of the specifics including hockey and ice skating on a year round artificial ice rink, a miniature golf course and boat rentals. He said they were also proposing an electric transit shuttle loop throughout town to ease parking congestion and a free wi-fi hot spot in the park.

He introduced Architect Michael Simpson who reviewed the site plan and explained how the plan would offer more accessibility. Mr. Simpson explained that all of the structures were planned for the western side of the sight which was the least public portion and included buildings for storage, a snack bar and a visitor's center. He said, in direct response to the RFP, they had included a number of things that were "lead oriented" which he explained meant leadership in environmental energy design and looking to make the property a better environmental performer. He said the tennis courts were impervious which meant water would run off into the river. He said the proposed golf course would be pervious and more "green" than the tennis court. He said all of the surfaces on the project would be pervious which he explained would allow rain water to seep into the ground as opposed to running off the surface and going into the river. He reviewed Green Acres regulations regarding building on the site and said they had taken a very conservative approach. He reviewed plantings that would offer buffering and cooling/coverage.

- **Proposal #3 Marine Park Activity Center**

Sandra Talerico said her group had formed a limited liability corporation and had applied to the State for nonprofit status. She reviewed her involvement with the Navesink River Rowing organization and

introduced those involved with this proposal including Gayle Horvath of the Navesink Maritime Heritage Association, Linda Ansore (sp?), a teacher at Shore Regional High School, rowing instructor and member of Navesink Maritime Heritage and Navesink River Rowing, and Phil Flago, a founding member of the Navesink River Rowing Club, a member of the North Shrewsbury Ice Boat Club and the Navesink Maritime Heritage Association and a rowing instructor. She explained their love of the river and said they wanted to share it with as many people as possible. She reviewed ways their Maritime Center would open access to the river for all including challenged people and children. She said the project would be worked in phases and would hope to have programs in place by the summer of 2016. She said would have a chair lift with a floating dock for people with challenges by 2017. She said they were proposing an open air shelter and snack bar with day rentals of boats. She said a proposed boat house to be built by 2018 would offer locker rooms, a bathroom and Administrative Offices. She noted that in 2020, they proposed to add a second story to the boathouse that would include a multipurpose room and deck that would overlook the river. She presented a concept drawing of the plan. She reviewed how it would be funded and noted their nonprofit status would mean that they were not looking to make money but just cover the expenses of the project. She reviewed grant opportunities.

Public Comment

Arthur Hunnewell—54 Chestnut Street—said they were interesting proposals and noted two would do away with the previous use. He said one appeared to be well funded but questioned the long term viability. He asked the Maritime representatives about the foot print of the proposed building.

Mr. Flago said the site was 14,000 to 15,000 square feet and said they would like to use 10,000 of it for a five bay boat house.

Mr. Hunnewell asked if that was for both levels or just a single footprint.

Mr. Flago said just the footprint.

Mr. Hunnewell noted that would bring the final building to approximately 20,000 square feet. He asked how they would deal with the flood issue.

Mr. Flago said they realized the floor of the boat house would have to be raised.

Mr. Hunnewell said he said their plan called for adding storage for shells but noted the current bulkhead did not favor river access for shells, especially at low tide.

Mr. Flago said they proposed a floating dock and ramp and noted the fence would have to have an opening in the fence.

A discussion follow about specifics of that aspect of the plan.

Mr. Hunnewell asked the representatives of Jetsun how it was being financed and how it would be sustained in the future. He said he was not happy with the artificial ice.

Their representative said it was self-lubricating ice and would not have some of the issues usually associated with artificial ice. He discussed how the surface would be maintained and repaired.

Greg Borak—17 Sherwood Road, Middletown—said he was a real estate attorney in Manhattan and asked each proposal representative how much of the year their facility would be available.

Gayle Horvath of the Maritime Facility said their project focused on facilitating use of the river including ice boating and skating. She noted there were also activities planned for inside the facility and reviewed organizations they planned to partner with.

Mike Hernandez of Jetsun said they would offer year round activities including Holidays on the river and miniature golf tournaments. He said their inspiration was families and offering something for everyone from kids to seniors.

Mr. Borak asked the Jetsun representatives if there was anything in their plan that would prevent someone from using the river.

They said there was not. They said access would be free and there would be rentals boats available.

Keith May—104 Spinnaker Lane, Middletown—expressed concern about traffic issues with the Jetsun proposal. He noted issues with the former Fireworks event. He cited a need for year round security and expressed concerns about cost to the town.

The Jetsun representative said they would have year round security because they recognized the issues. He said he didn't foresee them having the same issues as Kaboom because it was a one day event. He also noted that their project didn't facilitate the same behavior as the Kaboom event and was more family oriented. Mike Simpson added that he was experience with the Red Bank and said it was a destination for the County and the Region. He said traffic problems were endemic and said the Borough handled that quite well. He said their project didn't envision bringing that many people in at one shot. He said it was not going to be marketed like a seaside pier. He also noted it would remain open during Marine Park events such as Riverfest. He said Red Bank was a small urban center and should be embraced as such.

Shelly Davimos—11 Wharf Avenue—said she lived in a condo overlooking the park and did not want to look at golf. She said she had experience in building a recreation center. She asked about their experience with similar projects. Each person in the partnership reviewed their specific experience relevant to the project. Ms. Davimos

said she felt the parking in Marine Park was heavily used and said their plan for buses was very ambitious. The contractor agreed and offered his own experience in the area.

Rich Nicoletti—Conover Place, Middletown—offered a history on the park and the calls receive to bring back the tennis courts. He said they would be used by both youth and seniors. He asked why they would change something that had been there for so long and could be more beautiful than it was. He asked the other proposals what they would offer for seniors.

The Maritime proposal said they had several rowers over 50.

Mr. Nicoletti noted that many seniors who wanted to play tennis needed a clay surface.

Chris Paceka (sp?)—45 Washington Street—said the problem he saw with the proposals was that there was nothing for parents to do with their kids and nothing for people to do except shop or eat. He said he thought the other proposals could be incorporated into the Jetsun proposal. He said the others only offered only one activity which Jetsun offered mini-golf, skating, boating, etc. which were all things they could do with kids.

The Maritime representative said they were proposing a public facility where families could canoe. She spoke of the importance of appreciating the river through sailing, rowing and education on the river. She said there was also picnic facilities and a snack bar proposed as well as boating for small children.

Mr. Cullen said agreed that tennis was only one sport but said he felt it was important. He again noted the correlation between tennis and students who went on to college.

Mike Simpson said the access to skating would be more open. He said they would not have to rely on volunteers to get kids into the programs. He said it was difficult to get youth to participate. He said this was a passive facility and not part of a program. He said they didn't need an organized program and the facility would be ready when they were. He again noted it would not block access to the water front.

Fred Stone—16 McLaren Street—said it was nice to see the area was being developed. He said he had reservations about equity and access. He asked if there would be admission fees because many in Red Bank may be excluded.

The Maritime group said there would be scholarships available to provide access for those who could not afford it. They said the program cost money and the project was run entirely by volunteer staff so people would have to pay. They said it was based on a New York model that had fees on a sliding scale.

Mr. Cullen of the tennis proposal stated that the younger members don't pay and the older members don't pay. He said Red Bank residents would pay half. In response to a question about the cut off age for payment, Mr. Cullen said it was 17.

Mr. Setaro of Jetsun said they were very cognizant of the fee issue. He said some of their offerings were free and said they wanted to avoid clubs or membership fees. He said everything would be under \$10 and would offer discounts for residents.

Bill Shaughnessy—11 Kirsten Drive, Freehold—said he had been assisting with the tennis court proposal. He asked what the ice rink would be placed on top of. Mr. Simpson said it would be placed on concrete that was impervious. He noted it was 1/3 the size of a standard rink. Mr. Shaughnessy agreed that the current tennis courts were currently impervious but said a clay court would be pervious. Mr. Simpson said he was familiar with tennis courts and had also worked on clay courts. He said the State of New Jersey recognized tennis courts in general as impervious, whether clay or not. Mr. Shaughnessy disagreed and discussed a how the proposed tennis courts would be built. He said he was also aware of tennis clubs that offered hockey rinks on top of tennis courts in the winter and said it could be an option with the tennis proposal if the town was interested. He said the United States Tennis Association was in favor of the project because it would be one of the nicest tennis facilities in the country.

Councilman Zipprich asked Mr. Shaughnessy if he had worked on the proposal for the clay court. Mr. Shaughnessy said he

Suzanne Bugsby—Middletown—said Red Bank was labeled as a “hip town” and had invested in streetscape projects. She said they had a beautiful waterfront and said she was in favor of rebuilding the tennis courts. She said she felt the Jetsun proposal had flaws. She said she felt the golf would not work and did not think the ice rink would be used. She said it would be a carnival atmosphere and asked what the square footage of the project would be and also for the structures. The Jetsun representative said it was a total of 7,500 total square feet with each building being 1,500 square feet. He said this matched the RFP request that called for using 25 percent of the property. Ms. Bugsby questioned the size of the 20,000 square foot building and said it would wreck the atmosphere of the area. She also asked about the liability issue with using the boats. There was a discussion of the instruction requirement for using the boats. Nicolette Simeone, of 34 Collins Avenue, Port Monmouth, said she was a rowing coach and instructor and said no one could sign up and take a boat out without instruction. She said they would need to take a swim test at the YMCA and show proof before they could go out. She said she had coached children and adults. She said there were personal floatation devices on all boats and she reviewed safety provisions.

Stephen Hecht—135 Branch Avenue—asked if the Jetsun project was a nonprofit. They said they were not. Mr. Hecht asked why the town should give it to a for profit organization. He noted that there were tennis courts at Eastside Park and asked Mr. Cullen if he would be willing to build the clay courts there and let the town run them. He noted the proposal called for a return to the previous program that had a club-like atmosphere. He said he felt it was a recreation program that should be run by the Borough's Recreation department. Mr. Cullen said

disagreed with the club statement and said he would be open to that option. He said he felt Mr. Nicoletti had done a phenomenal job for no pay.

A Jetsun representative said, in response to the for profit question, he wanted to note that they would be generating revenue for the town and were not asking for anything in return. He said they would be making capital improvements to the land.

Jules Boris—Little Silver—asked if anyone had talked to the DEP or Green Acres about restrictions. He said the group would have to be nonprofit. The Attorney for Jetsun said there were provisions for leasing the space. Mr. Boris disagreed. He also cited parking issues and asked where the buses would be parked. The Jetsun representative said they had worked to include a solution which the other proposals did not. Mr. Boris questioned the 20,000 square foot building proposed by the Maritime organization and questioned if it would be used as a catering hall. He again cited issues with Green Acres.

Laura Cunningham—11 Wharf Avenue—said she was concerned about the impact to residents. She expressed concern about her view and what the hours of operation would be. She asked about noise and trash issues. Mike Simpson said the Jetsun facility would have similar site lines with the proposed tennis court fences. He noted the buildings were limited to the western side. He said the boat proposal would be two stories and whatever the pitch of the roof was. He said it would be easily as big as the Monmouth Boat Club but just east of it. He said the Borough would have restrictions as would the DEP and CAFRA. He said approvals would be required by all and they would have say in what happened. They said the Jetsun facility would be close at 9pm during the week and 11pm on weekends and would have seven day clean up and security.

Laura Wicks—16 Mechanic Street—said she had children in her home and said there were no activities for them in town. She said boating and tennis were during the day only and would require parental guidance. She said not all families were capable of that. She asked what the tennis and boat proposals could offer to that demographic. She said she like the idea of wi-fi where she could continue to work while her nieces played. The Maritime group said they had programs that could extend offerings to different financial and ethnic backgrounds and had scholarships. She said it would also give children a leg up on college applications. Ms. Wicks asked if they could collaborate with Jetsun to offer their programs without the 20,000 square foot building. The Maritime representative said they could not offer all of the activities including the programs for those with challenges. She again noted they did not have an architect and had used Mercer and Camden county projects as models. Ms. Wicks said she heard a lot of “ifs” and “hopes” in their two year program and said she felt it was not solidified. The Maritime representative said she felt any of the proposals would include discussions and compromises. Mr. Cullen said the tennis proposal included funds in their operating budget to work on recruiting kids to get involved.

Tony Busch—30 West Front Street—said a place was needed in Marine Park for kids and not where they had to take lessons or get certified. He said Red Bank should have not responsibility to run it. He said they should hire the group that would take care of staff, insure the facility and take care of garbage and security. He said with the Jetsun proposal all they had to do was get a check and it would be open 12 months out of the year.

John Nives—Church Street, Fair Haven—said he felt one of the most beautiful things in the area was the access to the water. He said was aware of areas where boathouses had been created and were very successful. He said he appreciated the clay courts but thought the waterfront access was important. He asked the rowing representatives if their program has traction. He said he also had concerns about the for-profit business if there was not profit or if there were partner problems. The Maritime representative said the Navesink River Rowing Club had 180 youths and 376 adults participate last year. She said they currently had a spot at the foot of Maple Avenue but were outgrowing the space. Kay Valardi of Little Silver noted several school programs she was involved in and said she would like to see a program with Red Bank Regional. Gayle Horvath said they were looking to create new maritime programs and had had a request from the Red Bank Charter School to teach sailing. She said they also wanted to offer handicapped programs. She said the maritime industry needed people and she said she would like to introduce people to nonmilitary programs.

Kate Triggiano—22 Leighton Avenue—asked about the proposed lease. Mr. Setaro said it would be \$75,000 per year with a three percent increase per year of the life of the lease. Ms. Triggiano said she was concerned what would happen if it failed and she felt the ice rink would be a novelty when real ice skating was an option in town. She questioned if they would bring in the revenue and if they would have people there on a daily basis. Mr. Setaro said covering the lease was something that they had looked at. He said the Visitor’s Center and concession would cover the lease payment. He said they had looked at who used the park at various times of day and focused on that. He said they were familiar with business management and said they would not have proposed a 25 year lease if they didn’t feel they could make it work. Ms. Triggiano questioned if they would get repeat customers. They said they were trying to create a community gathering spot. Ms. Triggiano said her biggest fear was seeing whatever went there fail.

Robert Ender—Middletown—said he believed in the use of the water and in boating but asked if the proposal from the Maritime group had referred to using the building for a catering hall/weddings. Their representative said Red Bank had been looking for revenue and they wanted to include the boat house and programs but said they were not money makers. She said other boat houses have been funded by using it as a hall. Mr. Ender said that would bring in hundreds of cars. The Maritime representative said they could hire a valet. Mr. Ender questioned the ramifications of and asked people to do research on the synthetic ice. He said just because there was support for something didn’t mean it would work. He asked them to consider the bigger picture and noted there was a man that was willing to give the town a half a million dollars and said they knew what they were going to get. He asked the representatives of Jetson what would happen if there was a dissolution of the partnership. Their Attorney said most legal agreements include a buyout provision. He noted there were different sources of revenue associated with the project so if one revenue source was gone, others would continue. Mr. Ender asked if it was not possible that the project would be affected by such issues. The Attorney said it was not likely. Mr. Ender

asked if there was an existing rowing facility. The group said there was but they were outgrowing it. He also called for collaboration.

David Schmetterer—112 Harding Road—asked each proposal representative how they were being protectors of place and asked them to address the location, protection and the identity of Red Bank. The Maritime representative said Red Bank would not exist without the river and they were aware of that and celebrated it. She said environmental programs were integral to the main estuary and ecosystem. She said they considered themselves steward of the river. Mike Simpson with Jetsun suggested Mr. Schmetterer read through the proposal which included their intentions and how they meshed with not only the current Master Plan but with Master Plans going back to 1980. He said the park had been the site of both active and passive things and said people keep focusing on the skating and golf but said the developers were conscious of the need for waterfront activity and were reserving one third of the site for that purpose.

Anthony of Jetsun asked Councilwoman Schwabenbauer to explain the scoring process to the public. She said the Parks and Recreation Committee has reviewed the proposals received in response to an RFP. She said they had discussed programs for children and programs for seniors and assigned point values. She said revenue was a factor but was not the only factor and they were also looking at waterfront access and expansion of recreation opportunities that did not currently exist. She said there were a total of 100 points. She said the volunteer Parks and Recreation Committee would meet and review the comments and RFPs and would make a recommendation to the Council Parks and Recreation Committee. She said it would then go to the Council for final approval and said she would like to complete the process as soon as possible.

Tom Labetti—45 Elm Place—said he had circulated a letter with some of his concerns. He cited the block and lot of the property and said they were discussing a small subsection. He asked for a show of hands for who thought they were making the best use of the park and asked who thought they could do better by looking at the overall usage of the entire park. He called for a new RFP for the entire park and asked the Council to consider redoing it. He called for more green surface in the park.

Arthur Hunnewell—54 Chestnut Street—asked about the background of the RFP. Councilwoman Schwabenbauer said it had been drafted before she took office. She said she looked at it and it seemed to cover the area they were concerned about. Mr. Hunnewell said, to his knowledge, there had been no public input. Stephen Hecht, Branch Avenue, suggested Mr. Hunnewell should attend Council meetings which was where the discussions took place.

Ira Freeman—68 Ambassador Drive—reviewed his history with boating but said he felt they couldn't beat the offer of cash. He said he felt it was a no-brainer. He said he viewed the other proposals as startups with unknown futures and high risk. He asked the other proposals how they could compete with the offer of cash. The Maritime group said they were a long term organization and said they did not lack business acumen. The Jetson representative said they had done a significant assessment of the risk. He said their model had been vetted by several financial organizations and those organizations were willing to bear the risk.

Councilwoman Schwabenbauer thanked the speakers for their presentation and thanked those who had attended.

ADJOURNMENT

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

ROLL CALL:

AYES: DuPont, Horgan, Zipprich, Burnham, Schwabenbauer

NAYS: None

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

Respectfully submitted,

Pamela Borghi