

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JUNE 24, 2015  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Mayor Menna and Council Members Murphy, Burnham, Horgan, Schwabenbauer, Zipprich and DuPont.  
ALSO PRESENT: Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney O’Hern and Engineer Ballard.

**SUNSHINE STATEMENT**

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 4, 2015.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont  
NAYS: None

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

**Educational Services Professional of the Year**

15-158 Councilwoman Horgan read, “A Resolution Commending Kathleen Smith on Being Named 2015 Educational Services Professional of the Year for Red Bank Regional High School.”

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

**ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont  
NAYS: None

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

Mayor Menna and Councilwoman Horgan presented the proclamation to Ms. Smith and thanked her for her work with the children of Red Bank.

**Social Media Day Proclamation**

Councilwoman Horgan read the proclamation for Social Media Day, June 30, 2015. Mayor Menna and Councilwoman Horgan presented the proclamation to Emily Fixter of Defined Logic and asked her to explain what their company did.

**Mayor’s Ball Check Presentation**

Mayor Menna reviewed the event and its success. He announced that it had surpassed the Committee’s goals and said the two benefitting charities, the Red Bank Public Library and the Parker Family Health Center, would each receive \$13,000. Mayor Menna presented a check to representatives of each organization.

**RESUME REGULAR ORDER OF BUSINESS**

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

**WORKSHOP**

Parking Deficiency Schedules—Mayor Menna reviewed the history of the moratorium that had been placed on parking contributions and recommended extending it for six months. He said he anticipated that a comprehensive alternative would be presented for the White Street Parking Lot.

15-166        Mayor Menna read “A Resolution to Extend the Temporary Suspension of the Parking Deficiency Schedules in the Borough’s Planning and Development Regulations During Economic Emergency.”

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

**ROLL CALL:**

AYES:        Murphy, Horgan, Schwabenbauer, DuPont

NAYS:        Burnham, Zipprich

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

Councilwoman Burnham said she was not in favor. She criticized projects being approved without adequate parking.

Mayor Menna said he appreciated her comments and assured her that there would be an announcement in the coming weeks regarding a proposal for a shared partnership for a review of the parking situation on White Street.

Councilman Zipprich said he was also opposed.

**APPROVAL OF MINUTES – June 10, 2015**

Councilman Zipprich offered a motion to approve the minutes as amended, 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.

**MAYORAL APPOINTMENTS**

Mayor Menna appointed Gale Soler to the Red Bank Board of Health for an unexpired term expiring 12/31/2016.

Councilman DuPont made a motion to confirm the appointment, Councilwoman Burnham seconded.

**ROLL CALL:**

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

NAYS:        None

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

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

Mayor Menna asked that the reports of Council members be carried to the end of the meeting due to time constraints.

**COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from Red Bank Charter School to change the date of their request for use of Eastside Park for a Welcome picnic to September 1, 2015 from 3pm to 8pm, rain date of September 2, 2015.

Councilman Murphy 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**

No one appearing, Councilman Murphy made a motion to close the public comment, 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**

15-153 Mayor Menna read, “A Resolution Authorizing the Mayor and Borough Clerk to Execute a Water Resale and Treatment Agreement with the New Jersey American Water Company for a Five Year Renewal as per Section 8B of the Existing Contract.”

Councilman Zipprich thanked Water Operator Thomas Branch for his efforts in negotiating the agreement.

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

#### **ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

ABSTAIN: Murphy

There being five ayes and one abstention, the motion was declared approved.

#### **By Consent:**

15-154 Mayor Menna read “A Resolution Rescinding Resolution No. 15-148 and Requesting Approval of Special Item of Revenue and Appropriation According to N.J.S.A. 40A:4-87 (Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund, in the amount of \$2,917.19)”

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

#### **ROLL CALL:**

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

NAYS: None

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

15-155 Mayor Menna read “A Resolution Authorizing Sale of Personal Property.”

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

#### **ROLL CALL:**

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

NAYS: None

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

15-156 Mayor Menna read “A Resolution Authorizing Tax Appeal Settlement Regarding Labriola Motors, Inc., Newman Springs Road, Block 97, Lot 37 and Block 97, Lot 36, Red Bank, New Jersey.”

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

ABSTAIN: DuPont

There being five ayes and one abstention, the motion was declared approved.

15-157 Mayor Menna read “A Resolution Approving the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan.”

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

#### **ROLL CALL:**

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

NAYS: None

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

15-159 Mayor Menna read “A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses for 2015-2016.”

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

ABSTAIN: DuPont

There being five ayes and one abstention, the motion was declared approved.

15-160 Mayor Menna read "A Resolution Authorizing Renewal of Plenary Retail Distribution Licenses for 2015-2016."

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

ROLL CALL:

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

NAYS: None

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

15-161 Mayor Menna read "A Resolution to Approve the Hiring of Parks and Recreation Summer Staff."

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

ROLL CALL:

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

NAYS: None

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

15-162 Mayor Menna read "A Resolution Appointing Elizabeth McDermott as Director of the Red Bank Public Library."

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

ROLL CALL:

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

NAYS: None

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

15-163 Mayor Menna read "A Resolution Requesting Approval of Special Item of Revenue and Appropriation According to N.J.S.A. 40A:4-87 – Cops in Shops, in the amount of \$2,800."

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

ROLL CALL:

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

NAYS: None

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

15-164 Mayor Menna read "A Resolution Authorizing Renewal of Club Licenses for 2015-2016."

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

ROLL CALL:

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

NAYS: None

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

15-165 Mayor Menna read "A Resolution Approving the Hiring of Michael J. Platt as Full Time Parking Enforcement Officer."

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna noted there was an added resolution.

15-152 Mayor Menna read "A Resolution Affirming the Donation of a 1935 La France Aerial Ladder to New Jersey Fire Museum."

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

**ROLL CALL:**

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

NAYS: None

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

**PROCLAMATIONS**

None.

**PAYMENT OF VOUCHERS**

15-167 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$3,495,060.87.

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**

**NEW BUSINESS**

Mayor Menna reminded everyone that the Council meeting for July 8, 2015 would be held at 5pm.

**AUDIENCE**

Tom Capello—Gaetano's, Wallace Street—questioned a recent approval by the Zoning Board for a business that was not paying into the Parking Fund. He noted he had had to pay when he opened. He said he felt new businesses were getting an unfair advantage and suggested they should either give him allotted spaces or return his money.

Mayor Menna said, by law, the Council could not comment on an application before the Zoning Board because it was an autonomous board.

Mr. Capello also questioned the water usage issues on the application.

Mayor Menna questioned Mr. Capello's interpretation of the issues.

Mr. Capello again questioned the actions of the Zoning Board and called for more parking. He said he felt business was down in the downtown area.

Mayor Menna disagreed and noted the Borough was the only town in the County that offered valet parking and asked Mr. Capello if he had told his customers about the program.

Mr. Capello said he had not because there was a large parking lot nearby but there was inadequate signage.

Mayor Menna asked if Mr. Capello referred his customers to that lot.

Mr. Capello said he tells them but said the signage was "brutal."

Councilman Murphy clarified that Mr. Capello was saying there was parking available.

Mr. Capello said that lot was full on Saturdays.

Councilman Murphy said he did not want to return to the Parking Contribution Ordinance the way that it was. He said it was supposed to be used to build a garage and was not designed to deter businesses from coming to town. He said Red Bank had a healthy downtown and said he preferred a restaurant to an empty storefront. He said it was his experience the restaurants were full during the week. He also criticized Red Bank restaurants for not promoting the valet parking either on the phone or on their websites. He again said he did not support collecting the parking fees because he did not want to deter businesses from coming to town.

Mr. Capello again said he either wanted his money back or he wanted to be allotted parking spots.

Mayor Menna noted his business's proximity to a large parking lot.

Ben Forrest—16 Locust Avenue—expressed concern about the train crossing on Shrewsbury Avenue. He noted other intersections had an automatic green that would allow cars to move forward and clear the crossing.

Chief McConnell said the crossing did have the automatic green and said he would look into the matter to make sure it was in effect.

John Hutton—Fisher Place—said Red Bank resident George and Gladys Bowden had moved to Middletown. He said he would like to see the Council acknowledge their contributions to the community.

Mayor Menna agreed.

Councilman DuPont said he had planned to bring the matter up and said the Council could make a presentation at an upcoming meeting.

Councilman Zipprich said the matter was on the agenda for the next Historic Preservation Commission meeting.

Tom Fishkin—Readies, Broad Street—said he was appearing on behalf of RiverCenter. He said he was in support of the parking contribution moratorium. He acknowledged that it was a tough environment and said he agreed with Councilman Murphy that it was better to have a light on than to have an empty store. He said he hoped to see a parking garage in the future.

Mayor Menna said the Borough had moved forward on Phase I for a garage and said the Council had a report designating the White Street lot as an area in need of development with respect to a private or public/private partnership for a garage for residents, visitors and commercial tenants. He said Phase II would be a review the component elements of the lot including environmental characteristics. He said Phase III would call for a Request for Proposals for a plan that would be subject to review by the public, elected officials, Borough professionals and a consultant to see what would make sense for the residents as well as the Borough's commercial interests. He said he was committed to moving forward in a positive fashion. He said there was a parking deficiency and, in order for the Borough to be competitive and keep moving forward, they would need to provide more and easily accessible parking.

Mr. Fishkin said people would visit more often if it was easier to navigate.

Mayor Menna said that was why the Borough, with RiverCenter's help, had implemented the valet parking which he said he felt was a success.

Mr. Fishkin agrees that restaurants should promote it.

Mayor Menna suggested restaurants could offer to pick up the expense for high paying customers. He also said discussions about signage were a waste of time. He said people did not care about the font on the sign but would welcome a lighted sign to direct them to parking.

No one else appeared.

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

Councilman Murphy had no report.

Councilwoman Burnham had no report.

Councilwoman Horgan said the Library wanted to announce extended hours and asked Director Elizabeth McDermott to review the new hours. Ms. McDermott said the library would be implanting new hours on July 6 which were Mondays and Tuesdays 10 am to 5 pm, Wednesdays and Thursdays 1 pm to 9 pm, Friday 1 pm to 5 pm and Saturday 10 am to 2 pm.

Councilwoman Schwabenbauer had no report.

Councilman Zipprich reported the Red Bank LGBT077Q1 group had gathered the previous Saturday at Borough Hall with a copy of the proclamation that had been sent from the White House in recognition of Pride Month.

## **EXECUTIVE SESSION**

### **ADJOURNMENT**

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

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

Respectfully submitted,  
Pamela Borghi