

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 8, 2015
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Councilwoman Burnham arrived at 5:12 pm. Councilman DuPont arrived at 6:35 p.m.

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, Horgan, Zipprich
NAYS: None

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

Councilwoman Horgan read the following:

15-168 A Resolution Commending Nicole Mancini on Being Named 2015 Educator of the Year for Red Bank Primary School.
15-169 A Resolution Commending Lara Wengiel on Being Named 2015 Educator of the Year for Red Bank Middle School
15-170 A Resolution Commending Claudia O’Connor on Being Named 2015 Educator of the Year for Red Bank Regional High School

Councilwoman Burnham arrived at 5:12 pm.

Councilman Murphy offered a motion to approve the resolutions en masse, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich, Menna
NAYS: None

There being four 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, Zipprich
NAYS: None

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

WORKSHOP

Bid Recommendations:

- 2015 Road Program
- Marine Park Improvements
- Marine Park Pump Station Improvements

Mayor Menna reviewed the three award recommendations. He said there was a recommendation from the Borough Engineer to award the bid for the 2015 Road Program. Councilman Zipprich reviewed details of the 2015 Road Program. Mayor Menna said there was a prepared resolution to award that would be added to the agenda.

Mayor Menna said the Engineer had recommended that the bids for the other two projects be rejected because they came in over the bid estimate and over the Engineer's estimate. He said resolutions would also be added to reject those bids.

Administrator Sickels noted that the Marine Park project bids were regarding relocating the Marine Park restroom building and for electrical repairs and other damage as a result of Hurricane Sandy and were not related to the RFPs that had been put out for the Marine Park Development Project.

APPROVAL OF MINUTES – June 24, 2015

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy announced the passing of Anthony Abbatemarco who had served as a Lieutenant from the Red Bank Police Department and had also been a volunteer with the Red Bank Volunteer Fire Department. He announced the funeral arrangements which were being held that evening. He expressed sympathy and condolences to the family on behalf of the Mayor and Council.

Councilwoman Burnham has no report.

Councilwoman Horgan reported that the Education/Technology Committee had met the previous week and she reviewed the cost savings that had been achieved through the efforts of the newly formed IT Department. She also reported that the Rent Leveling Board had met on June 25 and were working on an informational brochure that would be produced in both English and Spanish.

Councilman Zipprich asked if the IT savings she quoted were monthly savings.

Councilwoman Horgan said they were yearly savings.

Councilman Zipprich reported that there would be a Shade Tree Committee the following night and said they would be reviewing the Road Program and the Shade Tree inventory. He said the Historic Preservation Commission would meet on July 21 and were working with a home owner on West Bergen who was restoring their home to period. He said they were also working on a project to honor former member George Bowden. He said the Borough Human Relations Advisory Committee was also working on honoring their former member, Gladys Bowden. He acknowledged the recent Supreme Court decision on marriage equality and commended John Burton on the balance article he had written on the subject. He reported that the Engineer was working on several items that were out to bid on Marine Park and said the restroom building at the park was scheduled for demolition and removal at the end of the week.

Councilman Murphy noted that the Parks and Recreation Liaison was not at the meeting and asked about a grant that had been received for Count Basie Park.

Mayor Menna said the Borough had received a letter from the Governor's Office to notify that the Borough had received \$825,000 toward Phase 3 of the project. He credited the efforts of the Parks and Recreation Committee, the Borough Engineer and the Borough Administrator.

Councilwoman Burnham asked if the Borough would have to match 25 percent of the award.

Mayor Menna said they did and noted the Borough had gotten a first class renovation job of Count Basie Park, which was an almost \$2.5 million renovation, for "peanuts." He said they were actually paying less in bonding costs today than they had in the past because of a lease agreement in place with Red Bank Catholic. He said it was a great cooperative venture that the Council along with former Parks and Recreation Commissioner Juanita Lewis was able to engage. He said the receipt of the grant was one of the final steps that would bring the project to fruition. He said he knew Councilwoman Schwabenbauer was also very appreciative and noted that acknowledgement had to be given to former Council members who had put a lot of work into the project and had been criticized for doing what was the right thing to do.

Councilwoman Burnham asked what Phase 3 would entail and if it would include a new baseball field.

Mayor Menna asked Engineer Ballard to review the project.

Engineer Ballard said the project was actually complete but there had not been a funding round open when the Borough was moving forward with the two baseball fields and the multi-purpose field. She said she

had sent in an “at risk” letter requesting that the Borough be considered for funding when a new funding cycle opened. She said they had looked favorable on the project so they had been awarded \$825,000.

Councilwoman Burnham asked what the Borough had built.

Engineer Ballard said the project had been to install turf fields on two ball fields and a multi-purpose field.

Councilman Murphy said the park looked fabulous and said it was a state of the art facility.

Mayor Menna said he wanted to add to Councilman Zipprich’s report on Marriage Equality by noting that Red Bank was one of only four municipalities in Monmouth County to join as amicus curiae on the Supreme Court brief. He added that there were only 25 municipalities that joined out of the over 500 in the state. He said that was something the Council should be proud of.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Red Bank Police Department for use of Municipal Parking Lot to hold National Night Out on Tuesday, August 4, 2015 from 6 to 9 pm, approved by the Special Events Committee.

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

Mayor Menna read a request from Navesink Maritime Heritage Association to hold a rowing gig event in Marine Park on Saturday, August 22, 2015 from 9am to 4pm with minimal impact and no closure of park, approved by the Special Events Committee with recommendation of no park user fee required.

Councilwoman Horgan offered a motion to approve the request including the waiver of the park user fee, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

ORDINANCES – First Reading

2015-18 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VII, “Traffic,” Section 7-4 “Limiting the Use of Streets to Certain Class of Vehicle,” Schedule V, “Trucks Over Four Tons Excluded,” of the Revised General Ordinances of the Borough of Red Bank.”

Councilman Zipprich offered a motion to approve the ordinance on first reading, seconded by Councilman Murphy.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

Public hearing and final adoption scheduled for July 22, 2015.

2015-19 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VII, “Traffic,” Section 7-6.2 “Stop Intersections,” Schedule VIII, “Stop Intersections,” of the Revised General Ordinances of the Borough of Red Bank.”

Councilman Murphy offered a motion to approve the ordinance on first reading, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

Public hearing and final adoption scheduled for July 22, 2015.

2015-20 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VII, “Traffic,” Section 7-10.4 “Lane Use Reservations,” Schedule XVI, “Lane Use Reservations,” of the Revised General Ordinances of the Borough of Red Bank.”

Councilman Murphy offered a motion to approve the ordinance on first reading, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

Public hearing and final adoption scheduled for July 22, 2015.

ORDINANCES – Public Hearing and Final Adoption

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, Zipprich

NAYS: None

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

RESOLUTIONS

15-171 Mayor Menna read, “A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses for 2015-16.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-172 Mayor Menna read, “A Resolution Authorizing Renewal of Plenary Retail Distribution Licenses for 2015-16.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-173 Mayor Menna read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$4,073.82 due to Judgements of the Tax Court of New Jersey.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-174 Mayor Menna read, “A Resolution Appointing Police Department Dispatcher.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-175 Mayor Menna read, “A Resolution Changing Existing Temporary Part-Time Recreation Staff to Permanent Part-Time Status.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-176 Mayor Menna read, “A Resolution Authorizing Collection of Premium for Unredeemed Tax Sale Certificate.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-177 Mayor Menna read, “A Resolution Accepting Bids and Awarding Contract for the 2015 Road Program.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-178 Mayor Menna read “A Resolution Rejecting Bids for Marine Park Improvements and Authorizing Engineer to Modify Specifications and Re-Bid the Project.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

15-179 Mayor Menna read “A Resolution Rejecting Bids for Marine Park Pump Station Improvements and Authorizing Engineer to Modify Specifications and Re-Bid the Project.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

PROCLAMATIONS

None.

PAYMENT OF VOUCHERS

15-180 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$2,233,123.63.”

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

Councilwoman Burnham noted the Council members had received a letter from a homeowners association regarding a recent accident at the crossing on Broad Street in front of Foodtown. She said she had reached out to Freeholder Curley and asked him to get in touch with the County to see what kind of crosswalk they were planning. She said he responded to her that they were going to put a pedestrian crosswalk in place that was similar to the one at Riverview Hospital. She said she thought it was going to be to the north of Pinckney Road rather than south of it as it was now.

Mayor Menna asked if Freeholder Curley had reviewed that with the County Engineer because he said there had been ongoing meetings and dialog between the County Engineer and the Borough Police Department. He said that was one of the proposals but was certainly not edged in stone. He said it would have to be reviewed by the Police Department and the County and said they were actively engaged in that.

He said it was the Borough's position that anything that was done over there would be welcomed by the Borough. He again noted there were ongoing discussions and they were complicated because signalization was also involved.

She said she was aware of that and had expressed the Borough's concerns about pedestrian safety.

Mayor Menna said he had responded to the association on behalf of the Council and informed them that the Borough Police Department had expressed a number of concerns about the crossing before the accident. He added that the Police had told them that Red Bank would assist in any way but they wanted it done as quickly as possible. He said he told the residents that the Borough was working on it but that they were waiting for the County to make some concrete proposals. He said he felt those should be coming shortly.

Councilman Murphy noted that Chief McConnell was in attendance and asked if the current proposal was to put a blinking light at the location.

Chief McConnell said that was one proposal that was being discussed but said he didn't know if it would work as well as it did at Riverview which was a minor intersection while the Broad Street location was a major intersection. He reviewed the changes that would be made including the removal of an existing crosswalk which he said he questioned because he felt people would still cross there.

Councilman Murphy said he understood that, in the meetings the Chief had had with the County, they were down to three proposals. He questioned Freeholder Curley's statement that they were installing a blinking light.

Chief McConnell said there was another meeting coming up on the 20th and said that was one proposal but it was not the only one.

Mayor Menna agreed and again noted there were several proposals still being considered.

Councilwoman Burnham said Freeholder Curley had made it clear that that was not edged in stone but that they were aware of the situation.

Chief McConnell said the County had been provided with all of the crash data for that intersection for the last three years and had also been given update data last week.

Councilman Zipprich said the issue had also been discussed when the application had been made for Walgreens.

AUDIENCE

Tom Curtis—62 Windward Way—asked for update on the Parks and Recreation review of Marine Park proposals.

Mayor Menna said it was his understanding from a discussion with Councilwoman Schwabenbauer that the Parks and Recreation Committee was compiling all of the data that had been supplied by all interested parties. He said she would be making a recommendation back to the Council and said it would be on the agenda and advertised because they knew there was a great deal of public interest. He assured him that there would be plenty of notice but said he expected it would be coming up in the next couple of Council meetings.

Councilman Zipprich noted that a matrix had been created so the Committee could review and rate the proposals.

Councilman Murphy asked if Mr. Curtis was in support of the tennis court proposal.

He said he was.

Arthur Hunnewell—54 Chestnut Street—noted that the park had been in disrepair since 2012 when Hurricane Sandy hit. He said it was an eyesore and asked what the town intended to do about maintenance in the interim.

Ben Forrest—16 Locust Avenue—said he had attended the candlelight vigil on June 25 and said he was proud of the town and Police Department being able to mobilize so quickly to have an organized march. He said it was very moving and powerful and made him proud to be a resident.

Mayor Menna thanked him for his participation.

Kieran Tintle—Area Manager for Jersey Central Power & Light—said he was attending explain their STEM grant program that distributed grants of up to \$1,000 to teachers and Community youth organizations. He said they were accepting applications between now and September 18. He asked for help in spreading the word.

Councilwoman Horgan noted that the Red Bank Borough Education Foundation raised money for similar types of programs.

Mayor Menna told Mr. Tintle that he would like to meet with him to discuss street lighting issues.

Rob Ender—said he was a business owner at 332 Broad St., Suite 100—suggested there be another public meeting regarding the Marine Park proposals and said a growing number of people were only just becoming aware of the project.

Mayor Menna said he would bring the request to Councilwoman Schwabenbauer.

EXECUTIVE SESSION

15-181 Mayor Menna read a resolution to adjourn to executive session to discuss personnel and litigation.

Councilman Murphy offered a motion to adjourn to executive session to discuss personnel and litigation, seconded by Councilman Zipprich. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich.

NAYS: None

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

Councilman DuPont arrived at 6:35 p.m.

Councilman Murphy offered a motion to close executive session, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich, DuPont

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Zipprich, DuPont

NAYS: None

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

Respectfully submitted,

Pamela Borghi