

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
AUGUST 12, 2015  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Mayor Menna and Council Members Burnham, Horgan, Zipprich and DuPont

ALSO PRESENT: Administrator Sickels, Borough Clerk Borghi, Attorney O'Hern and Engineer Ballard.

ABSENT: Councilwoman Schwabenbauer and Chief Financial Officer Poulos.

(Councilwoman Schwabenbauer arrived at 6:35 pm.)

**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.

Councilwoman Schwabenbauer arrived at 6:35 p.m.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilwoman Schwabenbauer arrived at 6:35 pm.

**Monmouth Boat Club Presentation**

Pat Corr, Commodore of the Monmouth Boat Club presented a \$5,000 donation to the Borough. Mayor Menna commended the organization and called them a good neighbor for their continuing support even though they were a not for profit that was not required to contribute.

**Presentation by Historic Preservation Commission to George Bowden**

Councilman Zipprich read a resolution from the Historic Preservation Commission highlighting Mr. Bowden's contributions to the Borough. Councilman Zipprich and Commission member Barbara Boas presented the resolution to Mr. Bowden.

**Presentation to George and Gladys Bowden**

15-207 Councilman Zipprich read, "A Resolution Commending George and Gladys Bowden.

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna, Councilman Zipprich and members of the Human Relations Advisory Committee presented the resolution to George and Gladys Bowden.

George Bowden thanked everyone for the resolutions and said two of his favorite highlights during his tenure was the moving of the Century House and the creation of the Washington Street Historic District.

**Police Department Promotions/Appointments:**

15-196 Mayor Menna read "A Resolution Promoting Borough of Red Bank Police Department Patrolman Heather C. Pubylski to Rank of Sergeant."

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna issued the Oath of Office to Sergeant Pubylski.

15-197 Mayor Menna read “A Resolution Appointing Probationary Police Officers.”

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna issued the Oath of Office to Probationary Officer Gray.

Councilman DuPont commended Sergeant Pubylski, Probationary Officer Gray and the Red Bank Police Department.

Councilman Zipprich congratulated the officers and said he wanted to echo the sentiments of Councilman DuPont.

Chief McConnell thanked the Mayor and Council for the presentation and noted that the Department was now fully staffed.

Mayor Menna commended the Police Chief and former Police Commissioner Murphy for returning the Department to full staff and remaining under budget. He also noted former Red Bank Police Officer who were in attendance and thanked them for their service.

15-198 Mayor Menna read “A Resolution Appointing Special Law Enforcement Officers Class II.”

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

## **RESUME REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna said he wanted to make a couple of announcements before the meeting continued. First, he said was regarding a Water Shut Off Notice that had recent been sent to property owners that were in arrears. He said notice gave a shut off date of August 17, 2015. He said he had issued an Executive Order that there would be no shut offs. He said a notice confirming that information would be placed on the Borough’s website.

Secondly, he continued, he said he wanted to advise everyone in attendance that there would be no discussion or action by Council of any type regarding Marine Park. He said the reason was that the members of Council had received no recommendation from the Committee. He noted that he had previously stated that, before the Council would review anything of that magnitude, the elected representatives would receive a written recommendation. He said he had also stated that, once that was received, there would be a substantially advertised public discussion before the Council.

## **WORKSHOP**

### **Hubbard’s Bridge Closure**

Administrator Sickels noted that the County Engineer has notified the Borough the previous week that there was a need to close the Hubbard’s Bridge for utility and intersection work. He said they had held an Emergency meeting the previous week to discuss the closure options and it was determined that single lane closures would result in longer delays and significant backups. He said it was determined that the quickest way was to close completely in order to have the work complete before schools opened and buses began running. He noted the Borough had put the word out before the County had issued their press release.

Mayor Menna said the work was being done in conjunction with Middletown and at the request of the County.

Administrator Sickels also noted that the County would be picking up the cost of police officers for both communities.

Mayor Menna said he would like to take some items out of order to expedite the agenda.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from Doc Shoppe to place display table in front of their store at 43 Broad Street.

Councilwoman Schwabenbauer asked if the table would be placed permanently or on a temporary basis.

Mayor Menna said he thought it would be seasonal and that it would not interfere with pedestrian traffic.

Councilwoman Burnham expressed concerns about other businesses that would also want to put out tables. She suggested that Dean Ross, owner of Doc Shoppe, should put the table out for the purpose of something like an anniversary sale for a specific number of days. She said she was not in favor of approving the table indefinitely.

Mayor Menna agreed that the other businesses could be an issue but said he thought the intent was to have the table out during good weather.

Councilwoman Burnham said she understood the intent but again said she was concerned that it would become an issue with other businesses.

Councilwoman Schwabenbauer asked if they could impose some parameters with an approval.

Councilman Zipprich reminded the Council that sandwich board signs had been approved with a sunset clause. He said he was also concern about other businesses. He said he was also concerned about what the downtown could look like, adding that it was an historic district.

Councilman DuPont asked if RiverCenter had a position in regard to the request.

RiverCenter Director James Scavone said he had had conversations with Mr. Ross and said he believed the intent of the request was for specific days.

Mr. Ross said the table would be used weather permitting. He said retailing had changed everywhere and compared the display table to outdoor dining. He noted that, in his particular case, there was a 17 foot buffer in front of his store leaving plenty of clearance. He described how the table would be used.

Tom Fishkin of Readie's said he wanted to respond to the concern about other businesses seeking to put out table. He said retailers would not be able to put product out without having someone to watch it. He suggested it be dealt with on a case by case basis. He said he felt the table would benefit the business.

Councilman DuPont said he was aware the Inspector Woods had brought the issue to light and explained that permission would be required. He said he would not have an objection to the table and said he understood that retail was changing.

Mayor Menna noted there had been criticism about RiverCenter and noted the need for foot traffic. He also pointed out that the largest retailer in the world did not have one storefront and said he did not think that would change. He said they had to be sensitive to those issues and make sure the downtown remained competitive.

Councilman DuPont said he was in favor of supporting new idea and said, as long as the retailer was in compliance, he would be in favor of the request.

Councilwoman Schwabenbauer said she agreed that they needed to recognize the changing retail environment and also needed to be business friendly.

Councilwoman Burnham said she had discussed the matter with the Code Enforcement staff and said they had had a problem with it because they were concerned about other businesses would start putting out different items that were not allowed by ordinance.

Mr. Ross noted that he was a lifelong resident and said he had seen a drop in participation during the Sidewalk Sale.

Councilman DuPont said he thought they should take a chance on the request with certain limitations as suggested by Councilwoman Schwabenbauer.

Councilwoman Burnham noted it was a violation of the ordinance.

Councilman DuPont said they could also amend the ordinance. He spoke in favor of welcoming creative ideas.

Administrator Sickels explained the reason for the bump out was to create pedestrian safety. He said there was a similar space opposite Mechanic Street which provided space for tables for dining which was not allowed at the time. He said they created guidelines and now the Borough had outdoor dining. He suggested the Council approve the request on a temporary basis such as 60 days and draft some guidelines.

He said, if it worked for this individual, they could draft rules that would address all outdoor displays which were currently not allowed.

Councilwoman Burnham asked how Code Enforcement would handle the situation if other stores started putting things out.

Mr. Sickels said this would be the test case and, if it worked, they could look at other businesses.

Councilman Zipprich confirmed that the request was just for a small table.

Mayor Menna called for a motion to approve the request with the provision that it would be for a 60 day trial.

Councilman DuPont offered a motion to approve the request as amended, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna read a request from the Red Bank Charter School for waiver of Zoning Application fees.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna read a request from Sempre Cannoli, 90 Broad Street, to place a 4'x10' "Grand Opening" sign on the outside of their storefront window from August 20, 2015 through August 29, 2015.

Councilwoman Horgan offered a motion to approve the request, seconded by Councilman DuPont.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna read a request from Whipped Creperie, 6 Monmouth Street, to hang temporary signage on the outside of their building during construction.

Mayor Menna noted that the building was under construction and said scaffolding was in place that made it difficult for customers to know the business was open.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Administrator Sickels said the business had obtained permission from the property owner and had gotten certificates of insurance.

### **WORKSHOP (Continued)**

#### **RiverCenter request to improve landscaping along Broad Street side of privately owned parking lot and to redo the entrance pillars at English Plaza.**

RiverCenter Director James Scavone reviewed two requests for beautification projects in the downtown that they were proposing RiverCenter would fund. He said they were seeking the Council's permission to proceed because they were on public property.

He said the first proposed project was at the English Plaza entrance on Front Street. He said they were looking to do the White Street entrance also but said that would be part of a larger streetscape project. He distributed photos of the current entrance which featured peanut stone pillars in disrepair. He also showed a rendering of the proposed new entrance in a design which would mimic the design of the entrance to Riverside Gardens Park across the street. He said the Engineer had reviewed them to make sure they did not compete with site lines.

Mayor Menna asked if there were any questions about the project.

Councilman Zipprich noted that the peanut stone was indigenous to the area and asked if they had considered incorporating that into the design.

Mr. Scavone said they had discussed it early on but had not found other incidents of peanut stone in the Borough. He said the conversation had quickly turned to mimicking Riverside Gardens Park.

Councilwoman Horgan asked what date the existing pillars went back to.

Mr. Scavone said he did not know.

Administrator Sickels estimated that the parking lots had been created in the 1930s so it would have been sometime after that.

Mayor Menna said he liked the clean, reflective look of the new design and anchoring with Riverside Gardens and other architecture in the area.

Councilman DuPont said he also liked the continuity.

Mr. Scavone said there was a post coming out of the peanut stone that they assume had, at one time, been a street sign but noted there was not current signage. He said they would be adding plaques to identify the lot as English Plaza.

Councilwoman Burnham said she thought it was a great idea because the pillars had been hit many times and were in need of replacement.

Councilman Zipprich asked if they would be in more or less the same location.

Mr. Scavone said the pillars would be in the same exact location. He said there was a pay station on site that would have to moved and said they would bear that cost.

Councilwoman Burnham asked how much the project would cost.

Mr. Scavone said it would be approximately \$16,000.

Mayor Menna noted that the costs were being covered by RiverCenter.

Mr. Scavone said the second project was regarding a property on the southern end of Broad Street which was a privately owned parking lot that was currently fronted by a chain link fence and an old billboard. He said they had permission from the property owner to remove the fence and install plantings, benches and two stone paths from Broad Street into the parking lot. He said it would basically be a mini pocket park.

There was a discussion regarding the property owner and other properties that he held.

Councilwoman Burnham asked if the property owner was willing to fix it up himself.

Mr. Scavone said he was not.

Mayor Menna said it didn't matter because it was a RiverCenter project and paid for with their funds.

Mr. Scavone said that was a difficult area to fill vacancies. He said one of the goals was to make that end of town more attractive to businesses.

Councilman Zipprich said he thought it was a nice concept that would enhance the area.

Mayor Menna said it continued the streetscape which was an element that had been lacking from that part of Broad Street. He said he felt it would benefit businesses in the area and would increase foot traffic.

Councilman Zipprich noted he had had conversations calling for more green space and open space and said he thought this complimented that.

Councilwoman Horgan said the existing fence looked in urban blight.

A straw poll of the Council determined they were all in favor.

### **Raw Water Agreement with NJ-American Water and New Jersey Water Supply Authority**

Administrator Sickels reviewed agreements in place regarding the Borough's water supply. He said the agreement was the second part to a previously approved agreement.

Mayor Menna said a resolution would be added to the agenda.

### **Councilman Murphy**

Councilman DuPont said he wanted to express his appreciation for Councilman Murphy's service and noted he had resigned on August 10, 2015. He criticized tactics that had been used that led him to resign. He said, when those tactics were used, everyone lost because it eliminated choice. He said he was a large man with a large heart and noted his military service with the Marine Corps. He said every penny earned through his service with Red Bank was given away. He noted his service to Red Bank and said the day that he resigned, all of Red Bank lost. He said he was a generous, compassionate man that was committed to Red Bank. He said he wanted to thank Councilman Murphy for letting him be a part of it. He reviewed the Departments that he had served and said Red Bank thanked him for his tireless work.

Mayor Menna thanked Councilman DuPont for his statement and said it was no secret that he had relied Art and noted they had grown up together. He said he had been encouraged by residents to not accept the

resignation but said he understood that he had sacrificed a great deal which had affected his family. He thanked the entire family for their support. He said he did know if he could be replaced and commended his common sense. He noted the Herculean efforts that Councilman Murphy when Mayor Menna was ill.

Councilman Zipprich thanked Councilman DuPont and Mayor Menna for their comments and said he wanted to thank Councilman Murphy for his years of service to the Borough. He noted that many times they had not seen eye to eye but said the great thing was he was honorable and you knew where you stood with him. He also said the tactics used were one of the sorriest things which was pitting neighbor against neighbor. He encouraged everyone to stop and to remember that we all live in the town.

Councilwoman Horgan said she was saddened that he was not at the meeting and asked if the elements in the community that felt the necessity to do this knew how they had hurt his family. She said Councilman Murphy was an honest man and, as other has said, you knew where you stood. She said it was a great loss to the Community.

Councilwoman Schwabenbauer said she would miss him too. She said when one was on the dais, they had a different line of site and what one sees as a member of Council was sometimes different from what was seen when one was not on Council. She said she came to appreciate what everyone else had said which was one may not agree with him, but you would have a full and frank discussion with him and at the end you would still be friends.

Councilwoman Burnham said she had had disagreements with Councilman Murphy throughout the years but said she thanked him for his service. She said he didn't have her back but she was glad he had the backs of the rest of the Council.

#### **APPROVAL OF MINUTES – July 22, 2015**

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

#### **ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

#### **MAYORAL APPOINTMENTS**

None.

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

Councilman DuPont had no report.

Councilman Zipprich offered an update on the firm capacity and said the NJ Department of Environmental Protection was in the process of drafting a memorandum of agreement for the construction of the fourth well to back up the one at 75 Chestnut Street. He said the Department of Public Works Committee had met on Wednesday, July 29, to discuss the road program through 2015 and beyond. He said they also discussed the emergency situation with the water meters and the feeder room project at the water plant. He said they had also discussed the incoming FEMA money for generators, facilities issues, park maintenance and personnel/staffing issues. He said, at that meeting, the Administrator had announced that bids for sanitation had been opened the day before which would be discussed later in the meeting. He said the Shade Tree Committee would meet the following night and said they wanted to remind residents with new trees in front of their house to water them because there had been very little rainfall. He said the Historic Preservation Commission would meet the following week. He expressed his appreciation to Chairwoman Ferrigine, Vice Chair Pipo and Commission member Boas for attending tonight to honor George Bowden. He again expressed his appreciation for Councilman Murphy's service and said he would be missed.

Councilwoman Schwabenbauer said they had narrowed the search for the Parks and Recreation Director and said they would be setting up interviews.

Councilwoman Horgan said there were new programs at the library including Creating Comics in the Children's Room and Project Write Now dedicated to helping people of all ages become better writers has partnered with the library to continue the oral history project which was now known as the Interview Project. She reviewed the highlights of each program. She also reported on another new program called "Let's Talk About Race" which would begin on August 26. She said it was a dynamic series of discussions to be held each month that would explore race and culture in the context of literary works and the social morays of cultural identity and class. She said they were designed to include an open and honest conversation that was both enlightening and informative.

Councilwoman Burnham also noted that the Summer Reading program would be having a party with a Police Department K-9 unit. She said she had worked the Sidewalk Sale for the Library and said sales were sad. She said she had planted rose bushes a Maple Cove and thanked DPW staff for their help.

Councilman DuPont said he wanted to thank the Chief for a great National Night Out and said it had a large turn out.

Councilwoman Burnham also said the Red Bank Family Reunion Block Party.

Councilman Zipprich thanked Administrator Sickels for making sure that end of the street was paved first to ensure it was done before the event.

Mayor Menna noted that Councilwoman Horgan had reported on Project Write Now and said he was incredibly proud of all of the kids. He reviewed the program noting that it involved high school aged kids from the area that involved doing research including holding focus groups with individuals. He said he had spent four or five hours with them and said his faith in the future was solid.

### **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from residents of South Street to hold a block party on September 12, 2015 with a rain date of September 13, 2015 and from residents of Elm Place to hold a block party on September 26, 2015. Approved by the Special Events Committee.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Mayor Menna read a request from the Eastern Monmouth Area Chamber of Commerce for date approval only for Riverfest to be held on June 3, 4 and 5, 2016 with a “load in” date of June 2, 2016 with stipulation that roadway and parking lot will remain accessible to the public on June 2, 2016. Subject to final plan review by Special Events Committee.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

### **PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only**

Mayor Menna opened the public comment portion of the meeting.

No one appearing, Councilman DuPont made a motion to close the public comment, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

### **ORDINANCES – First Reading**

2015-21 Mayor Menna read “An Ordinance Authorizing the Leasing of Certain Capital Equipment by the Borough of Red Bank, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto. (Miscellaneous Equipment - \$795,250)”

Councilman DuPont offered a motion to introduce the ordinance, seconded by Councilwoman Schwabenbauer.

Councilwoman Burnham noted the Mayor had referred to it as a project but said it mentioned miscellaneous equipment.

Mayor Menna explained the process of authorizing leasing of equipment. He noted the list was on the back of the ordinance.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Public hearing and final adoption scheduled for August 26, 2015.

2015-22 Mayor Menna read “An Ordinance Authorizing the Leasing of Certain Capital Equipment by the Borough of Red Bank, New Jersey from the Monmouth County Improvement

Authority and the Execution of a Lease and Agreement Relating Thereto. (Police Vehicles - \$190,000)”

Mayor Menna noted that this was in regard to Police Vehicles.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Public hearing and final adoption scheduled for August 26, 2015.

2015-23 Mayor Menna read “An Ordinance Authorizing the Guaranty by the Borough of Red Bank, New Jersey for Payment of Principal Interest on Capital Equipment Lease Revenue Bonds, Series 2015 (Red Bank Project) of the Monmouth County Improvement Authority.”

Councilman DuPont offered a motion to introduce the ordinance, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Public hearing and final adoption scheduled for August 26, 2015.

2015-24 An Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter 490, Planning and Development Regulation, Pertaining to Signs

Mayor Menna said he knew that Councilwoman Burnham had distributed a draft of the ordinance and also noted that the Committee had been working on it even before the Councilwoman took office. He said he wasn’t sure if everyone had had a chance to review it. He said he thought they should discuss some policy issues with the ordinance. He said he discussed the fact that the ordinance was complicated by the previous Chair, Councilwoman Lee. He said the mandate had been to reduce the conflicting terms and conditions of the ordinance, take out of the ambiguity and to make it simpler and more uniform. He said he felt that, by and large, that had been accomplished. He said the resulting ordinance was a wonderful step out of the starting gate but added that he would like to discuss a couple of issues. First, he said, he felt the document presented would be extraordinarily burdensome on small business and offered specifics on what would be required for a simple sign approval. He suggested they work to streamline the administrative process to call for a review by a committee rather than applying to the Board. He said the Committee should consist of the Zoning Director/Planner, a Council Representative, a representative of the Business Community and a representative from Code Enforcement. He said, upon approval, they would get a license for the sign. He said, if it was not approved, the applicant would have to go before the Board.

Councilwoman Burnham confirmed that the intent was to simplify the ordinance but said input from various Boards and Committees had made the process difficult. She said there were still some concerns and asked that the ordinance be tabled so the Code Committee to review.

Mayor Menna said he wanted to add that he also recommended that a representative of the Historic Preservation Commission serve on the suggested Committee.

Councilwoman Burnham offered a motion to table the ordinance, seconded by Councilman Zipprich.

Councilwoman Schwabenbauer said she had created a spreadsheet to outlining the changes and outstanding issues and offered it for review.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

#### **ORDINANCES – Public Hearing and Final Adoption**

2015-19 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.

Mayor Menna opened the public hearing.

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



**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**RESOLUTIONS**

By Consent Agenda

- 15-199 A Resolution of the Borough of Red Bank, New Jersey Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection with the Issuance and Delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2015 and Authorizing an Authorized Municipal Representative to do all Other Things Deemed Necessary or Advisable in Connection with the Issuance, Sale and Delivery of Such Bonds.
- 15-200 A Resolution Authorizing the Execution of a Service Agreement with AXA Equitable Life Insurance Company to Provide Administrative and Investment Services under a Deferred Compensation Plan.
- 15-201 A Resolution Requesting Special Item of Revenue (Cops in Shops - \$2,100)
- 15-202 A Resolution Requesting Special Item of Revenue (Pedestrian Safety Grant - \$4,000)
- 15-203 A Resolution Authorizing the Borough of Red Bank's Consent to Downtown Investors II, LLC's Request for the Conditional Assignment of Parking Space Lease Agreement
- 15-204 A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses for 2015-2016
- 15-205 A Resolution Authorizing the Mayor and Clerk to Sign an Agreement with the Federal Emergency Management Agency for Hazard Mitigation Grants.

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-208 A Resolution Authorizing the Mayor and Borough Clerk to Executive a Water Resale Agreement with the New Jersey Water Supply Authority and New Jersey-American Water Company for a Twenty Five Year Renewal of the Existing Manasquan Reservoir Water Supply System Contract.

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**EXECUTIVE SESSION**

15-209 Mayor Menna read a resolution to adjourn to executive session to discuss Contract Negotiations, Personnel Issues, Litigation; possible action to be taken.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilman DuPont offered a motion to close executive session, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**ROLL CALL:**

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

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

Mayor Menna said the Council had gone into Executive session to review matters regarding Contract Negotiations, Personnel Issues, Litigation and said no action would be taken at this time.

15-206 Mayor Menna read "A Resolution Accepting Bid from and Awarding Contract to Delisa Demolition, Inc. for Solid Waste and Recycling Collection Contract."

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-211 A Resolution Setting Time and Place for Special Meeting.

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**PROCLAMATIONS** – None.

**PAYMENT OF VOUCHERS**

15-210 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$1,647,880.24."

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

Barbara Boas—135 Branch Avenue—expressed concern about crosswalks on Branch Avenue. She noted the area had recently been paved and asked for assistance in getting crosswalks painted at her intersection.

Mayor Menna asked Ms. Boas to forward specifics on where she thought they should be and said he would reach out to Freeholder Arnone to make the request for Branch Avenue.

She noted the number of children in the area and said she would also like one on Bergen Place at Branch Avenue.

Administrator Sickels said he would follow up on that intersection.

Anthony Setaro—Spring Street—said he was interested in hearing details about Councilman DuPont’s plan for a Broad to the River proposal at some point noting that he did not expect the answer at this meeting.

Amy Goldsmith—Locust Avenue—expressed concern about Public Works employees losing jobs under the proposal to privatize solid waste collection.

Mayor Menna assured her that there would be no layoffs and no change in staff or pay. He added that one of the reasons they had held off for a year was to resolve those issues. He also noted that the bids had come in lower than they had the previous year.

Bill Meyer—12 Monmouth Street—criticized the tax increase that was in effect in the bills that had recently been mailed. He said it was intolerable and unsustainable. He questioned how it was possible if there was a two percent cap on budgets. He questioned large “tenement”-type buildings that had been going up in town.

Mayor Menna said the so-called “tenement” buildings were home to people who enjoy living in those buildings.

Mr. Meyer said they would cost tax payers money down the road due to the potential number of children in the buildings. He again noted the tax increase.

Mayor Menna noted that the municipal portion represented a zero increase.

Mr. Meyer questioned the bonds on the agenda and said there would be pressure to increase in the future.

Mayor Menna and Councilman DuPont both noted that both the debt and debt payments had gone down.

Councilman DuPont said there were certain things that were not in the Council’s control and asked Mr. Meyer to recognize the good the Council had done.

Mr. Meyer said that did not change the fact that his taxes had gone up which had an inverse effect on his property.

Councilman DuPont questioned Mr. Meyer’s statement that his property had not increased in value.

Mr. Meyer said the percentage “you guys” were taking was going up.

Councilman DuPont said the Borough had taken a zero increase.

Councilwoman Schwabenbauer said the Borough had cut spending by \$675,000.

He said that did not change the fact that his tax bill had gone up.

Arthur Hunnewell—54 Chestnut Street—said he appreciated what the Council had done to lower taxes. He said the fault lied with the school districts and the County. He said Mr. Meyer should attend those Board meetings to complain about the increases. He said the Council did not control that and congratulated the Council for a nice job.

Fred Boynton—The Red Bank Community Block Party LLC—said he wanted to thank Council members for coming to the event the previous weekend. He also commended Public Works and Police Department employees and for their efforts and thanked Administrator Sickels for ensuring the Drs. Parker Boulevard was paved before the event. He also noted that traffic was traveling too fast on Bank and River streets and asked if signage to could be placed to deter speeders.

Mayor Menna said the Police Department and Board of Education had been lobbying for four-way stops in the area and said he was in favor. He said they were still working on it and suggested they might be able to reduce speed limits.

Mr. Boynton again reviewed problems with speeders.

Mayor Menna said he would bring it to the attention of the Chief. He also said that he, Councilman Murphy and the Police Chief had met with ministers after the tragedy at the church in South Carolina to review what the ministers should be looking for and who they should contact. He said that kind of quiet policing was already happening, especially on the west side.

Sean DiSomma—35 West Street—asked about the process for a recommendation coming from the Parks and Recreation Committee and asked who was in the room when those decisions were made.

Councilwoman Schwabenbauer explained that the meeting would typically consist of the three Councilmembers of the Committee, the Borough Administrator, a DPW representative, the Borough Engineer and others.

Mr. DiSomma asked who had sat in at the last meeting.

Councilwoman Schwabenbauer said she believed it was the DPW representative, Administrator, Engineer and three Councilmembers.

Mr. DiSomma said it was his understanding that there was a leak out of that Committee and asked who had leaked the information to Councilman DuPont and potentially put the Borough at risk for litigation.

Councilman DuPont said he had read an article in the Tri-city News and had agreed with the author of the article.

Mr. DiSomma asked Councilman DuPont if he had not been quoted on redbankgreen.com as saying someone had tipped him off.

Councilman DuPont again said he had read an article and agreed with it.

A discussion followed regarding wording in the redbankgreen.com article and election tactics.

Jimmy Dark—48 West Sunset—Thanked Mr. Boynton for his efforts with the recent Block Party. He also called for an increase in hours at the Red Bank Train Station.

Mayor Menna explained that the Train Station facility was under the jurisdiction of NJTransit. He asked Mr. Sickels to follow up on the request.

Sean DiSomma—35 West Street—read from the aforementioned redbankgreen.com article.

Councilman DuPont said he was not concerned with the article but was concerned about the residents and taxpayers of the Borough.

A discussion followed regarding the article and campaigning issues.

### **ADJOURNMENT**

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

### **ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Respectfully submitted,  
Pamela Borghi