

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
SEPTEMBER 9, 2015  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Councilman DuPont (arrived at 6:32pm).

**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 Zipprich offered a motion to suspend the regular order of business, seconded by Councilwoman Schwabenbauer.

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich

NAYS: None

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

Councilman DuPont arrived at 6:32 pm.

**Appointment and Swearing in of Councilperson to complete term of Arthur V. Murphy to expire 12/31/2015.**

Mayor Menna said three names have been submitted by the Democratic Committee and he was recommending they appoint someone who was a proven leader with proven commitment. He said she had unbridled dignity and conscientiousness. He also noted she was a like long Red Banker. He said he was recommending they appoint former Councilwoman Sharon Lee.

Councilman DuPont offered a motion to confirm the appointment, 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 administered the Oath of Office to Councilwoman Lee.

Councilman Zipprich noted it was the first time in history that there were four seated Councilwomen and the men were in the minority.

**Appointment of Commissioner to Police and Fire Department and Senior Citizen Advisory Board/Center which term to expire December 31, 2015.**

Mayor Menna recommended that Councilwoman Lee be appointed to the position of Commissioner to the Police and Fire departments as well as the liaison to the Senior Center Advisory Board. He noted it was the first time that a woman would hold the Commissioner position and also the first time a woman of color would hold the position. He said it was a great era of inclusiveness.

**Appointment of Council Representative to RiverCenter Board of Directors.**

**Accepting the Resignation of Citizen Representative to RiverCenter Board of Directors.**

Mayor Menna also recommended the Councilwoman Lee be appointed as the Council Representative to the RiverCenter Board of Directors. He noted that she had been serving as the Citizen Representative and would resign from that position to take the Council representative position.

**Appointing Arthur V. Murphy III as Citizen Representative to RiverCenter Board of Directors.**

Mayor Menna said he was recommending that Arthur V. Murphy be appointed to the Citizen Representative seat left vacant by Councilwoman Lee.

Councilman DuPont offered a motion to confirm the appointments, seconded by Councilman Zipprich.

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont  
NAYS: None  
ABSTAIN: Lee

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

**RESUME REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

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

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

**WORKSHOP**

No Workshop Items.

**APPROVAL OF MINUTES – August 26, 2015**

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont  
NAYS: None  
ABSTAIN: Lee

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

**MAYORAL APPOINTMENTS**

None.

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman DuPont had no report.

Councilman Zipprich had no report.

Councilwoman Schwabenbauer reported that Parks and Recreation was closing down the Riverside Gardens Park Summer Series programs with the exception of Fitness in the Park which would continue the end of September. She said they were also planning the Halloween Parade and were working with Red Bank Elks Lodge No. 233 to plan the Veteran’s Day Ceremony. She reported that indoor soccer and basketball registrations were now open.

Councilwoman Horgan reported that September was Library Card Sign Up Month and offered information on how to obtain a card. She reviewed programs available at the Library. She said the Library would also be conducting a survey to help determine what people wanted from their library to help make it a better place for everyone. She also reported that RiverCenter was encouraging everyone to vote in New Jersey Monthly Magazine’s Downtown Showdown. She said Red Bank made it to Round 2 and noted that there was a chance to vote each week. She said RiverCenter was also reporting that someone had been placing cigarette receptacles in town and they were not distributed by the Department of Public Works or RiverCenter. She said they had been catching on fire and RiverCenter had been removing them.

Councilwoman Burnham gave an update on ongoing construction projects from the past month.

Mayor Menna reported that there would be a 9-11 Memorial ceremony on Friday, September 11 at 7pm in Riverside Gardens Park.

**COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from Chicky Boom, 51 Broad Street, to rent one parking space from 4pm to 10pm on Thursday, September 17, 2015 during their private grand opening event. Approval of the event is subject to review and approval of the Special Events Committee.

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

ROLL CALL:

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

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

Mayor Menna read a request from Learning Tree Preschool to hang a banner on Broad Street from January 4-January 30, 2016 to advertise their open house.

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

ROLL CALL:

AYES: Lee, 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**

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 Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

**ORDINANCES – First Reading**

None.

**ORDINANCES – Public Hearing and Final Adoption**

2015-26 Mayor Menna read “An Ordinance of the Borough of Red Bank, Monmouth County Amending Chapter XX “Water and Sewer”, Section 20-8 “Sewer Connection Fees” and Section 20-9 “Water Connection Fees.”

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

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

ABSTAIN: Lee

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

**RESOLUTIONS**

By Consent Agenda

- 15-226 A Resolution Authorizing the Borough of Red Bank to Participate in Intra-County Mutual Aid and Assistance Agreements with Participating Units in the County of Monmouth.
- 15-227 A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses for 2015-2016.
- 15-228 A Resolution Authorizing Renewal of Plenary Retail Distribution Licenses for 2015-2016.
- 15-229 A Resolution Authorizing Renewal of Club Licenses for 2015-2016.
- 15-230 A Resolution Authorizing Tax Credit/Refunds Totaling \$3,839.33 due to Overpayment by Property Owner.
- 15-231 A Resolution Appointing Police Department Dispatcher.
- 15-232 A Resolution Authorizing Application to the Monmouth County Open Space Trust Fund for a Grant to Fund Improvements at Mohawk Pond in Count Basie Park and Restroom Improvements at East Side Park.

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

Councilwoman Burnham asked about Resolution 15-232 and said the Borough would be borrowing money for a matching grant of \$250,000 for work at Mohawk Pond.

Mayor Menna explained that they would not be borrowing money under this resolution but would be authorizing the Engineer to prepare an application for an Open Space Grant for improvements at Mohawk Pond at Count Basie Park and to the restroom facilities at East Side Park.

Councilwoman Burnham asked if it was not a matching grant.

Mayor Menna said it would be if the Borough was approved for the grant but the resolution under consideration was to authorize the application.

Councilwoman Burnham asked what would be done at Mohawk Pond.

Councilwoman Schwabenbauer explained that the plan would include a walkway, new picnic tables, a couple of chess tables. She said Eastside Park would see a pavilion type structure to include restroom facilities as well as an overhang.

Engineer Ballard said the Count Basie Park plan would also include exercise stations. She said there would be a public hearing on the application the following Tuesday where a conceptual drawing would be available.

Councilwoman Burnham asked if a clean-up at 94 West Front Street could be included in the grant.

Administrator Sickels said that would not be eligible for a grant since it was maintenance.

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

ABSTAIN: Lee

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

**PROCLAMATIONS**

Mayor Menna read a proclamation proclaiming September 2015 as Library Card Sign Up Month.

**PAYMENT OF VOUCHERS**

15-233 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$ 1,433,643.58.”

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

**ROLL CALL:**

AYES: Burnham, Horgan, Schwabenbauer, Zipprich, DuPont

NAYS: None

ABSTAIN: Lee

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

**OLD BUSINESS**

Councilwoman Burnham asked about the RFPs for Marine Park.

Mayor Menna said they would not be discussing that.

Councilwoman Burnham said she wanted to know about the time to respond.

Mayor Menna said Attorney O’Hern would be addressing the time limit in an Executive Session.

**NEW BUSINESS**

None.

**AUDIENCE**

Arthur Hunnewell--54 Chestnut Street—congratulated Councilwoman Lee on her appointment. He said he understood that Marine Park was not up for discussion but said he wanted to make sure the Council was aware of the recent announcement by the Monmouth County Parks Department of plans to build near Chris’s Landing an operation that would conflict with a current proposal for Marine Park.

Mayor Menna said they were aware.

Mr. Hunnewell also urged a clean-up of the tennis court area of Marine Park and noted that a private homeowner would be sited for leaving a property in that condition.

Suzanne Viscome—19 Morford Place—asked about the section of the sign ordinance pertaining to political signs that called for a name and contact information to be present on the signs. She said the democrat signs that were out did not have that information.

Councilman DuPont said he would follow up to make sure they were compliant.

Thomas Curtis—62 Windward Way—asked if the Council could provide a timetable for the process regarding Marine Park.

Mayor Menna said it would be announced and would be on the Borough website.

Councilman DuPont offered a motion to close the public comment portion, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Lee, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont.

NAYS: None

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

**EXECUTIVE SESSION**

15-234 Mayor Menna read a resolution to adjourn to executive session to discuss Contract Negotiation and Litigation. He said no action to be taken.

Councilman DuPont offered a motion to adjourn to executive session to discuss Contract Negotiation and Litigation, seconded by Councilwoman Schwabenbauer. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Lee, Burnham, Horgan, Schwabenbauer, Zipprich, DuPont.

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

**ADJOURNMENT**

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,  
Pamela Borghi