

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Councilman Zipprich (arrived 6:37 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.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

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

**Holiday Home Decorating Contest**

Recreation Director Memone Crystian reviewed the contest noting that David Prown organized a group of anonymous volunteers to judge the entries. She said announced the 2014 winner and she and Councilwoman Schwabenbauer presented those in attendance with their prizes. Third Place went to Dori Chippendale at 57 Elm Place, Second Place went to Minerva Morales at 58 Harding Road and First Place went to the Cohen Family at 32 South Street. She reviewed the prizes that would be received by each and thanked the sponsors of the event.

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

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

**WORKSHOP**

No Workshop items.

**APPROVAL OF MINUTES – January 14, 2014**

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

**ROLL CALL:**

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

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

**MAYORAL APPOINTMENTS**

Kim Calabrese to Board of Health as a full member to an unexpired three year term expiring 12/31/16.

Councilman Murphy offered a motion to affirm the appointment, seconded by Councilman DuPont.

**ROLL CALL:**

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

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

Councilman Zipprich arrived at 6:37 pm.

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Murphy—Thanked the Police Department, Emergency Management and the Public Works Department for their efforts during the recent snow storm. He reported that there had been an Emergency Management meeting on Monday afternoon and said OEM Director Welsh had been in communication with the County. He thanked Clerk/PIO Borghi for getting out frequent alerts to update residents. He also reported that typically the Borough hands out 40 to 50 tickets in these types of events and noted that only 10 had been given out in this instance. He thanked those that had participated in the OEM meeting for coordinating and thanked the residents for assisting by getting their cars off of the roads. He also expressed his condolences to Councilman Zipprich on the passing of his father. He reported that there was a resolution on the agenda to approve the purchase of parking pay stations for installation on Monmouth Street and Bridge Avenue.

Councilwoman Burnham also offered to condolences to Councilman Zipprich. She said she also wanted to praise the Department of Public Works for doing a fabulous job during the snow storm. She said the Police had distributed flyers regarding the parking ban. She said the flyers had worked really well but suggested that they should have also been distributed in Spanish.

Mayor Menna said the point was well taken and said the procedure would be changed.

Councilwoman Burnham thanked Mayor Menna for appointing Kim Calabrese to the Board of Health. She said they would now have enough members to make a quorum and could set a meeting to review the Visiting Nurse Association contract. She reported that the Environmental Commission was working on the Community Garden and noted that the application would available on the Borough's website February 1.

Councilwoman Horgan reported that the Library had ended the year with a \$111,700.53 surplus. She said they had come a long way in the past year. She thanked Acting Director McDermott and her staff as well as CFO Poulos and Administrator Sickels. She also thanked the Board of Trustees. She also reported that she had been called by a resident from Washington Street that had had a backed up toilet. She said the resident had been told that the plumbing company was unable to do anything. Councilwoman Horgan said she had called Public Works Director Watson who had sent employee Robert Holiday to the home. She said Mr. Holiday had such a good memory that he had remembered where there was an access point under an area that had since been paved over. She said the plumbing was able to come back and fix the problem using Mr. Holiday's information. She commended Mr. Holiday and the entire Public Works Department.

Councilwoman Schwabenbauer reported that the Parks and Recreation Committee would be holding their first meeting for the year the following week. She said Marine Park boat slips would soon be available for lease with the lottery taking place in late February. She said track and field registration was under way with the season running April to July. She said the Easter Egg hunt was scheduled for Saturday, March 28 at Eastside Park with a rain date of April 11. She also reported that Girls Softball and Boys Baseball registration was ongoing and Lacrosse registration was now open. She said applications for the Red Bank Community Garden would be available February 1.

Councilman Zipprich commended the Department of Public Works for doing a great job during the recent storm. He also commended Councilman Murphy and the OEM team for coordinating efforts during the event. He reported that the DPW Committee had met the previous week to discuss the water meter replacement program, solid waste and review the budget. He said they also looked at the Road Program for 2015. He said he had traveled to the town of Clinton to meet with its Mayor and DPW liaison to look at their water meter system. He said the DPW team had been scheduled to go back on Tuesday but, due to weather, had to reschedule. He said next month would be Black History and T. Thomas Fortune month and thanked the Clerk for putting together a proclamation to commemorate the events. He reminded everyone that open enrollment for the Affordable Care Act would end on February 15. He said the Historic Preservation Commission had met the previous Tuesday and held their annual reorganization meeting. He said they would be trying to meet twice a month to discuss pending projects. He also thanked everyone for their cards and condolences in regard to his father.

Councilman DuPont reported that the Finance Committee had held their first meeting of the year which he said went well. He said they were looking for the budget to come in flat. He praised the efforts of Acting Library Director McDermott and the Board of Trustees for ending the year with a surplus. He said it was a great way to start the new year. He said he also wanted to personally thank the Department of Public Works. He said he had received many emails from residents regarding the personal touch offered by the DPW staff particularly, he said, Robert Holiday and his team. He said he was appreciative of their efforts.

He also asked the Mayor to consider authorizing the Engineer to review the Borough's opportunities for a "Broad to the River" project.

Councilman Murphy and Councilwoman Burnham asked about the cost associated with that review.

Mayor Menna clarified that the subject had been broadly discussed and said there were old files and empirical data on the matter. He assured the Council that he would review the files and report back to the Council. He said if it was then the Council's pleasure, they would move forward. He said he had had some fruitful discussions with property owners.

A discussion followed regarding the "Broad to the River" concept and history.

Mayor Menna thanked all of the Departments for the cooperation during the storm. He noted that he and Councilman Murphy had attended the OEM meeting and said he could not be more proud of the group of mostly volunteers that he said went above and beyond. He also commended the Department of Public Work and the Police Department. He said he was very proud of OEM Coordinator Tom Welsh.

Councilman Murphy reported that there had been one fire that night but noted that the firehouses had had people on standby in the firehouses to address any needs.

Mayor Menna said the difference between this and previous storms was the cooperation from everyone, cooperation from the weather and the fact that they had learned lessons from previous storms. He said they had had extraordinary communications. He thanked the business community for their cooperation. He offered his condolences to Councilman Zipprich.

Councilman Murphy reported that he, the Mayor and the Administrator had met with RiverCenter Director Scavone and approximately 35 restaurant store owners. He said an individual had demonstrated an app that would help someone fine a parking spot and even enable them to pay for parking from their car by using their phone. He reviewed how it would work. He said a Parking meeting had been scheduled Tuesday but said it had been cancelled due to weather.

Administrator Sickels pointed out that Robert Holiday and Terrence Walton were present. He said Mr. Walton had recently completed some supervisor training and had been in charge of organizing snow removal during the storm.

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

No one appeared.

#### **ORDINANCES – First Reading**

None.

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

None.

#### **RESOLUTIONS**

15-27 Mayor Menna read "A Resolution Authorizing Contract for Animal Warden Services with the Township of Shrewsbury."

Councilman Zipprich offered a motion to approve the resolution, 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.

12-28 Mayor Menna read "A Resolution Authorizing Agreement with Interfaith Neighbors, Inc., for 2015 Nutrition Program for Red Bank Senior Center."

Councilman DuPont offered a motion to approve the resolution, 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.

15-29 Mayor Menna read "A Resolution Acknowledging Receipt of the Zoning Board of Adjustment Annual Review 2014."

Councilman Murphy offered a motion to approve the resolution, 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.

15-30 Mayor Menna read “A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (Senior Center Vehicle).”

Councilman Murphy offered a motion to approve the resolution, 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.

15-31 Mayor Menna read “A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (Parks & Recreations Vehicle).”

Councilwoman Schwabenbauer 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.

15-32 Mayor Menna read “A Resolution Fixing Compensation of Certain Offices, Positions and Employees of the Borough of Red Bank for the Years 2014-2015.”

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

Councilwoman Burnham said she was serious about trying to reduce spending and she felt, as a good faith effort, Council people could cut their pay by \$1,000. She said it could be put into a fund for pensions or just used for savings. She said it was nice to be compensated but she would like to give some back. She said she wanted to make a motion.

Mayor Menna noted there was already a motion on the floor and said there could only be one at a time. He said she could vote “no” if she wanted.

ROLL CALL:

AYES: Murphy, Horgan, Schwabenbauer, Zipprich, Dupont

NAYS: Burnham

There being six ayes and one nays, the motion was declared approved.

She said she wanted it noted that she had brought the idea forward.

15-33 Mayor Menna read “A Resolution Authorizing Purchase of Parking Pay Stations Under a Cooperative Purchase Agreement.”

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

Councilwoman Burnham said she felt the retailers at the foot of Monmouth Street were struggling. She said she felt they were trying to put the meters in before the condos opened but she felt it would kill retail in the area.

Mayor Menna noted that most of the retailers in the area had parking behind their shops.

Councilman DuPont said the retailers have requested it to encourage turnover of spaces.

Councilwoman Burnham said she had heard the opposite.

ROLL CALL:

AYES: Murphy, Horgan, Schwabenbauer, Zipprich, Dupont

NAYS: Burnham

There being six ayes and one nays, the motion was declared approved.

15-34 Mayor Menna read “A Resolution Authorizing Transfer of Current Fund Appropriation Reserves.”

Councilman DuPont offered a motion to approve the resolution, 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.

15-35 Mayor Menna read "A Resolution Authorizing the Administrator to Retain the Services of New Jersey Professional Management to Conduct a Management Review and Cost Benefit Analysis of the Borough's Present Solid Waste Collection in an Amount not to Exceed \$11,150."

Mayor Menna reviewed the reputation of the firm and explained the need for an expert, impartial analysis. Councilman Zipprich noted that the recommendation had been made through the Public Works Committee.

Councilwoman Burnham confirmed that bid had gone out the previous year and asked if an analysis had been done before that.

Mayor Menna said there had been an in-house analysis.

Councilman Zipprich said the in-house analysis had been a cooperative effort between the Finance Department and the Department of Public Works. He said this would be a professional overview of the Department and its operation.

Councilwoman Burnham questioned why it hadn't been done already.

Mayor Menna again explained that there had been an in-house analysis by available competent staff the Borough had on hand. He said this would be a more in-depth analysis that had been requested by the public and by herself.

Councilwoman Burnham asked why the title stated that it would not exceed \$11,150 but the body of the resolution said \$17,500.

It was explained that the reference to \$17,500 was part of a description that affirmed that the amount was under the statutory bid amount of \$17,500.

Councilwoman Schwabenbauer asked if the results of the previous analysis would be given to the consultants to save the expense of data gathering.

Administrator Sickels said he had spoken with the Consultant and expressed that concern. He said they were willing to meet with the Borough and review the data.

Mayor Menna noted some of the data would be able to provide.

Councilwoman Schwabenbauer said the fee did not seem to be out of line with fees she had seen before. She asked if they had agreed to a timeline.

Mr. Sickels said work would commence within two weeks and a draft report would be delivered within six weeks.

Councilman Zipprich offered a motion to approve the resolution, 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.

15-36 Mayor Menna read "A Resolution Authorizing Contract for Animal Warden Services with the Borough of Shrewsbury."

Councilman DuPont 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.

15-37 Mayor Menna read "A Resolution Authorizing the Appointment of Regular Crossing Guard for the 2014-2015 School Year."

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

Mayor Menna read a proclamation proclaiming February 2015 as Black History Month and as T. Thomas Fortune Month.

## PAYMENT OF VOUCHERS

15-38            Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$2,742,828.75.”

Councilman DuPont offered a motion to approve the resolution, 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.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**AUDIENCE**

Mayor Menna asked if anyone from the audience would like to address the Council.

Freddie Boynton—365 Shrewsbury Avenue and 128 Cherry Street, Tinton Falls—noted that he had received several tickets on his vehicle in the previous year and said he felt he was being harassed. He offered pictures of a truck that had been parked on Shrewsbury Avenue with two flat tires for two weeks under a “No Parking” sign.

Mayor Menna noted that not only was it under a “No Parking” sign, but it was also parked in front of a fire hydrant.

Mr. Boynton questioned why he was ticketed and the vehicle in question was not.

Mayor Menna asked if the vehicle was still there.

Mr. Boynton said it was not and said it had been moved after he had taken the pictures. He also said he respected the Public Works staff but wanted to report that he had been out cleaning catch basins. He said he had taken the debris to the Tinton Falls landfill and said when he went to Sunset Avenue, he felt he was being watched. He also cited a Public Works vehicle he had seen left running and unattended. He said he would forward the information to Administrator Sickels. He criticized DPW operations.

No one else appearing, Councilman DuPont offered a motion to close the public portion of the meeting.

Mayor Menna noted that someone in the audience had indicated they wanted to speak.

Councilman DuPont rescinded his motion.

William Meyer—12 Monmouth Street—asked if \$65,000 to \$70,000 had been spent on a study or plan regarding a sprinkler park on the west side of town. He said, if it was true, he was appalled. He said he through the Council had also spent \$15,000 out of the parking fund for a third or fourth study regarding a parking garage. He called for the Council to stop spending money “frivolously.” He suggested the discussions be opened to the public. He said he had been contacted by people who had heard rumors that the town was going to put a parking garage on White Street. He said there was enormous opposition to it by businesses in the area of the lot. He said he thought a garage was potentially a good idea but said they needed to find a location that would suit the purpose. He encouraged private development of a garage. He reviewed locations that he felt would be appropriate for a garage and owners that were interested in developing one.

Mayor Menna said he would encourage that.

Councilwoman Horgan suggested that Mr. Meyer have the interested parties to contact the Mayor and Council.

Mr. Meyer said business owners in the White Street area had been vociferous against a garage on White Street.

Councilman Murphy said he had attended a meeting on a previous Friday with at least 40 downtown business owners who had said they needed a garage.

Mr. Meyer said he felt they should get away from the area of White Street.

There was a discussion of the pros and cons of the White Street lot location including the fact that it was used for the Oysterfest event.

Mr. Meyer suggested building the garage at 90 Monmouth Street and criticized the Borough’s history of running over on projects.

Mayor Menna disagreed and cited many projects that had been done with the help of grants, etc.

There was a discussion on properties near Borough Hall.

No one else appearing, Councilman DuPont offered a motion to close the public portion of the meeting, seconded by Councilman Zipprich.

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**EXECUTIVE SESSION**

15-41 Mayor Menna read a resolution to adjourn to executive session to discuss personnel and contract negotiations; formal action may be taken.

Council DuPont offered a motion to adjourn to executive session to discuss contract negotiations and personnel, seconded by Councilman Zipprich. Minutes to be made public in 180 days.

**ROLL CALL:**

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

NAYS: None

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

Councilman Murphy offered a motion to close executive session, 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.

**ROLL CALL**

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

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

ABSENT: Councilman DuPont and Engineer Ballard

Mayor Menna said the Council had discussed contract negotiations between the Borough of Red Bank and the CWA issues. He said there was a resolution before the Council.

15-39 Mayor Menna read "A Resolution Accepting a Memorandum of Agreement Between the Borough of Red Bank and CWA Local 1075 Supervisors & Professional Employees.

Mayor Menna reviewed the terms of the agreement.

Councilman DuPont 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.

15-40 Mayor Menna read "A Resolution Authorizing the Administrator to Retain the Services of Colleen R. Connolly to Provide Support in Regard to FEMA Claims at an amount not to exceed \$5,000.

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

**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 asked if anyone from the audience would like to address the Council on the two resolutions.

No one appearing, Councilman Murphy offered a motion to close the public portion of the meeting, 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.

**ADJOURNMENT**

Councilman Murphy offered a motion to adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi