

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 9, 2014
6:30 P.M.**

PLEDGE OF ALLEGIANCE

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, Attorney O’Hern and Engineer Ballard.

ABSENT: Councilman DuPont (joined by telephone 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 1, 2014.

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, Burnham, Horgan, Lewis, Zipprich

NAYS: None

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

Councilman DuPont joined the meeting via telephone at 6:35 p.m.

Public Hearing of the 2014 Budget of the Special Improvement District

RiverCenter Director noted that they had done a presentation when it was introduced and did not have any additional information to add.

Mayor Menna opened the public hearing and asked if anyone would like to speak.

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

ROLL CALL:

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

NAYS: None

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

14-107 Mayor Menna read, “A Resolution Adopting 2014 Budget of the Special Improvement District.”

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

ROLL CALL:

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

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

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

WORKSHOP

NJ Transit closing of Monmouth Street/Bridge Avenue

Administrator Sickels reported that the railroad crossing at Monmouth Street and Bridge Avenue was very heavily travelled and said that the Department of Transportation and NJTransit would be replacing the crossing beginning May 21. He said it would require the closing of the crossing for a period of two to three weeks. He said he had attended a meeting with the Police Chief, members of Public Works, representatives of the DEP and the contractor to discuss detours and variable message signs. He said they discussed placing the notifications far enough in advance that it would help detour traffic and avoid bottlenecks. He said the Borough had asked that they provide information, including printed material, to be distributed to area businesses, major employers in the area, posted to the Borough's website and distributed to the media.

Temporary Pole on West Street Near Monmouth Street

Administrator Sickels reported that, due to OSHA requirements, there was a need to install a temporary pole to facilitate the redirection of the major electric transmission lines in the area of Monmouth and West streets in order to provide adequate clearance for workers to finish the exterior of a project in that location. He said if the installation was not done, it would stop the project and the only alternative would be to kill the power in the area while the work was not done which they did not think was in anyone's best interest. He said he had a draft resolution to authorize the work that he would like to add to the agenda.

Mayor Menna asked that the information about the railroad crossing closure be placed on the Borough's website immediately.

Councilman Zipprich asked if the effort was being coordinated with the Monmouth County for their Road 10 Bridge replacement project.

Mr. Sickels said County representatives had attended the meeting and had been part of the discussion regarding detour messages.

Councilman Zipprich asked for confirmation on the dates of the closing.

Mr. Sickels said the work was due to commence on May 21, which he believed was the first date of closing. He said the work was estimated to take two to three weeks. He said there should be a follow up meeting to review progress and get the public handouts.

Councilman Zipprich said once there were firm dates, they would be posted on the DPW page of the Borough website.

Mayor Menna stressed the need for the earliest communication possible on as many avenues as possible.

APPROVAL OF MINUTES – February 26, 2014

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

ROLL CALL:

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

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy reported that there would be ceremony at 4pm the following Saturday and the Red Bank First Aid Station to honor 50 year members of the Relief Engine Company of the Red Bank Volunteer Fire Department.

Councilwoman Burnham reported that the Community Garden was full and there was a waiting list. She encouraged everyone to apply. She also reported that Trout season had started and said Mohawk Pond had been stocked. She also reported that she had attended a DPW seminar regarding Clean Communities and Recycling. She said there would be a Monmouth County paper shredding event in Marine Park on May 3rd.

Councilwoman Horgan reported that the Environmental Commission had met the previous night and said their March 22 cleanup had been very successful. She said she appreciated the help of DPW staff for their help with the event. She said the next clean up would be on Saturday, April 26 from 9am to noon and the foot of Locust Avenue in the Bellhaven Nature Area. She said there was one open position on the Environmental Commission if anyone was interested. She reported that the May 17 Bike Rodeo had been postponed because Lunch Break would be having their 3rd annual Food Stock event on the same day and encouraged everyone to donate non-perishable items. She said she had represented the Mayor and Council on Saturday, March 29 at Bates Lodge for the inauguration of three of their officers and had presented them with Certificates of Appreciation. She said she had also attended a NAACP Rally on April 5. She reviewed the event and said it had been a tribute to the memory of Dr. Martin Luther King Jr. She also reported that the Borough had lost longtime resident Genevieve Jackson and noted her service to the Borough.

Mayor Menna noted that the Borough had also lost James Harris who he called a veteran and a hero. He noted that he was a resident of Mechanic Street and had often attended Council meetings in the past.

Councilwoman Lewis reported that the Easter Egg Hunt had been the previous Saturday at Eastside Park and had been very successful with cooperative weather. She said she had also attended the NAACP march and said there was good to see the spirit and camaraderie of the event in memory of Dr. King and the Civil Rights Movement. She also offered her condolences to the Jackson family and noted she had grown up across the street from them.

Councilman Zipprich reported that he had also attended the visitation for Genevieve Jackson and said would miss her smile and quick wit. He said he had been disappointed to have missed the NAACP March but had been out of town. He noted that the next week would be Library Week and said a proclamation had been done at the previous meeting. He spoke of the impact that librarians have on a community. He asked Twitter participants to tweet how libraries had changed their lives. He said he would be meeting with Katherine Oakerson of the Make It Better for Youth Monmouth Consortium and Adam Phillipson of the Count Basie Theater the following Friday to discuss the 2nd Annual Two River Pride Event. He thanked Councilwomen Lewis and Horgan for their ongoing support of the event. He reported that the Public Works Committee would meet the following week and said the pot hole hot line remained open. He said the Shade Tree Committee was working on a spring planting scheduled and was coordinating with DPW. He also reported that Mohawk Pond had been cleaned and stocked. He thanked the Monmouth County Sportsmen's Club for their efforts in cleaning the pond. He commended RiverCenter and the Red Bank Visitors Center for their Wedding Walk. He said it was a well-organized event with a lot of foot traffic.

Councilman DuPont reported that the Mayor's Wellness Campaign was continuing to meet and would be proposing some new ideas. He also reported that the Public Budget Presentation would be held on April 24th.

Administrator Sickels said he wanted to correct information he had reported earlier. He said the document he had been reading from had an incorrect date. He said the closure of the railroad crossing and Monmouth Street and Bridge Avenue would actually begin on April 24 not May 21. He said they would make sure information was on the Borough website the next day and would provide updated information as it was received. He said the closure was estimated to last two weeks.

Councilman Murphy asked Councilman Zipprich how it was determined where the trees would go.

Councilman Zipprich said the Shade Tree Committee had a list of trees that were damaged in Hurricane Sandy.

Councilman Murphy asked how many trees the Borough would be receiving.

Councilman Zipprich said he did not have the number off the top of his head.

Councilman Murphy asked if a resident could get a tree.

Councilman Zipprich said they could call and request but he could not guarantee that they would get one.

Councilman Murphy also asked about the pot hole repairs. He said he assumed that the work that was being done was just a temporary fix.

Councilman Zipprich said it was and that permanent repairs would be made through the Road Program.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from the Navesink Maritime Heritage Association to dock a 40-foot sailing ship at Marine Park Friday, June 6 thru Monday, June 9, 2014, pending review and adoption of final plan by the Special Events Committee.

Mayor Menna said this was an extraordinary event and reviewed the group's effort to bring a historic ship to the Borough. He encouraged RiverCenter to reach out and coordinate a welcoming for the ship and retail promotions that could be tied to the event.

Councilwoman Burnham noted that the Navesink Maritime Heritage Association also had summer programs including the River Rangers program where the children could hand build canoes. She encouraged all to come out and support the group.

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna read a request from RiverCenter to hang a banner on Shrewsbury Avenue from July 14, 2014 to July 27, 2014 to advertise the sidewalk sale.

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

ROLL CALL:

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

NAYS: None

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

PUBLIC COMMENT ON RESOLUTIONS ON THE AGENDA AND ORDINANCES ON THE AGENDA ON FIRST READING

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

Mayor Menna asked if anyone else would like to speak.

Kathleen Gasienica—110 Locust Avenue—said she had questions about resolution 14-114 regarding Bellhaven Nature Area. She asked about the fact that it was a matching grant and said the resolution did not state how much the Borough would be required to pay.

Councilwoman Burnham said the Borough's half would be \$239,000.

Ms. Gasienica said she had heard the number \$567,000 somewhere and half of that would be \$283,000.

Engineer Ballard said the grant would not cover the permitting or design costs. She said both of those would have to be funded by the municipality.

Ms. Gasienica asked if the match portion the town would be responsible for was \$239,000.

Engineer Ballard said that was correct.

Ms. Gasienica asked where that money was coming from.

Administrator Sickels and CFO Poulos said the funds were contained in bond ordinance 2014-08 that was on for Public Hearing at this meeting. Mr. Sickels also noted that the bond would be for the total amount because the Borough would have to front the money and then be reimbursed.

Ms. Gasienica asked what specific improvements would be included.

Mr. Sickels said the normal process was that the Engineer would work with the Parks and Recreation Committee on a proposed design which would be brought back to the Council for review and public comment. He said based on those, they would finalize the design.

Mayor Menna said he believed Ms. Gasienica was referring to certain improvements that had already been spread on the record at a previous public hearing and said she thought she wanted to know if they were going to be included.

Engineer Ballard said the items from the Public Hearing were part of the project.

Ms. Gasienica asked her to review what those items were.

Ms. Ballard said it would include a boardwalk-style walkway with benches, a small tot lot and a small splash pad. She said it also including planting native species on the site.

Councilman Zipprich said he believed there would also be access to the water.

Engineer Ballard confirmed that there would be.

Ms. Gasienica asked if there was an estimate on maintenance costs.

Ms. Ballard said she had not been asked to prepare that because they did not yet have the full scope of the project.

Ms. Gasienica asked if it would be included in the design plan.

Ms. Ballard said that it would.

Mayor Menna said the expense would probably come out of the Parks and Recreation budget.

Ms. Gasienica asked if it would be fully researched and said it was her understanding that cost and maintenance of a splash pad was very costly.

Administrator Sickels said there were various types of water features. He said the term "splash pad" was generic and had been looking at different types of features. He said they would be looking for the best feature with the least maintenance.

Ms. Gasienica suggested they look into these items before the design moved forward to avoid wasting tax payer money. She asked if the Environmental Commission had been involved in the research since it was an environmentally sensitive area.

Ms. Ballard said they had. She said they had a letter from Commission Chair Laura Bagwell with suggestions of items to be included in the project. She said she had also spoken with the Parks and Recreation Committee and said they were on board with keeping the Environmental Commission part of process.

Administrator Sickels noted that the Borough had also been in contact with the Department of Environmental Protection (DEP) about this type of park and said their comments had been positive.

Ms. Ballard said the comments had been very positive.

Ms. Gasienica said the application to the DEP that she had seen had no details but had just said "improvements."

Ms. Ballard said they had a concept plan and a pre-application meeting with the DEP where those items had been discussed.

Ms. Gasienica asked if the Borough had considered reviewing the beautiful plan that had been done in the late 90s or early 2000s and that had received a \$5,000 matching grant from the DEP. She read from a letter of support written by the Mayor at that time. She reviewed the work that had been done to implement the plan. She said, unfortunately, it had not been maintained but said it was an awesome plan.

Mr. Sickels said the plan needed to be put in context. He said, at that time, there had been a derelict house on the property. He said going from the burned out house to the creation of a natural park was certainly a much needed improvement.

Ms. Gasienica disagreed that the house had been on the property.

Mr. Sickels said they had found that there was high maintenance required for that plan and the park had become unusable. He said the police had deemed it unsafe. He said the Recreation Committee wanted to make it more of a neighborhood park that could be enjoyed by a broader number of residents.

Ms. Gasienica asked if the Borough had plans for parking and said the street had limited parking.

Mr. Sickels said it was being designed for people in the neighborhood that could walk there.

Mayor Menna said the intent was, if the Council chose to proceed with it, to have the park be a pocket refuge for people in the neighborhood so they could have better access to the water and to make it more inviting. He said he did not think it would be a destination point for people from other towns.

Ms. Gasienica said she thought that, if the park included a feature that was not found in other neighboring towns, that people from all over Red Bank and border towns would come there.

Mayor Menna said it was a legitimate concern but said he wanted to reference the intent of the project.

Ms. Gasienica said she agreed that it needed improvements and maintenance as well as active police patrolling. She noted that Mr. Sickels said it had been considered unsafe. She said she lived next door to the property and said the illegal activities that had taken place there would not be considered unsafe. She said it was basically a teen hangout. She said she was in support of more recreation areas on the west side and asked the Council to consider alternate sites in addition to making improvements to Bellhaven.

Mayor Menna said the ideas had been vetted by the Parks and Recreation Committee and said he believed they had discussed those items at length and the request before the Mayor and Council was the collective representation of the Committee for Council consideration. He confirmed that with Park and Recreation Committee liaison Councilwoman Lewis.

Ms. Gasienica asked what other options had been looked at.

Councilwoman Burnham suggested the Sunset Avenue property.

Mayor Menna said he thought Ms. Gasienica was referring to other options for the site.

Ms. Gasienica asked if they had considered using the Sunset Avenue property.

Councilman Zipprich asked for clarification if Ms. Gasienica was asking if the Council had looked into alternative sites to Bellhaven or alternative activities at Bellhaven.

Ms. Gasienica said she was asking both questions but right now was asking about alternative site. She said it had been suggested by environmental experts that Bellhaven was not the best location for the types of improvements being discussed. She said they were great ideas for an alternative site. She also asked if the Council was aware that it was an active eagle foraging area.

Mr. Sickels said they were and said it had been discussed with the DEP as well. He said they had encouraged what the Borough was doing.

She said the residents would like to see that information from the DEP. She said she understood they would not issue permits if they did not approve but said it would put a lot of questions to rest. She asked if the Borough had sought the advice of experts other than the Environmental Commission.

Mayor Menna said they had not, other than the DEP which he said was the preeminent expert.

Ms. Gasienica said the project was a far too sensitive environmental issue to rush into and too costly.

Mayor Menna said he agreed but said they didn't have the answers she wanted.

Ms. Gasienica asked why they didn't have the answers.

Mayor Menna said the Borough's Engineer said she had reviewed it with the preeminent expert, the DEP, which tells everyone "no" but had said "yes" to this.

Councilwoman Horgan noted that the Environmental Commission had access to other environmental groups that they had talked to. She said they had been involved in the project.

Ms. Gasienica asked that, when the public hearing was scheduled, the Council avoid scheduling in a holiday week.

Stephen Mitchell—no address given—said he was opposed to resolution 14-114 regarding improvements to Bellhaven Park because it was a natural habitat that should continue to be preserved. He said he was also in opposition because the current park was not being maintained and he didn't see how the town would maintain a more complex design. He said he agreed there was a need for more passive recreation and also active recreation on the west side. He said they had stated that the DEP was in favor and the town was planning on moving forward with applying for permits for the project. He asked why they had not been willing to apply for permits for the Maple Cove site.

Mr. Sickels explained that Bellhaven had already been designated as a park by the Council and they had applied for grants to develop it. He said no such action had been taken by the Council in regard to Maple Cove.

Councilman Muphy noted that that action had been taken several years ago and they had been able to get funding. He said the Council had not been aware of any grants that would have been available to develop Maple Cove. He noted that the Council had also been successful in obtaining grant money to clean up the former incinerator site. He said the Police Department was not happy with the current condition of the Bellhaven property.

Mr. Mitchell said that was because it was not maintained.

Councilman Murphy said he would like to see the area cleaned up and possibly used for river access. He said they had reviewed environmental issues to the State. He said he thought the area would be more enjoyable for use by families. He said the water feature was a separate issue. He said the park was not being used to its potential.

Mr. Mitchell said that was because it was not being maintained.

Councilman Murphy said it was his recollection that the Environmental Commission was going to maintain it.

Mr. Mitchell asked if the Environmental Commission was going to maintain the new park.

Councilman Murphy said the Borough had cleared the property several times particularly after storms. He said it needed more attention but maintenance was supposed to be done by the Environmental Commission.

Mayor Menna noted that he had been on the Council when the original approval had been given and said it had only been approved as a nature preserve. He said the intent had been to keep it in a natural state and the Borough had been precluded from cutting it back.

Mr. Mitchell asked why, if it was supposed to be preserved, paths and gazebos were put in.

Mayor Menna said that had been an exclusion to the plan but most of the property was to remain in a pristine state.

A discussion followed regarding the details and intent of the original plan and efforts the Borough had made to prioritize recreation sites.

Mr. Mitchell said the same safety concerns would exist with the new plan.

Mr. Sickels said part of the plan was to remove vegetation to help with water access and invite more resident access. He said this would also help with safety concerns.

Suzanne Viscomi—19 Morford Place—agreed the west side should have a park but said she didn't agree with the splash park plan. She said it would only be of use for approximately two months. She said she also had concerns about parking and said she could not see residents walking to it from the east side of town. She again said she thought the west side needed a park but thought the children would get more exercise on playground equipment. She also expressed concern about drowning risks.

Councilman Zipprich said the Borough had been working on enhancing the bicycle/pedestrian plan and he would like to see the plan include a trip to the riverfront.

Ms. Viscomi said that was great but said she felt parents with multiple children would drive to the area.

Councilman Zipprich said that was true but noted there were residents who pulled their children behind them on a bicycle trailer.

John Uris—38 Washington Street—said he was opposed to spending money on a park as well as many other things. He cited the recent Library layoffs and the existing park land that the Borough had to maintain. He said to add one more was irresponsibly. He noted that the tennis courts were still out of

service and had been for over a year. He suggested the project be shelved for a time when it made more financial sense.

Brian Hanlon—20 Arthur Place—asked if the grant had an expiration date.

Mayor Menna said that it would and noted that it was a partial grant.

Mr. Hanlon reviewed the details and expenses of items in the proposal.

Councilman Zipprich said the park had not been designed yet.

Mr. Hanlon said they had gone through it a couple of years before and noted that there were items listed in the proposal.

Councilman Zipprich again said the park had not been designed.

Mr. Sickels said the number were estimates the engineer came up with based on equipment at other parks.

Mr. Hanlon said it was his understanding that if the grant expired, T&M would not get their fee.

Mayor Menna said that was not true. He explained that the grant was available for all Monmouth County communities to apply for. He said they had paid the engineering firm a standard amount to prepare the application and they had ultimately been successful. He said they would not get other payments from the Borough regarding the grant application but noted that if the project moved forward to design and implementation, they would receive additional payment that would come from either the grant or municipal portion of the fund.

Mr. Hanlon asked about the grant expiring.

Mayor Menna said if the grant expired, the Borough would not get the money and that would be the end of it.

Administrator Sickels said the Parks and Recreation Committee had identified a need for more recreation on the west side of town and the Borough had looked at properties that could be improved. He said they had focused on Bellhaven and what could make it more attractive to families. He said based on that developed a concept and reviewed the elements they had discussed for the park based on the needs of the community. He said they then looked for funding sources so the tax payers would not have to pay for it.

Councilwoman Burnham noted it was for a matching grant.

Mr. Hanlon said he had helped Councilwoman Lee with an idea about using recycling bins or dumpster for small pools. He said he had been sorry to see that she had gotten flack for that. He expressed his frustration with the bonds that the Borough had issued and claimed his taxes had doubled since 2007. He said he felt it was inconsiderate for residents to foot the bill for something that was elaborate. He said he thought the amount of \$500,000 was more than they had spent on all of the other parks combined.

Mr. Sickels said the project was timed for when other debt service was coming off so as not to increase the debt.

Mr. Hanlon said the way the Borough was issuing bonds would not get them a favorable rate.

Margaret O'Dell—80 Willow Drive, Little Silver—asked if she could visit some of the parks without being ticketed.

Mayor Menna said of course she could.

Ms. O'Dell said she loved sidewalks and curbs and said, if she was moving again, she would move to Red Bank.

Lou Dimento—Alston Court—said he had been on the Environmental Commission when the project was originally done. He questioned whether a bunch of volunteers that come and go would have taken the responsibility to maintain the property. He said the group had had many discussions with the DEP and they had made promises that were not fulfilled. He said saying the Commission did not maintain it was grossly unfair. He also said he thought the project was a good idea and was in line with the original plan for a nature center that people could enjoy. He said he thought the splash park would be incompatible and would add incredibly to the cost and maintenance. He agreed that children from the area could not walk to the bigger parks and suggested the Borough could have put a splash park in one of them. He said he thought a compromise could be worked out.

Paul Balanikas—73 Wallace Street—said he was opposed to the bond ordinance and said he was a proponent of open space. He criticized the creating another park when he said the Borough could not maintain the ones they had.

Kathleen Gasienica—110 Locust Avenue—said there was a difference between the mud flats in the Swimming River and those in the Navesink. She said when she had been promoting a living shoreline at the library she said Mr. Sickels had expressed concern that people would go in the river and drown. She said he had also said that the only drownings or near drownings the town had had were in the Swimming River where the mud flats are really dangerous. She expanded on the dangers of the mud and detailed the

different types of docks that would be allowed. She also noted that Councilman Murphy had said he would like to see a boat launch there and she said that would not be allowed.

Mayor Menna said he did not think that was the intent.

Councilman Murphy said he had just said he would like to see it but understood it may not work.

Ms. Gasienica also reviewed the problems involved with removing the vegetation.

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading

2014-10 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter IV, “General Licensing,” Section 4-1.8, “Fees Established” for Business Licenses of the Revised General Ordinances of the Borough of Red Bank.”

Mayor Menna explained that this would provide for a seasonal permit for events like the Farmers Market.

Councilwoman Horgan offered a motion to adopt the ordinance on first reading, seconded by Councilwoman Lewis.

ROLL CALL:

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

NAYS: None

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

Public hearing scheduled for April 23, 2014.

ORDINANCES – Public Hearing and Final Adoption

2014-8 Mayor Menna read, “A Bond Ordinance Authorizing the Acquisition of Various Capital Equipment and the Completion of Various Capital Improvements in and for the Borough of Red Bank, County of Monmouth, New Jersey; Appropriating the Sum of \$2,253,000 therefor; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Borough of Red Bank, County of Monmouth, New Jersey in the Aggregate Principal Amount of up to \$2,140,350; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing.”

Mayor Menna opened the public hearing and asked if anyone would like to speak.

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Lewis, 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.

Councilwoman Burnham said she understood that a lot of the money in the ordinance was for Bellhaven.

Administrator Sickels said the bond would include funds Marine Park improvements \$1,201,000 and reviewed items included in the project.

Ms. Burnham asked if the project included funding for the clay courts.

Mr. Sickels said that was not included in the bond. He said it also included funding for the road program in the amount of \$332,000 and noted they had received a grant to offset some of those costs. He said there were also funds for Bellhaven Park included in the amount of \$600,000 which would also be offset by grant money. He said there would also be funding for the acquisition and installation of equipment at the Senior Center in the amount of \$120,000 and said he believed they had a grant for that also.

Councilwoman Burnham asked if there was any funds for the maintenance or repair of Mohawk Pond in the bond.

Mr. Sickels said there was not.

She said she thought she was seeing two million dollar bonds every three months and said she remembered one recently that was supposed to be used to fix the water feature in the pond but it still had not been done.

Mr. Sickels said that water feature was a maintenance item and said it was in the Public Works budget. He said he believed the work was ongoing presently.

ROLL CALL:

AYES: Murphy, Horgan, Lewis, Zipprich, DuPont

NAYS: Burnham

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

2014-9 Mayor Menna read, "An Ordinance Canceling Certain Funded Appropriation Balances Heretofore Provided for Capital Improvements and Reappropriating such Funded Appropriation Balances for Other Capital Project."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

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

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

14-108 Mayor Menna read, "A Resolution Authorizing the Acceptance of a Hazardous Discharge Site Remediation Fund Grant for the Former Sunset Avenue Incinerator Site."

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

ROLL CALL:

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

NAYS: None

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

14-109 Mayor Menna read, "A Resolution Amending the 2014 Temporary Appropriations."

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

ROLL CALL:

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

NAYS: None

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

14-110 Mayor Menna read, "A Resolution Authorizing Refunds Due to Overpayment of Taxes Due to Judgments of the Tax Court of New Jersey."

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

ROLL CALL:

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

NAYS: None

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

14-111 Mayor Menna read, "A Resolution Authorizing Tax Credit Due to Overpayment of Taxes."

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

ROLL CALL:

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

NAYS: None

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

14-112 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 Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

14-113 Mayor Menna read, "A Resolution Authorizing Change Order No. 2 Related to the Contract with GMH Associates of America, Inc. for the Chestnut Street Clarifier Improvement Project."

Councilwoman Horgan offered a motion to approve the resolutions, seconded by Councilwoman Lewis.

ROLL CALL:

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

NAYS: None

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

14-114 Mayor Menna read, "A Resolution Authorizing the Borough Engineer to Design Bellhaven Park Improvements."

Councilwoman Lewis offered a motion to approve the resolutions, seconded by Councilwoman Horgan.

Councilwoman Burnham said she thought the naturalness of Bellhaven was very special and said she felt they should work on keeping it natural. She said she thought the idea behind the project was for a small playground for children on the west side. She said the Borough was not able to maintain other areas such as the clay courts, parts of Marine Park, the library bulkhead and others. She noted a couple of times she had made requests and been told there was no money. She suggested the park at Shrewsbury Avenue and West Bergen Place should be repurposed with playground equipment for a lot less money and outlined her reasons.

Councilman Zipprich said he thought the property could be utilized in many different ways but said he didn't believe it was a good place for small children near two very busy roads.

Councilwoman Lewis said they had identified the fact that there were many young families living on Locust Avenue and said the park at Shrewsbury and Bergen had more of an elderly population in the area.

Councilwoman Burnham again said she felt that there were many areas that were not being maintained. She also said she had talked to the person who designed Thompson Park and she said they were extremely expensive to maintain. She noted that Maple Cove had been created without using any taxpayer money. She said she did not feel a spray park belonged in wetlands.

Councilman Zipprich said they had not designed anything yet.

Councilwoman Burnham said they knew what the Council wanted.

Councilman Zipprich said he thought they all had different opinions.

Councilwoman Burnham asked Councilman Zipprich what his opinion was.

He said he thought Bellhaven was an asset that should be repurposed to accommodate the young families that live in the area.

Councilwoman Burnham asked if he didn't think young families should enjoy nature.

Councilman Zipprich said he felt open space should be afforded to every resident of the town. He also said he would not want children to have to cross Shrewsbury Avenue to get to a park. He said he felt they were all on the same page but said they would have to decide to spend the money to let the engineer come up with a concept so they could consider the public comment and come up with a design.

Councilwoman Burnham said there was already a plan that was in phases and suggested they should stick with what they had.

Administrator Sickels noted that the bond ordinance had been approved to develop the park. He said all that would be authorized would be for the engineer to start coming up with a design. He said there would be input from everyone during that process and said it would include research into costs and options.

ROLL CALL:

AYES: Murphy, Horgan, Lewis, Zipprich, DuPont

NAYS: Burnham

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

14-115 Mayor Menna read, "A Resolution Authorizing the Borough Engineer to Design Marine Park Storm Rehabilitation and Improvements Project."

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

ROLL CALL:

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

NAYS: None

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

14-116 Mayor Menna read, "A Resolution Authorizing Agreement with the Borough of Little Silver Whereby Red Bank Shall Provide Uniform Fire Code Enforcement Services Pursuant to N.J.A.C. 5:70 Through 5:71 et. Seq. for a Term through October 31, 2017."

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

ROLL CALL:

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

NAYS: None

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

14-117 Mayor Menna read, "A Resolution Authorizing the Installation of a Temporary Utility Pole in Connection with the Construction of the Station Place Development Project."

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

ROLL CALL:

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

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

14-118 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,437,091.32"

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

ROLL CALL:

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

NAYS: None

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

OLD BUSINESS

Councilwoman Burnham asked for an update on the bids that had been received regarding tearing down the building at 106 Monmouth Street.

Mayor Menna said they were waiting for an answer on an environmental issue.

Councilwoman Burnham also asked about a letter that the Mayor was going to write to Harvard University regarding the living shoreline proposal.

Mayor Menna said he had written a letter but had not heard back.

Councilman Murphy asked if they were working on the issues at the 106 Monmouth Street property.

Mayor Menna said they were.

Councilman Murphy asked why they couldn't say what the problem was and asked if it was asbestos.

Mr. Sickels said there was a question as to whether or not the asbestos had been previously removed.

Councilman Murphy confirmed that the bids had come in.

Councilwoman Burnham asked how many there had been.

Mr. Sickels said there had been three with a fourth that was not a direct comparison.

Councilman Murphy reviewed the process that would occur if it was determined that asbestos was present.

NEW BUSINESS

AUDIENCE

Boris Kofman—28 Riverside Avenue—asked what the next step would be once the design for Bellhaven was finalized. He asked if it would be discussed at another Council meeting.

Mayor Menna said the normal practice would be for the Parks and Recreation Committee to meet with the Borough Engineer and discuss various options. He said he thought there would be another public dialog before it came back to the Council.

Mr. Kofman confirmed that it would come back to the Council.

Mayor Menna said it would and noted that they had not adopted a plan.

Rev. Sandra Davis and representatives of the Greater Red Bank NAACP thanked the Mayor and the Borough's Administrative staff for their support and assistance as well as Police Chief McConnell and his staff. She thanked the Councilwomen Horgan and Lewis for their support and said she appreciated all they had done. They said they appreciated all that everyone had done and asked everyone to remember Dr. King.

Councilwoman Horgan said it had been very inspirational.

Councilwoman Burnham said she was sorry she couldn't make it.

Freddie Boyton—365 Shrewsbury Avenue—said Councilman Zipprich had made a statement that he was concerned about children crossing Shrewsbury Avenue. He noted that the Easter Egg hunt used to be at Count Basie Field but said it was now held across town and said his nieces and nephews had to travel across town for that.

Jack Callahan—40 N. Prospect Avenue—Mayor Menna asked him if he had recently talked to the Borough Engineer. He said he had not but had gotten a copy of her memo. The Mayor reviewed issues at Mr. Callahan's property regarding a deteriorating bulkhead. He noted that the Borough had been ready to issue bonds to make repairs at both that bulkhead and the one at the library but it had been delayed because the Council had not acted. He said he expected that Mr. Callahan was going to say that the properties on North Prospect Avenue were being impacted by the Council not doing anything regarding the restoration of the municipal bulkhead.

Mr. Callahan said that was correct. He said he and his neighbor needed the town to take action. He reviewed the situation caused by the deteriorating bulkhead. He said the project had been tied up in bureaucracy and called for action before there was a lawsuit.

Mayor Menna agreed and said they could not put it off any longer. He said the Council needed to take action at the next meeting. He said it was a question of doing the bulkheads at the library and on Prospect Avenue or separating them.

Mr. Callahan again said he was concerned about damage to properties.

Councilman Murphy agreed that promises had been made in 2010. He said he did not see why they had to look at it again. He asked if the funding was in place.

CFO Poulos explained that they could have a bond ordinance at the next meeting and would also have to amend the budget.

Councilman Murphy asked if it was safe to say that they could have a bond ordinance to look at at the next meeting.

Mayor Menna said they could. He said they already had the data because they had been at the same stage in August of 2013. He said the Council had authorized the work but hadn't acted on the bond.

Councilman Murphy said he would be willing to vote for it and said he had thought it was already in the budget.

Councilwoman Burnham asked if the Council had pulled the ordinance.

Attorney O'Hern said it had not been voted on and had been tabled.

Mr. Callahan said he did not have the luxury of tabling his property taxes and said his property continued to be damaged and said he needed action.

Mayor Menna called for a vote at the next Council meeting.

Councilwoman Burnham asked for separate prices for each bulkhead.

Councilman Zipprich asked that the Clerk pull the minutes from the meeting of last August so the Council could refresh their memory and to help them make an expedient decision.

Mayor Menna said, without fail, the Council should vote on the matter at the next meeting.

Councilman Murphy confirmed that there would be an ordinance on for the next Council meeting and the Clerk would be distributing minutes from the August 2013 meeting so they could review.

Mayor Menna asked that the Clerk also distribute the minutes from August of 2012 and August of 2013.

Vinnie Berner—39 N. Prospect Avenue—said Mr. Callahan had been the spokesman for the neighborhood and said he was appalled that the Council had dragged their feet in responding to him. He also reviewed the problems caused by the bulkhead. He said there was a second issue regarding the sewer. He said the Borough had been notified since September that sewage was going into the river.

Councilman Murphy asked for more information.

Mr. Berner said the water was being pumped up.

Administrator Sickels said the Borough did not have a pump there and said, if there was a pump, it must be private. He said he had just become aware of it and had asked for a report from Mr. Holiday of the Public Works Department. He said he did not have the report yet and hoped to have it tomorrow.

Mr. Berner said it had been reported to Public Works in September and questioned why it had not been looked at.

Mr. Sickels again noted that he and Council had not been aware of the situation until last week. He said they could check the work orders. Mr. Sickels reviewed his impression of the situation and again noted that he was waiting for a report from Mr. Holiday. He said he would follow up the next day.

Mayor Menna expressed concern that it had been reported in September and wanted an answer on why it had not been addressed.

A discussion followed regarding the pump and the pipe in question.

Mayor Menna called for a report from Public Works the next day and what happened with the September report..

Beth Hanratty—78 South Street—noted that two weeks previously, the Council had discussed a potential resolution for the budget issues at the library.

Mayor Menna said he anticipated there would be an Executive Session very shortly to discuss personnel issues and said he expected they would come back out and announce a decision.

Ms. Hanratty also asked about the library budget and the fact that the Borough had covered certain costs in previous years. She said she did not see the numbers anywhere and asked how a person like herself could know the total cost to run the library.

Mayor Menna said the Auditor had looked at the budget, verified the numbers and given the Council an opinion. He said they were prepared to act after they discussed the issues.

Paul Balanikas—73 Wallace Street—asked about a recent boat fire and said he noticed the boat was still there. He asked if any action had been taken to remove it.

Administrator Sickels said the matter was under the jurisdiction of the Marine Police.

Mr. Balanikas asked if the Marine Police had been contacted.

Mr. Sickels said the Marine Police were aware of it and had told the Borough not to go near it.

Councilman Murphy said the matter was still under investigation.

Marsha Horn—345 Broad Street—thanked Councilman Zipprich for mentioning National Library Week and said she wanted to express concern about the next step for the Red Bank Public Library. She said many issues were connected and the library was important to the town. She suggested they create something to bring more meaning to library week and restore the library staff.

Margaret O'Dell—80 Willow Drive, Little Silver—said she was glad they all supported the library and that they all supported the NAACP. She reviewed her personal experiences including seeing Dr. King speak. She spoke on behalf of a friend of hers that she said was facing deportation due to trespassing at St. Anthony's Church. She said he had been targeted and said inappropriate comments were made. She reviewed what had transpired as she had bailed him out.

Mayor Menna asked how it affected the Council.

Ms. O'Dell said she wanted to make them aware because it happened in their town and said it was profiling.

Mayor Menna said there was an anti-profiling policy in Red Bank and added that every town had to have one as required by law. He also said they could not comment on a criminal investigation. He said they were happy to entertain her but there was nothing for them to do.

Ms. O'Dell said the police report had not been done in a timely manner.

Mr. Sickels said if she shared her information with the Police Chief, he thought he would be very receptive and concerned. He said it would not be something the Borough would tolerate.

Councilman Zipprich offered a motion to close the audience portion of the meeting, seconded by Councilwoman Horgan.

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

NAYS: None

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

Councilman DuPont left the meeting.

EXECUTIVE SESSION

13-120 Mayor Menna read a resolution to adjourn to executive session to discuss personnel; formal action to be taken.

Councilwoman Lewis offered a motion to adjourn to executive session to discuss contract obligations and personnel, seconded by Councilwoman Horgan. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Lewis, Zipprich.

NAYS: None

There being five 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, Lewis, Zipprich

NAYS: None

There being five 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 personnel issues and employee/employer relations. He said since the actions taken by the Library Administration had affected Borough employees, the Municipality was statutorily obligated to enforce contractual obligations as well as ensure the health, welfare and well-being of the Borough's employees and its citizens and tax payers. He said, as a result, the Municipality was prepared to act to try to put some resolution on some of the public issues that had surrounded the Red Bank Public Library. He asked the Administrator to make a recommendation.

Administrator Sickels said after the layoffs had been effectuated, the Borough had received the final budget from the Library. He said he and the CFO had reviewed it and found expenses that were not of an operational nature but had actually been funded through capital monies. He said the matter had also been discussed with the Chairman of the Finance Committee. He said one of the concerns was the fact that the Borough was going to pass on additional pension costs of over \$40,000. He said after meeting with the Board to discuss changes, they had reviewed the deed and found that the Borough was obligated to fund the custodian. He said given these potential changes, including some capital purchases that had been funded through the Monmouth County Improvement Authority, he and the CFO had determined that there really was no need to layoff the full time employees. He said, the found the Library could operate with an amended budget, incorporating those changes and generate a surplus. He said the Library Board had been reluctant to heed the advice so they had discussed the matter with the Auditor and he had checked the numbers and agreed with the proposed budget as prepared by the CFO. He said they were asking that the Council direct the Board to return the two employees to full status since they had identified cost savings that would eliminate the need to lay them off. He said the Borough had assumed the expense of the custodian and it had been removed from the library budget. He said they had determined that the library would be made whole for this year and going into next year.

Mayor Menna said the information had been verified with the Auditor as late as that afternoon.

14-119 Mayor Menna read, "A Resolution Supporting and Authorizing the Reinstatement of Two Full-Time Library Employees that were Terminated by the Library Board of Trustees."

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Lewis, Zipprich

NAYS: None

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

Mayor Menna opened the floor to public comment and asked if anyone would like to speak.

Brigid McCarthy—Library Board member—asked why the resolution had not been shared with the Board. She said she did not understand the adversarial position. She said they had been trying to cut costs and asked why they were not being supported. She said the problem was much bigger than two jobs. She said they had met with Administrator Sickels, Labor Attorney Plosia and Union Representative Tauro over the past several months. She said they had tried to follow union rules to save money and to save the library not just some employees. She said the budget numbers the Borough was presenting were not the same as the Board and she said they had asked to sit down and go over it. She claimed the capital purchases had not been in their budget.

Mr. Sickels said they had sat with her and Director Papandrea and had gone over the budget item by item. He said they would be glad to sit with her and go over it. He said the last conversation with the Board had relayed that they were not going to change it. He said the meeting with Labor Attorney Plosia had only been to review the procedure for the layoffs.

Ms. McCarthy asked if a line had been included for a Director.

Mr. Sickels said it had.

Ms. McCarthy reviewed specific concerns about expenses in the budget.

Mr. Sickels said they were provided for in the budget.

Ms. McCarthy said she had not seen the latest figures. She expressed concern that the Council would pass the resolution without consulting the Board.

Councilwoman Horgan said she felt the Board of Trustees had been very adversarial towards the Council. She said the Council was trying to find a resolution to the problem. She said the Board had shown their attitude to the Council at its last meeting saying that it was an illegal maneuver for the Council to present a budget. She said the Board had used words that were not consolatory. She said they Council had been trying in good faith to find a resolution and they wanted what was best for the community. She noted that the CFO, Auditor and Administrator had found that there was money but said the Board would have to be open to it.

Ms. McCarthy said the Board was legally responsible to present the budget and were legally responsible to hire and fire employees.

Attorney O'Hern clarified that, in certain circumstances, the law allowed the Governing Body to step in and take action.

Ms. McCarthy said she imagined that would be in cases of malfeasance and asked it that was what they were saying.

Attorney O'Hern said it did not have to be malfeasance. He said in matters of personnel and budget, there was clear case law that the Governing Body could step in. He said there was an inherent interdependence between the Library Board and the Governing Body. He said he had given the Governing Body the opinion that they had the authority and right to step in in this particular situation and address the issue.

Ms. McCarthy said there was probably case study where the reverse had happened.

Attorney O'Hern said he was not aware of any but encouraged her to present it to him.

Ms. McCarthy said she would like to see the new budget. She said she had seen two that were incorrect which she said was annoying. She said the Board had sat down twice in good faith saw the same figures over and over that had not been corrected.

Councilwoman Horgan said the Council had also sat down in good faith also.

Councilman Zipprich said he agreed with Councilwoman Horgan's sentiments and reviewed his experience with the Board. He said there had been resistance from the Board.

Ms. McCarthy said that was because they had seen such glaring errors and misunderstanding of their budget.

Councilman Zipprich said details had been outlined in the resolution just passed that showed expenses that did not need to be included in the operating budget.

Ms. McCarthy again claimed those expenses had never been in the Library's budget.

Councilman Zipprich said he was referring to items that were being purchased through the Monmouth County Improvement Authority.

Ms. McCarthy acknowledged that that was an expense of about \$4,700 that the Borough had identified.

Administrator Sickels noted that the Borough had also taken on the janitorial expense which was about \$65,000.

Ms. McCarthy said they should have been doing that already.

Mr. Sickels noted that that expense was put into the municipal budget and the Borough had not passed on the \$41,000 in pension costs.

Ms. McCarthy said that had not been in the library budget because they had assumed the Borough would take care of it.

Mr. Sickels disagreed and said it was in their budget.

Councilman Zipprich said the important issue was to restore the library to the best level of service for the community.

Ms. McCarthy said their plan was temporary for the next eight or nine months. She said they didn't want to put a "band aid" on the problems which was what she said the Borough's solution was.

Mr. Sickels said they had prepared a budget for two years.

Mayor Menna said the Board had told the Council they had a hold on the budget and then he had seen in a local paper that one member of the Board of Trustees had called for the library to be open on Sundays. He said that told him the numbers weren't jiving. He said they had also said they were looking to add security guards yet were removing librarians.

Ms. McCarthy said that had been in response to the staff's concerns about it being unsafe with a skeleton staff. She said Saturdays and Sundays was what the public wanted. She said they were just ideas or goals but they currently did not have the money for it. She said they can't do it while paying 95 percent of their budget to salaries and benefits.

Councilman Zipprich suggested she should have listened to the room full of people the night the layoffs occurred. He said an awful lot of people had come out in support of the library and of the librarians who had been terminated.

Ms. McCarthy said it had been a painful, long process. She said she didn't like the way it turned out and neither did the Board. She reviewed the number of plans they had considered and said they had decided on one that would correct the problem rather than fix it temporarily. She said they were the ones making the hard decisions and she felt they should be getting support.

Mr. Sickels said their original decision had been based on a budget that showed incorrect data and offered specifics. He said the Borough had shown that financially there was no need to lay the people off.

Ms. McCarthy said they disagreed. She asked if she could see the budget.

Mr. Sickels said they would sit with them and go over and even review options that had been outlined.

Ms. McCarthy said she wished they had done that before acting on the resolution.

Mr. Sickels said they had attempted to.

Councilwoman Horgan said the Council had tried really hard to work with them.

Ms. McCarthy said they had not had a third meeting as she had requested.

Councilwoman Horgan said the Board had not sent their budget to the Council in a timely matter.

Councilman Zipprich said he and Councilwoman Burnham had had a conversation at the last meeting of the Board where they said the most important thing was that the library was open and operating and that the public was served. He said he did not think there was a member of the Governing Body who felt otherwise. He said it was also congruent with what the Board wanted which was to make sure that the library continued to thrive and serve the public in Red Bank. He said he felt that mission had been accomplished.

Ms. McCarthy said the Board had not seen enough figures. She said had still been a number of discrepancies the second time they had sat down. She said they had asked for a third meeting but had not seen it again.

Mr. Sickels said the Board had said they would not bring the employees back and would continue with their plan.

Ms. McCarthy said they had not been willing to keep the employees based on what the Borough had handed them. She said now he was telling her different figures than she had heard in the past.

Mr. Sickels said the figures reflected what had been discussed at the last meeting they had had with Ms. McCarthy and Director Papandrea.

Ms. McCarthy disagreed and said she would have to sit down and review the line items to show where he was wrong.

Denelle Johnson—28 Elm Place and a member of the Board of Trustees of the Library—said she was the newest member and said a lot of what had been discussed was new to her. She said she could state categorically that the budget she saw had not included some of the items Mr. Sickels had stated. She said the Board could not, in good faith, vote to spend money they may or may not have. She said they had to

vote on the numbers they had seen. She said there had been no communication since the last meeting and to issue with the Board being called adversarial. She spoke of the importance of libraries. She said the statement that the Board had been unwilling to work with the Borough was untrue. She said she took it as an affront for the Council to expect the Board to act with incomplete information and then have the Council come in to save the library.

Mr. Sickels said it was incorrect for her to imply that the Council had done this arbitrarily and noted that he had met with the President of the Board who had said he could not go back to the Board anymore and said they had decided that they were not open to the Borough's suggestions.

Ms. Johnson said they had not been open to the Borough's suggestions because they had not covered the costs.

Mr. Sickels said he had acted on the information he had received from the Board President.

Ms. Johnson said she was dumbfounded that this was the way the Council had chosen to deal with the issues at the library. She said she could not see how this budget could keep the library open because the numbers just weren't there.

Councilman Zipprich encouraged Board members to sit with Mr. Sickels and Ms. Poulos to go over the budget proposals for 2014 and 2015, to make sure the budgets meet the needs of the library and to bring up any issues they felt may have been missed. He said the most important thing was to make sure the library was open to the public.

Ms. Johnson agreed and asked if he just wanted it open for 2014 or forever.

Mr. Sickels again stated that they had prepared a budget for 2014 and 2015.

Ms. Johnson said 2016 would be a question mark and questioned the decision to rehire the positions. She said if they go over the budget and find a problem would they then re-layoff the employees.

Mr. Sickels said they would not do that to the employees and were confident it would work.

Brigid McCarthy asked if the plan was on hiatus until the Board and Council sat down again. She asked the Council to confirm that the employees had not been hired back.

Mayor Menna said they were hired back effective the next morning.

Beth Hanratty—South Street—asked when the public could see the budget.

Administrator Sickels said they had a proposed budget that they would be reviewing with the Library Board, the Director and the Finance Committee. He said it would be made public once it was approved.

ADJOURNMENT

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

ROLL CALL:

AYES: Murphy, Burnham, Horgan, Lewis, Zipprich

NAYS: None

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

Respectfully submitted,

Pamela Borghi