

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
OCTOBER 8, 2014  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Mayor Menna and Council Members Murphy, Burnham, Zipprich, DuPont.  
ALSO PRESENT: Administrator Sickels, Municipal Clerk Borghi, Chief Financial Officer Poulos, Attorney O’Hern and Engineer Herrman.  
ABSENT: Councilwoman Lewis.

**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.

**WORKSHOP**

**Council Meeting Change**

Mayor Menna explained that there was a resolution on the agenda to change the November 19<sup>th</sup> Council meeting to November 24<sup>th</sup>. He said the change was due to the fact that the 19<sup>th</sup> would fall in the middle of the League of Municipalities Conference.

**Vacant Property Maintenance**

Councilwoman Lewis arrived at 6:45 p.m.

Mayor Menna reviewed the Ordinance that was first introduced in 2012. He explained that it would give the Code Enforcement Office control over vacant properties and would require registration of vacant properties and accompanying fees. He said the fees would go up over time which would provide incentive to sell. He said it would also require the posting of a number to reach the service agent.

Councilman DuPont said he thought it would help the Borough and encourage the Council to support it.

Mayor Menna noted that he and Councilman DuPont had had experience with other municipalities and said it did work. He explained to Councilwoman Burnham that the Code Committee had previously reviewed the ordinance and thought it would help.

Councilwoman Burnham agreed.

Councilman Murphy noted that foreclosure took a much longer time than it used to. He asked if the properties would be subject to just one ticket or if it would be imposed weekly with levies applied.

Mayor Menna said repeated summonses would be issued. He also said there would be levies for the cost of work.

Councilman Murphy noted that foreclosures could take two years. He said if they weren’t going to impose repeated fines, he did not see the point.

A discussion followed regarding penalties and taking owners to court. Mayor Menna said it was difficult to get money back because of the value of the properties.

Councilman Zipprich asked about properties that had been the scene of a fire.

Councilman Murphy said that was different because they may be under investigation.

**Parking at Charging Station**

Mayor Menna explained that there was a parking space with a charging station in place but said the Council needed to enact a rate structure to charge for the space.

Administrator Sickels said there was an ordinance proposed that would outline a restricted use for the space limiting it to cars using the charging station.

Councilman Zipprich asked if it would be designated as a priority space by the ordinance.

Mr. Sickels said there was currently no way to limit the use but said future spaces would also be “charge only.”

Councilman Zipprich noted that Red Bank was one of only a hand full of municipalities that had a charging station space.

**Solid Waste Bid**

Mayor Menna said a recommendation to reject the bids had come from the CFO, the Director of Public Works and from the Administrator because the specifications did not address the issue of redundancy in workforce. He said the specifications did not include language that would obligate the bidder to hire individuals impacted by separation. He said, if the Borough chose to go forward, the specifications would

include that provision. He also noted that they did not see the anticipated savings. He said Administrator Sickels and CFO Poulos would take a look at the specifications.

Administrator Sickels agreed that they should revise the specifications.

Councilwoman Lewis asked for a cost analysis.

Councilman Zipprich said it was reviewed and discussed at a Department of Public Works Committee meeting.

Councilwoman Lewis asked for something the whole Council could review.

Mayor Menna noted that bids had been accepted and must be awarded or rejected within a certain time frame so there was a resolution on the agenda to reject.

Councilwoman Lewis said the Council needed to know the costs regardless.

### **Water/Sewer Fees**

Councilwoman Burnham said she had promised residents that she would look into water/sewer fees. She said she wanted to start a dialog on providing relief for the residents. She said she had looked at similar towns on found that residents could save \$176 per year on their water bill which would translate to more on their sewer bills. She said she wanted to place the discussion on the agenda.

Councilman DuPont said he would like to hear that discussion and suggested it be placed under workshop. He also suggested that it be reviewed by the Finance Committee.

Councilman Murphy said he would also like to hear it.

Councilman Zipprich said any idea was a good idea. He said the Public Works Committee had been meeting with vendors to review different types of water meters.

Councilwoman Burnham said that residents leased their meters at \$44 per quarter and discussed the leasing fees in other municipalities, equipment and technologies.

Mayor Menna criticized the antiquated process currently in place to manually read the meters.

Administrator Sickels said that was what they had been reviewing with vendors.

### **APPROVAL OF MINUTES – August 27, 2014**

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, DuPont

NAYS: None

ABSTAIN: Horgan, Lewis, Zipprich

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

### **APPROVAL OF MINUTES – September 10, 2014**

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, Horgan, Lewis, Zipprich

NAYS: None

ABSTAIN: DuPont

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

### **MAYORAL APPOINTMENTS**

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

Councilman Murphy had no report.

Councilwoman Burnham reported that she and Mayor Menna along with Councilwoman Horgan, Councilwoman Lewis and Councilman Zipprich had attended a fund raiser at the YMCA Camp Arrowhead on the 27<sup>th</sup>. She said Red Bank was honored for their support. She also reported that public space had been reclaimed at the library as encroaching weeds had been removed with DEP approval. She said the Borough had partnered with a private business to remediate and restore the lawn and would now have to maintain it.

Councilwoman Horgan reported that the Library Board had held a Special Meeting on October 2, 2014 and voted to reopen the Library for Saturday hours from 10 am to 2 pm. She also noted that October 19 through 28 was Friends of the Library Membership month. She noted a proclamation for the week was on the agenda. She reviewed how individuals could become a member of the Red Bank Friends of the Library. She also reviewed the History of Red Bank project and said the first installment, featuring an interview with Carl and Robert Colmorgen regarding Katharine Elkus White, was currently on YouTube. She said the next meeting of the Library Board would be October 16<sup>th</sup> at 6:30 pm. She reported that the Environmental Commission had hosted a successful Garden and Eco Tour on September 27. She also

reported that Engineer Ballard had been honored by NJBiz as one of the 40 under 40 of New Jersey's Best and Brightest Rising Stars.

Councilwoman Lewis reported that the Halloween Parade would be held October 19 with a rain date of October 26<sup>th</sup>. She said the lineup would be at 1 pm at Hudson Avenue and Bergen Place. She said the Veteran's Day Ceremony would be held at 51 Monmouth Street on November 11 at 11 am. She reminded parents that it was time to register Borough children for indoor soccer and basketball. She also congratulated Red Bank on winning the People's Choice Award for a great downtown.

Mayor Menna noted that the Halloween Parade would include special components including participation by the Schrott School, a school for children with medical challenges, and also would include a section for dogs to march in the parade.

Councilwoman Burnham asked the other Councilmembers if they would consider dressing up for the parade and claimed they had not done so in the past.

Councilman DuPont disagreed and noted that he had often dressed up for the parade.

A discussion on the matter followed.

Councilman Zipprich had met two weeks prior and reviewed proposed projects and had forwarded their comments to the Planning/Zoning Director. He said the Shade Tree Committee was asking any residents who had received new trees to please water them. He said the Department of Public Works Committee had met and discussed the road program which he said had begun and he review the progress so far. He thanked the Mayor for his help in making sure the electric charging station was unveiled as soon as possible. He asked Council members to review the Engineer's report that had been distributed by the Clerk. He also noted that the Red Bank Borough Education Foundation would be hosting and Treasures and Trash Road Show on Sunday, October 26<sup>th</sup> from 2 to 5pm at the Atrium.

Councilwoman Burnham asked about the status of the water pipes under the streets particularly at Washington Street and Highland Boulevard.

Councilman Zipprich said it was a complete street program and once a street was designated for resurfacing it was opened and checked so they wouldn't have to dig up a road after it has been resurfaced.

Administrator Sickels reviewed the inspection work that was done prior to paving and noted what work would be done if found necessary. He noted that the Borough took out a utility bond on connection with each road program to cover that work.

Councilwoman Burnham also noted that the Washington Street Historic District sign had been missing and asked if it would be replaced.

Councilman Zipprich said it had originally been donated by Preservation Red Bank.

Councilwoman Burnham offered to pay for it.

Councilman DuPont said he was aware that Councilwoman Horgan and the Environmental Commission were working on the issue of composting and suggested that it may be a way to save on the Borough's tipping fees. He also reported that the State of California had banned plastic bags and said it was a topic for discussion. He also said he would like to remove the ordinance on tobacco from the agenda. He noted that his family had been affected by cancer but said, after much thinking and discussion with the Mayor, he felt it wasn't the right way to go. He said enforcement was difficult but said he was still concerned with the issue.

Mayor Menna said he appreciated Councilman DuPont's passion but said it was an unescapable reality. He said the ordinance would not stop the problem when a customer could cross the street and make their purchase. He said it cried out for State legislation which was currently being considered.

Councilman DuPont said he also had an issue with affecting someone old enough to go to war yet not letting them be able to buy a cigarette.

## **COMMUNICATIONS AND PETITIONS**

Request from Learning Tree Preschool to hang a banner on Broad Street from January 5, 2015 to February 1, 2015 to advertise their open house and registration event.

Councilman DuPont offered a motion to approve the request, 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.

Request from Elmer Perez for membership to the Westside Company of the Red Bank Volunteer Fire Department.

Councilman Murphy offered a motion to approve the request, 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.

## **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.

Caryn Cohen—23 Wallace Street—the Metropolitan—said they had a problem with dumpsters being emptied between 5 and 5:30 am. She said she had contacted Code Enforcement who told her they had sent letters to businesses. She said, at this point, she would be contacted the police.

Mayor Menna clarified that it was private pickups for businesses.

Councilman Murphy confirmed.

Mayor Menna agreed that it was a problem and said it was a matter of the Borough enforcing the noise ordinance.

Councilman Murphy said he believed that the Borough had originally requested that the companies pick up trash early but several months ago had discussed the matter and thought it was resolved.

Mayor Menna said he would reach out to RiverCenter Director James Scavone.

Mr. Scavone spoke from the audience and said they had been in discussions with residents of the Metropolitan and with the adjacent businesses. He said they were hoping to build a single trash area so there would be only one pick up. He said he had to get all four restaurants to agree on the contract.

Mayor Menna said it made sense that they should use one vendor and the pick-up should not be at 5:30 in the morning.

Ms. Cohen asked if she should call the police if it continued.

Mayor Menna suggested that she should give her number to Mr. Scavone.

Ms. Cohen said she wasn't concerned about the single trash area, she just wanted the trucks to come after 7 am.

## **ORDINANCES – First Reading**

2014-18      Mayor Menna read, “Ordinance Amending and Supplementing Chapter III, “Police Regulations,” Section 3-12 “Cigarette Vending Machines” of the Revised General Ordinances of the Borough of Red Bank to Prohibit the Sale of the Tobacco and Nicotine Delivery Products to Persons under the Age of Twenty-One (21).”

Councilman DuPont offered a motion to withdraw the ordinance on first 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 withdrawn.

2014-19      Mayor Menna read, “Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Requiring Mortgagee Registration Relating to Real Property Mortgages in Default, Providing for Registration and Requiring Maintenance for Certain Real Property by Mortgagees.”

Councilman Murphy offered a motion to adopt the ordinance on first reading, 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.

Mayor Menna asked that it be forwarded to the Planning Board for their review.

Public hearing and final adoption scheduled for November 5, 2014.

2014-20      Mayor Menna read, “Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter VII, “Traffic”, Section 7-3 “Parking” of the Revised General Ordinances of the Borough of Red Bank to Create Reserved Parking for Electric Charging Vehicles.”

Councilman Zipprich offered a motion to adopt the ordinance on first reading, 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.

Public hearing and final adoption scheduled for November 5, 2014.

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

2014-15      Mayor Menna read, “Ordinance Amending and Supplementing Chapter VII, “Traffic,” of the Revised General Ordinances of the Borough of Red Bank to Establish Tow-Away Zones.”

Mayor Menna asked if anyone would like to speak.

No one appearing, Councilman DuPont 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.

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

2014-16      Mayor Menna read, “Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Canceling Certain Funded Appropriation Balances heretofore provided for Capital Improvements and Reappropriating Such Funded Appropriation Balances for Other Capital Projects.”

Mayor Menna asked if anyone would like to speak.

No one appearing, Councilman DuPont 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.

Councilman DuPont offered a motion to adopt the ordinance on final 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.

2014-17      Mayor Menna read, “Ordinance Amending and Supplementing Chapter II, “Administration”, Section 2-70 “Use of Public Buildings” of the Revised General Ordinances of the Borough of Red Bank.”

Mayor Menna asked if anyone would like to speak.

Sean DiSomma—28 Morford Place—said he felt the ordinance was overly broad. He asked for a definition of the phase “political activity.”

Mayor Menna said the intent of the ordinance was to protect Borough employees from electioneering and also to prohibit speeches and rallies inside public buildings. He added that it would not apply to anything outside of Borough buildings because that would be covered by the First Amendment.

Mr. DiSomma said he understood the intent but said he didn’t think it was worded specifically enough. He said he felt the ordinance could be misused by future administrations. He said he thought they should be careful in regard to First Amendment issues. He said he felt the Borough should also protect employees from other employees. He asked the Council to reconsider and think about how it might be misused in the future.

Mayor Menna said he was sensitive to First Amendment issues and asked Mr. DiSomma to let him know if there was a specific clause that he was concerned about.

Municipal Clerk Borghi said she had put a request out through the State Municipal Clerk Association and had gotten this ordinance back from at least a dozen towns. She said she thought it was specific and said she didn’t believe it included the phrase “political activity” but named specific activities such as fund raising, campaigning, etc. She said it was in effect in several other towns.

Councilman Murphy said he felt it was black and white.

Attorney O'Hern reiterated that it was intended to protect, prevent or prohibit campaigning in public Municipal Buildings. He agreed with the Mayor and said, if there was a provision that Mr. DiSomma felt was overly broad, they would be happy to discuss it with him.

Mr. DiSomma said he did not see any provision for protecting employees from other employees.

Attorney O'Hern said they could look at it but it might get into First Amendment areas. He said it was meant to apply to people running for office or holding an elected position campaigning in a municipal building.

Mayor Menna read from paragraph eight of the ordinance which stated "any person holding any elected municipal office or holding an appointed position" would be bound by the ordinance.

Councilwoman Horgan asked if the issue would be covered under the Whistle Blower policy.

Administrator Sickels said it was covered under the Borough's Personnel Policies. He said it was also fully covered under paragraph eight of the ordinance and read the remaining language defining an "employee."

Mr. DiSomma again asked the Council to consider it carefully before voting.

Mayor Menna said if issues arose, they could always amend it.

No one else appearing, Councilman DuPont 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.

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

#### **RESOLUTIONS**

By Consent Agenda:

- 14-269 A Resolution Authorizing the Appointment of Regular Crossing Guard for the 2014-2015 School Year.
- 14-270 A Resolution Authorizing AT&T to Install Communication Lines within Conduit or Existing Poles to Provide Communication Services to the Public.
- 14-271 A Resolution Authorizing Tax Appeal Settlement Regarding Atlanta Realty Associates, Block 46, Lot 9, 76-84 Broad Street, Red Bank, New Jersey.
- 14-272 A Resolution Authorizing Tax Appeal Settlement Regarding MORCO, L.L.C., Block 31, Lot 15, 58-64 Broad Street, Red Bank, New Jersey.
- 14-273 A Resolution Authorizing Tax Appeal Settlement Regarding Greentree Apartments at Red Bank, Block 110, Lot 2, 239 Spring Street, Red Bank, New Jersey.
- 14-274 A Resolution Authorizing Tax Appeal Settlement Regarding 120 Centennial Ave. Properties, L.P. and 120 Centennial Ave. Properties by Jonathan Schultz of Onyx Equities, L.L.C., Receiver, Block 63, 10.02 AND Block 75.05, Lot 16.01, 116-120 Chestnut Street and 17-19 Herbert Street, Red Bank, New Jersey.
- 14-275 A Resolution Authorizing Tax Appeal Settlement Regarding 11 Vista Place, Block 13, Lot 1, Red Bank, New Jersey.
- 14-276 A Resolution Amending the Time and Place of Borough Council Meetings for 2014.
- 14-277 A Resolution Amending Resolution No. 14-164 Entitled, "A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses 2014-2015".
- 14-278 A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses 2014-2015 (Siena Grill).
- 14-279 A Resolution Authorizing Curfew for October 30 and 31, 2014.
- 14-280 A Resolution Authorizing the Execution and Entry into a Developer's Agreement between Lolich Red Bank, LLC and the Borough of Red Bank. (Walgreen's)

- 14-281 A Resolution Authorizing the Mayor to Sign a Letter of Intent Regarding a Grant Agreement Between the Borough and the County of Monmouth, Department of Human Services, Division on Aging, Disabilities and Veterans Services.
- 14-282 A Resolution Rejecting Bids for Solid Waste Collection and Disposal Services.

Councilman Murphy offered a motion to approve the resolutions, 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.

**PROCLAMATIONS**

Mayor Menna read a proclamation proclaiming October 5-11, 2014 as Fire Prevention Week

Mayor Menna read a proclamation proclaiming October 19-25, 2014 at Friends of Libraries Week.

Mayor Menna thanked Acting Director Elizabeth McDermott and the Library Board of Trustees for their work at the Library.

He also announced that there would be a Mayor's Charity Ball in 2015 that would benefit both the Red Bank Public Library and the Red Bank Volunteer Fire Department.

Councilman Zipprich thanked Mayor Menna and Councilwoman Horgan for their efforts with the Library.

Councilwoman Horgan credited the Board of Trustees, Acting Director McDermott and the Library staff.

Administrator Sickels also commended Ms. McDermott for her efforts in working with a reduced staff and coordinating with Borough officials and the new Board of Trustees.

Councilwoman Horgan also thanked the Administrator and CFO for their efforts.

**PAYMENT OF VOUCHERS**

14-283 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,446,639.78."

Councilman DuPont 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**

**NEW BUSINESS**

Councilman Zipprich said there had been a fire on Spring Street the prior week and commended Chief Welsh and the Department on their rapid response and teamwork.

**AUDIENCE**

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

Sean DiSomma—28 Morford Place—asked when the decision was made to reject the solid waste bids

Administrator Sickels explained that the deadline to accept or reject the bid was coming up so he discussed the matter with the Department Chair, the Mayor and the Finance Chair. He said they had not realized the saving that they had anticipated so it did not make sense to move forward. He said there was not enough time to revise the specifications so they felt it was best to reject the bid.

Mr. DiSomma asked precisely when that decision was made.

Mayor Menna clarified that the formal decision would be made at this meeting.

Mr. DiSomma again asked when the decision had been made.

Mr. Sickels said they had been discussing it since the last Public Works Committee meeting and said he thought they had finalized it when they finalized the agenda.

Mr. DiSomma asked if that was earlier in the day.

Mr. Sickels said it had been discussed on Monday and he had been out sick on Tuesday. He said on Monday he had directed the Clerk and Borough Attorney to draft the resolution for the agenda.

Mr. DiSomma asked who he had spoken with on Monday regarding the issue.

Mr. Sickels said he had spoken with the Committee Chair, the Finance Chair, the CFO and the Mayor.

Mr. DiSomma asked if they had collectively made a decision on Monday.

Mr. Sickels said it was a recommendation and confirmed that it had been made on Monday.

Mr. DiSomma asked what the date of expiration was for the bid.

Mr. Sickels said it was the 29<sup>th</sup>.

Mr. DiSomma said there was still another Council meeting where they could take action and suggested they could get additional bids.

Mr. Sickels explained that the bids were closed when they were received on August 29<sup>th</sup>.

Councilman Murphy explained the bid process.

Mr. Sickels said the date had been extended originally because there had been questions from the vendors. He said, since the situation was heavily regulated by the DEP, they did not want to extend it again.

DiSomma asked why they didn't want to extend it.

Mr. Sickels again noted that he had to be awarded within 60 days and that they had already extended it once. He said they had accepted the bids and said there were outstanding questions affecting the bid and the Public Works Department that couldn't be answered within the next week or two. He said they felt it would be best to reject them and review the specifications.

Mr. DiSomma said he had attended a meeting in March of 2013 and made the suggestion and the Mayor had hinted that it was already underway.

Mayor Menna said he had stated that the discussion was an ongoing one.

Mr. DiSomma said he was going on two years and it had been a waste of time. He asked what the cost savings would have been.

Mr. Sickels said, without laying off a substantial amount of staff and re-working the department, it would basically have been a wash.

Mr. DiSomma said it was obvious they would have to re-work the Department.

Mr. Sickels said there had been thoughts of reassigning the staff but they hadn't developed that plan because they had thought there would be adequate savings by bidding but that was not the result.

Mr. DiSomma questioned and criticized the review process.

Mr. Sickels reviewed the analysis that had been done but said the cost saving were not realized. He noted that the solid waste staff had been 15 employees but, through attrition, had been reduced to almost half before the bid had gone out. He said they will have to review to see if they should revise the specifications or reorganize the department but that could not have been done within the time frame.

Mr. DiSomma said they had two years.

Councilman DuPont told Mr. DiSomma that the Council had been looking at the issue for quite some time and said it was not something Mr. DiSomma had brought to them. He said they had been looking at the numbers since he had been Finance Chair to see if the cost savings was worth losing the benefit of having their own trash collection. He said that was why he had been talking about things like composting to reduce tipping fees. He said the problem with the bids was that there was savings in some areas but unless they reduced the Borough's labor force, the savings would not be there. He said they had been looking at the labor force to determine who would be retiring. He said it appeared there would a reduction in January and there would be another time to go out to bid again. He confirmed that there was no language in the specification to require the bidder to hire Borough staff.

Mr. DiSomma asked who had been responsible for that failure.

Councilman DuPont said he wasn't sure that it was a failure or an oversight.

Administrator Sickels said it had been a choice because it could have been done either way.

Councilman DuPont said they had also looked at getting "one armed bandits" as a cost saving measure. He said they had looked at different avenues to make sure that trash collection was efficient as well as cost saving. He said, since he had been Finance Chair, they had incorporated a number of steps to save the Borough money and cited examples.

Mr. DiSomma criticized the fact that someone had sent out bid packages without the right specifications. He also claimed there was no legitimate workable plan. He said he wanted to hear from the Chair as to what the reorganization plan was. He claimed that tax payers had repeatedly gotten "fleeced" and said they shouldn't put it on the school board. He asked if anyone had gone to Fair Haven.

Councilman DuPont said when Michael Halfacre had been Mayor of Fair Haven he had gone to him with a proposal of potentially merging services. He said it had been discussed and it determined that it wouldn't work for both municipalities for a variety of reasons. He said they had had ideas outside of the box and they had implemented steps to make trash collection more efficient and cost savings. He said he felt the Borough would eventually have to privatize but said the bid would have to be right considering what they would be giving up and the cost savings would have to be substantial. He said he felt the Department did a wonderful job. He said he surveyed towns that had privatized collection and said there were more complaints than compliments. He said, based on technology and the Borough's equipment, they would eventually have to privatize.

Mr. DiSomma accused the Borough of incompetence and again claimed they had had two years and had "fumbled." He asked if they had had a plan.

Councilman Zipprich noted that Mr. DiSomma had not been present at meetings earlier in the year where the issue had been discussed. He said he had called for a compete cost saving analysis on the actual cost to the Borough for trash collection. He said he knew it would have to go out to bid. He said that, when the analysis came back after a period of time, it did not make sense to him or the members of the committee that it was going to be the right decision to make. He said there was a plan to determine what it cost the Borough to collect trash in house so they could compare it to the bids.

Mr. DiSomma what the plan had been for the employees if they had awarded a bid and questioned if there had been a plan.

Administrator Sickels noted that there were many steps in the plan. He said the first step had been to eliminate pick up for commercial properties which resulted in a huge reduction in costs. He said they had also reduced staff through attrition. He said this had taken place over a period of years. He said they had then gone out to see if they could realize further savings.

Mr. DiSomma again asked what the plan was to reassign the remaining employees by reorganizing the department. He said they would be sitting in a room doing nothing and collecting pay checks.

Councilman DuPont said that was not accurate. He said the Finance Committee had discussed the matter and reviewed some of the questions that had come up from the bidders including the fact that there were residential complexes that were under construction that would be added to the pick-up. He said the Finance Committee also discussed projects that were currently outsource like park maintenance. He suggested that sanitation employees could be reassigned and they could no longer outsource that service. He said they were on a time limit for when they had to decide. He said when the bids came in, they did not reflect the overall savings that they had hoped for so it was determined that the best decision was to reject the bids. He said it would be his recommendation to tweak the specifications and rebid.

Mr. DiSomma again criticized not seeking employment for the workers in the original bid.

Councilman DuPont said that had been done by choice.

Mayor Menna said that had been answered by the Administrator. He noted that Mr. DiSomma had mentioned Fair Haven, but noted that the communities were very different and offered specifics. He said it was an ambulatory process and noted that they had started it were still working on it. He said there was no point in adopting a plan that was unworkable or didn't effectuate the savings. He said he agreed that they should tweak the specifications and include language that the successful bidder would have the obligation to hire Borough staff.

Councilman Zipprich asked, if it would cost more to privatize, why he would pass that cost onto the taxpayers.

Mr. DiSomma said it wouldn't if they had had a plan. He asked when they could expect the revaluation to take place.

Attorney O'Hern said it was scheduled for 2016. He explained that the revaluation had been ordered by the County. He said it had initially been ordered for 2015 but before the contract for the reval company could be approved the State had to approve the tax maps. He said the State had been overwhelmed and, by the time the Borough got the maps back, it was too late to get it done this year since it had to be done by November 1. He said hopefully this would be the last revaluation the Borough would ever have to do so they wanted to make sure it got done right and said it would happen in 2016.

Alicia Wilkerson—239 Spring Street—asked if the bids that had gone out for trash collection had included any provision for the employees.

Mayor Menna said it did not and that was one of the reasons that the Borough had rejected the bids and would be rebidding.

Ms. Wilkerson asked about snow removal if trash was privatized and if it would be included in the bid.

Mayor Menna said it was not included in the bid and would still be an obligation of the Department of Public Works. He said that was why the Borough would retain some of the equipment such as garbage trucks that were used for snow removal.

Carl Colmorgen—67 Oakland Street—complained about parking issues on Oakland Street. He said cars parking on Oakland Street had signs in their windows that stated they were Charter School employees and suggested they could park in spaces on Pearl Street that were not in front of residential properties.

Mayor Menna asked if anyone else would like to speak.

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

#### EXECUTIVE SESSION

#### ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi