

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
DECEMBER 17, 2014  
5:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Councilman Murphy (arrived at 5:01pm)

**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 November 24, 2014.

Councilman Murphy arrived 5:01 pm.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**Proclamation honoring Laraine Gaunt**

Councilman Zipprich reviewed Laraine Gaunt’s efforts to spread the word of acceptance to the youth in the community.

Mayor Menna read a proclamation honoring Laraine Gaunt.

Mayor Menna and Councilman Zipprich resented the proclamation to Ms. Gaunt. Mayor Menna thanked her for her work in the community. Councilman Zipprich thanked her for her efforts to change the world one child at a time.

Ms. Gaunt thanked the Mayor and Council and those who were in attendance. She said programs teaching acceptance were needed now more than ever.

**Resolution commending Jane Eigenrauch**

Councilwoman Horgan reviewed Jane Eigenrauch’s career at the Red Bank Public Library and noted her dedication to her position.

14-331 Mayor Menna read, “A Resolution Commending Jane Eigenrauch.”

Mayor Menna and Councilwoman Horgan presented the resolution to Ms. Eigenrauch.

Ms. Eigenrauch thanked the Council for their kind words and for their work with the library. She acknowledged the Eisner family and her library colleagues.

**American Planning Association Presentation**

Paul Gleitz from the NJ Chapter of the American Planning Association reviewed his organization and explained that they group had started a People’s Choice Awards this year. He reviewed the selection process and said Red Bank had won as the people’s favorite downtown. The congratulated the Borough and presented a plaque to Mayor Menna.

Councilwoman Horgan noted that RiverCenter should share in the reward because of the efforts in the downtown area.

Councilman Zipprich thanked Margaret Mass of the Red Bank Visitor’s Center also.

**Capital Budget Amendment No. 1 Public Hearing**

14-321 A Resolution Authorizing Adoption of Capital Budget Amendment No. 1.

Mayor Menna said they would be delaying action on the resolution because he believed the Ordinance that would require the resolution was going to be tabled.

**RESUME REGULAR ORDER OF BUSINESS**

Councilman Murphy offered a motion to resume the regular order of business, 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.

**WORKSHOP**

Hubbard Bridge Closure—Administrator Sickels reported that Hubbard's Bridge on West Front Street would be closed from January 5 until May. He said there had been a meeting on the matter earlier in the day and reviewed who was in attendance. He said they had formed a plan to get the information out to the public.

**APPROVAL OF MINUTES – December 3, 2014**

Councilman Zipprich offered a motion to approve the minutes, 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.

**MAYORAL APPOINTMENTS**

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Murphy had no report.

Councilwoman Burnham noted that she had previously suggested that the area in Marine Park that formerly housed the tennis courts could be used as a dog run until another plan was finalized. She said the Mayor had expressed concerns about the Department of Environmental Protection and she said she had contacted them and been told they would not have an issue with it.

Mayor Menna asked that she get a letter from the DEP stating that.

Councilwoman Burnham also reported that she had reviewed the ordinance and found that, as Chair of the Code Enforcement, Environmental Control, Health, Welfare and Building Codes Committee, it was her duty to serve as liaison to the Environmental Commission. She asked that she be appointed as such for the following year.

Mayor Menna said he would look into the matter.

Councilwoman Horgan reported that the Library Board of Trustees would meet the following evening at 6:30 pm and said they would be partnering with St. Anthony's Church for a holiday musical the following Friday. She said proceeds from the concert would be divided between St. Anthony's and the library.

Councilwoman Lewis had no report.

Councilman Zipprich reported that the Shade Tree Committee had planted 33 trees in coordination with the New Jersey Tree Foundation. He thanked them for their hours of work this year. He said the Historic Preservation Commission was meeting that same night. He reported that there had been a ribbon cutting at the Red Bank Train Station the day before and noted that it had been dedicated to the late Supreme Court Justice and Red Bank Mayor Daniel O'Hern. He reviewed highlights of the event. He also reported on the progress of the road program.

Councilman DuPont noted it was the last meeting for Councilwoman Juanita Lewis and he thanked her for her service and said it had been a pleasure to serve with her. He commended her for her efforts on the Finance Committee and recommended that she be appointed to municipal committees. He commended CFO Poulos and Administrator Sickels and all of the directors and employees of the Borough for their efforts throughout the year.

**COMMUNICATIONS AND PETITIONS**

None.

Mayor Menna said before he opened for public comment he wanted to note that there was an ordinance on the agenda for Public Hearing and he believed Councilman DuPont wanted to make a statement on.

Councilman DuPont said he would offer a motion to table the ordinance but said he believed the meters needed to be replaced and said he would readdress it after the first of the year. He said there had been some misinformation and said the proposal was not about spending but to authorize the Borough to go out to bid. He apologized for not being at the previous meeting to clarify the issues. He said he would also be offering a motion to table resolution 14-321 which was the enabling resolution for the ordinance.

Councilman Zipprich said the ordinance was good planning and noted there were a limited number of water meters left in the Borough's inventory and the manufacturer no longer made them. He said there were also advances in technology that needed to be taken into consideration.

Councilman DuPont offered a motion to table both Ordinance No. 2014-25 and Resolution No. 14-321, seconded by Zipprich.

**ROLL CALL:**

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

NAYS: None

There being six ayes and no nays, Ordinance 2014-25 and Resolution 14-321 were declared tabled.

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

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

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

**ORDINANCES – First Reading**

**ORDINANCES – Public Hearing and Final Adoption**

2014-23 Mayor Menna read, “Ordinance 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.”

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 Murphy 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.

2014-24 Mayor Menna read, “An Ordinance Authorizing the Establishment of a Teen Advisory Committee of the Borough of Red Bank.”

Mayor Menna asked if anyone would like to speak.

Stacy Liss—Long Branch—said she worked in the Red Bank Regional Source Program and said they would like to be involved in the Committee. She reviewed the ways they were currently involved in the community.

Councilman DuPont said he would give her his card and asked her to contact him.

Councilwoman Horgan said they wanted students from each school to participate.

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

2014-26 Mayor Menna read, “An Ordinance of the Borough of Red Bank, Monmouth County, New Jersey Changing the Name of a Previously Unnamed Pocket Park to Ralph “Johnny Jazz” Gatta Park.”

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.

Councilwoman Lewis 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.

Councilman Zipprich said Mr. Gatta's family had been hoping to attend but were unable to. He said the entire family wanted to send their appreciation for remembering Mr. Gatta.

Councilwoman Horgan thanked Councilwoman Lewis who she said was the brainchild behind the idea.

## RESOLUTIONS

14-320 Mayor Menna read, "A Resolution Releasing Maintenance Guarantee Regarding Downtown Investors VI, LLC, 137-139 Broad Street, Block 59, Lot 3

Councilman DuPont offered a motion to approve the resolution, 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.

14-327 Mayor Menna read, "A Resolution Authorizing Tax Appeal Settlement Regarding 116 Associates, Inc., Block 46, Lot 15, 116 Broad Street, Red Bank, New Jersey

Councilman DuPont offered a motion to approve the resolution, 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.

14-328 Mayor Menna read, "A Resolution Authorizing Tax Credits/Refunds Totaling \$37,596.26 due to Judgments of the Tax Court of New Jersey

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.

14-329 Mayor Menna read, "A Resolution Authorizing Tax Credits/Refunds Totaling \$3,022.98 due to Duplicate Payment by Property Owner.

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.

14-330 Mayor Menna read, "A Resolution Authorizing the Borough of Red Bank's Purchasing Agent to Enter into a Contract with MONOC for Emergency Medical Services.

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

Councilwoman Burnham asked if the Borough had looked into a shared service agreement to avoid paying MONOC.

Mayor Menna noted that adjacent municipalities had complained that the burden of helping with Red Bank calls had been too much. He said other municipalities were not interested and most only had a fraction of the calls that Red Bank did.

Councilman Murphy said MONOC would provide medics 24/7. He said this contract would make Red Bank a priority. He said it was difficult to get volunteers and noted that other towns were having the same difficulties. He said it was difficult for volunteer First Aid members to commit to the hours needed. He also noted that Red Bank's call volume was much higher than other towns.

**ROLL CALL:**

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

NAYS: None

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

14-332 Mayor Menna read, "A Resolution to Extend the Temporary Suspension of the Parking Deficiency Schedules in the Borough's Planning and Development Regulations During an Economic Emergency.

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

Councilwoman Horgan questioned the need to continue since the vacancy rate had improved.

Councilwoman Burnham suggested they base the formula on seating such as a restaurant.

Mayor Menna reviewed other types of businesses.

Councilman Zipprich said he agreed that it should be based on business size. He said he felt it should be reviewed because it had been extended for the past four years and said there had been an increase in the number of businesses.

Mayor Menna said the vacancy rate had improved but said there were still a lot of "dark spaces" in town and construction costs were still high. He noted that the resolution had a sunset clause for June 30, 2015.

There was a discussion of when the contribution would affect businesses that were in mid-project.

Attorney O'Hern said it was a confusion ordinance and recommended that it be reviewed and amended before reinstating to clarify it and make it friendlier.

Councilman DuPont said he felt the economy was still soft and felt an extension was required. He agreed that it should be reevaluated during the extension.

**ROLL CALL:**

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

NAYS: None

Councilmembers Burnham, Lewis and Zipprich all voted in favor with the comment that the matter should be reviewed during the extension.

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

14-333 Mayor Menna read, "A Resolution Authorizing Transfer of 2014 Current Fund.

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.

14-334 Mayor Menna read, "A Resolution Authorizing and Approving Collective Negotiation Agreement Between the Borough of Red Bank and C.W.A. Local #1075 Blue Collar & White Collar/Clerical Employees for the Years 2014 through 2016.

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.

14-335 Mayor Menna read, "A Resolution Requesting the NJDOT to Evaluate the Need for a Pedestrian Crossing at State Highway 35/Riverside Avenue and Veteran's Park.

Councilman DuPont offered a motion to approve the resolution, 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.

14-336 Mayor Menna read, "A Resolution Rejecting Bids for Chestnut Street Water Treatment Plant Chemical Feed System Improvements.

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.

### **PROCLAMATIONS**

None.

### **PAYMENT OF VOUCHERS**

14-337 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$2,850,325.58."

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.

### **NEW BUSINESS**

Councilman Zipprich said he wanted to thank Councilwoman Lewis for her service and commitment to the community. He spoke of her years of public service and reviewed her accomplishments. He commended her commitment to the youth of the community and thanked her for her selfless commitment and for her friendship.

Mayor Menna said all of the members of Council felt the same way. He said she was not leaving and would not be separated from the Council. He said people don't realize the personal sacrifice that was made when one served as a public servant. He thanked her for her years of service.

Councilwoman Horgan spoke of a special bond that she had with Councilwoman Lewis and reviewed the history of their relationship. She said Councilwoman Lewis was graceful and gracious.

Councilman Murphy thanked her for her service to the community and to the Council.

Councilwoman Lewis said it had been an honor to be a member of the Council and thanked the staff, the administration, the professionals, the members of Council and the residents. She said she had learned about people and about herself and said her goal had been to make a difference in the community. She encouraged everyone to remember the greater good for the community.

### **AUDIENCE**

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

No one appearing, Councilwoman Horgan 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.

### **EXECUTIVE SESSION**

None.

### **ADJOURNMENT**

Councilwoman Horgan offered a motion to adjourn 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.

Respectfully submitted,

Pamela Borghi