

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 26, 2014
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Councilwoman Lewis via phone/Skype

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

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 Zipprich offered a motion to suspend 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.

Presentation by Jim Walsh – Regional Director of Food and Water Watch

Mayor Menna noted that there had been some chatter about the possibility of looking into the privatization of the Borough's Water/Sewer Utility. He said he had been on the Council longer than anyone else and could attest that the matter had come up during previous administrations. He said, each time it had come up, it had been reviewed and he or his predecessor had concluded that the utility was a valuable capital asset of the Borough that made money and served a public purpose. He said he felt it would be foolhardy to consider the issue of privatization. He said that no resolution had been proposed that would favor that and, if there were, he said he would veto it.

He introduced Mr. Walsh.

Jim Walsh of Food and Water Watch explained his organization and said they saw water privatization as a major threat to the human right to water and a major problem to municipalities. He said he wanted to make sure that the Mayor and Council and the Borough's residents were aware of concerns regarding privatization which included loss of public control, higher rates, degraded service quality and degraded environment. He expanded on these concerns particularly the increased costs to consumers, job loss and risks to public health. He noted the Borough could save money by entering into shared service agreements or using bulk purchasing. He also noted that currently residents were entitled to information about the water utility through the Open Public Records Act and said private companies had no such requirement.

He thanked the Council for its support and noted there was a bond question on the agenda. He said he felt it was the right decision for the Borough. He said the Council should be applauded for taking a step forward to invest in critical infrastructure.

Mayor Menna thanked Mr. Walsh and complemented him on his presentation. He confirmed that there was a bond ordinance on the agenda for action. He said all Council members take their obligation seriously and said they were stewards of the town that had an obligation to make sure that the capital infrastructure system was constantly upgraded to meet the needs and services of their constituents and future generations. He said it was a smart ordinance because it addressed the impact that Superstorm Sandy and other storms had had on the infrastructure, particularly the water/sewer utility. He noted that

the Borough Engineer, Borough Administrator and Public Works Department had worked together to secure funding sources to reimburse the town through Federal and State funds. He pointed out that those funds may not be available to a private entity.

Councilman DuPont said the Borough was blessed with water and control of their water while out west they had neither. He said this demonstrated pro-active action on the Borough's part and a better understanding of the reasons for maintaining the Borough's water infrastructure as well as the current entity. He said he had not realized that the discussion had been going on since Mayor Arnone's administration. He said he thought the Council would be smart to listen to the experts.

Councilwoman Horgan noted that Mr. Walsh had come to the Environmental Commission the previous evening and had given a more in-depth presentation. She said the Commission had passed a resolution supporting public financing of water/sewer improvements and opposing water privatization. She read the resolution and Mayor Menna asked that it be included in the record:

Whereas, the Borough of Red Bank has a strong commitment to protect the health, safety and welfare of its citizens; and

Whereas, public health depends on equitable, universal access to safe water and sanitation; and

Whereas, privatization of the water or sewer system would be an irresponsible abdication of the Borough's duty to ensure safe, sound and accessible service for its residents; and

Whereas, continued public ownership and operation of the drinking water and waste water systems are the most responsible way for the Borough to ensure that every resident has access to safe and affordable drinking water and waste water service.

Now, therefore be it resolved that the Red Bank Environmental Commission urges the Borough Council to pass appropriate ordinances to keep Red Bank's water supply in the public domain and take necessary actions to ensure necessary water and sewer improvement projects, and

Be it further resolved that the Red Bank Environmental Commission urges the Borough Council to reject any proposal to sell lease or otherwise privatize the Borough's drinking water and waste systems.

She noted that the resolution was passed unanimously by the Commission members. She thanked Mr. Walsh and thanked Food and Water Watch for their support.

RESUME REGULAR ORDER OF BUSINESS

Councilman DuPont offered a motion to suspend 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

No workshop items.

APPROVAL OF MINUTES – January 8, 2014

Councilman Murphy offered a motion to approve the minutes, 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.

APPROVAL OF MINUTES – January 22, 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

No Mayoral Appointments.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy pointed out two ordinances on the agenda one of which dealt with snow removal on sidewalk and another that concerned parking prohibition during snow emergencies. He noted that there had been seventeen snow falls so far in the year and they had been dealing with overnight parking issues. He added that there had been several years with smaller amounts of snow and people had developed a tendency to park in the street and then forget to move their vehicles. He said current ordinance only calls for vehicles to be removed from certain snow emergency routes and said the proposed ordinance would call for vehicles to be removed from streets during snow storms throughout town.

Mayor Menna said they last time the Council had addressed the issue, they had not had that much input. He said this time they had had input from the Police Department, from the Police Commissioner and from the Department of Public Works (DPW). He said the ordinance before the Council differed from the one proposed previously because it was not a blanket ordinance that would preclude blanket parking of vehicles on all streets. He said the current ordinance would only affect parking during a snow emergency. He said they took into consideration comments from residents as well as DPW and the Police Department.

Councilman Murphy said another sensitive area that the Parking Committee would be discussion would be overnight parking of commercial vehicles. He said, while they don't want to disturb hard working residents, they were beginning to find school buses parked on the street. He said the Parking Committee would be working to resolve the issue.

Councilwoman Burnham said she was looking forward to the Parking Committee meeting with great anticipation because they had not yet met. She said she had to read on redbankgreen.com about the parking garage that was coming.

Councilman Murphy said the Parking Committee had not had any discussions about a parking garage.

Councilwoman Burnham again noted that it had been reported on redbankgreen.com.

Councilman DuPont said he had raised the issue at a previous Council meeting and had suggested they hire a consultant to discuss the White Street parking lot. He said it hadn't been a suggestion to build a garage but to have experts provide the Council with a reasonable basis, pro or con, for the purpose of developing White Street with a parking garage and whether or not it would be in the Borough's best interest. He said he had first suggested it two years ago and, because of the economic downturn, they had not had the money to move forward. He said he had recently brought it up again and it was his understanding that the matter would be brought up at the next Council meeting to consider retaining experts to provide the Council with advice. He stressed the action would not be to build a parking garage but to seek advice. He said he was not sure if the redbankgreen.com article was correct in reporting about the building of a parking garage.

Councilwoman Burnham said she hoped she would be invited to that Committee meeting since she was on the Committee.

Councilman DuPont toed that he was not the Chair.

Councilman Murphy confirmed that he was the Chair. He said there had not been a meeting so for this year and there had not been a reason for a meeting. He said once the matter opened up for discussion, after the contract was awarded, the Committee would be involved in the discussions.

Councilwoman Burnham said there were other parking issues such as parking on the street. She noted that a resolution had already been before the Council.

Councilman DuPont pointed out that they had discussed it at the previous Council meeting.

Councilman Murphy said if there was a reason to have a Parking Committee meeting they would and Councilwoman Burnham would certainly be invited.

Councilwoman Burnham asked about the appointment of the Chairperson to the Community Garden Committee. She said that the Mayor had been given the name of her recommendation.

Mayor Menna confirmed that he had received it right before the meeting and would add the action to the agenda.

Councilwoman Burnham reported that the Community Garden was going into its second year and said the applications were on the Borough's website. She said there would be a lecture on "Vegetable Gardening with an Organic Twist" at the garden on March 5 at 7 pm. She said it was not limited to Community Gardens but was open to anyone interested in gardening. She said she had also brought a sample of the T. Thomas Fortune t-shirt and noted they were for sale to support the restoration effort.

Councilwoman Horgan said she had no report.

Councilwoman Lewis reported that the Parks and Recreation Committee had met on the 19th and discussed housekeeping items including park maintenance. She noted there was a resolution on the agenda regarding the topic. She reminded everyone of upcoming sign-ups for spring sports programs. She said more information was available on the Borough's website. She also asked Councilwoman Burnham to confirm the location for the lecture.

Councilwoman Burnham said it would be at the Red Bank Library.

Councilman Zipprich reported that Department of Public Works Committee had met the previous week and had reviewed items with the Borough Engineer including the road program and water treatment repairs. He said he had been reviewing line items in the Department's budget with the Director and the CFO. He said the Historic Preservation Commission would be meeting later in the evening and said they were preparing a report on their ongoing dialog with RiverCenter about the Historic District signage revisions. He also reported that the Shade Tree Committee had been very active over the winter working with the Urban Forestry Coordinator on Canopy Projection Mortality Modeling. He said they had also submitted their annual report which includes having removed 47 hazard trees, ongoing mulching and watering and their continued pruning program. He added that they had inventories 242 trees in the last year.

Councilman DuPont said they were continuing to work on the budget and he hoped to have it introduced on March 26. He said he was happy they would be having a thorough discussion on the White Street design and, more importantly, that they were hiring consultants to assist them. He said he felt it was in the best interest of Red Bank. He also reported that the Monmouth County Tax Appeal Pilot Program had been a success because there had been a reduction in tax appeals. He said he did not have the numbers for Red Bank yet but, based on the information he had been provided from the County, there had been a reduction. He said he hoped that was a sign the economy was improving.

Mayor Menna said he had just verified that the Monmouth County program did not have the same result in Red Bank. He said theirs had gone up rather than down. He said that was one reason they were putting out an RFP for a revaluation.

Mayor Menna said he wanted to return to Mayoral Appointments and appoint Anne Jones as the Chair of the Community Garden Committee.

Councilwoman Horgan offered a motion to approve the appointment, 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.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Paint the Town Pink to hang a banner on Shrewsbury Avenue from April 29-May 31, 2014.

Councilman Zipprich offered a motion to approve the request, 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.

Request from Lunch Break to hang a banner on Shrewsbury Avenue from September 1-October 31, 2014.

Councilman Zipprich offered a motion to approve the request, 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.

Request from Lunch Break to have valet parking on Drs. James Parker Boulevard between Bridge Avenue and Willow Street on Tuesday, March 11, 2014 from 5 pm to 9 pm, approved by Chief of Police.

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

Boris Kofman—28 Riverside Avenue—noted that Councilwoman Lewis had mentioned resolutions concerning park maintenance. He asked if that would include replacing landscaping and noted some had been lost during Hurricane Sandy and since.

Mayor Menna asked Administrator Sickels to address the question.

Mr. Sickels said maintenance would include cutting, raking and cleaning. He said there was money put aside in a bond for repairs to the park but said he was not sure if it included plantings.

Mr. Kofman asked if it could be taken under consideration.

Mr. Sickels said he would have to look at the specs but said they did not normally do that because it increased costs. He said the contract would cover maintenance of the parks rather than additional items. He said it may include nominal annual plantings but not new initiatives.

Mr. Kofman asked what the vehicle would be for that.

Mr. Sickels said it would be done through the budget.

Noah Carpenter—Public Relations Specialist at Riverview Medical Center—said he wanted to thank the Council for their support of “Paint the Town Pink” over the past seven years and said they deeply appreciated it. He said without the town’s help, the event would not be what it was today including spanning 30 towns and two counties. He said he would make himself available and left contact information.

Mayor Menna said it was a great program.

Councilman DuPont said he wanted to personally thank Riverview and discussed his own personal experiences.

Councilman Zipprich also discussed his family experiences and commended Riverview for their support of the program.

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

ORDINANCES – First Reading

2014-5 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter XIII, “Property Maintenance,” Section 13-4, “Removal of Snow and Ice from Sidewalks” of the Revised General Ordinances of the Borough of Red Bank.”

Councilman DuPont offered a motion to adopt 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 approved.

Public hearing and final adoption to be held March 12, 2014.

2014-6 Mayor Menna read, “Ordinance Amending and Supplementing Chapter VII, “Traffic,” Section 7-3.10, “Parking Prohibited on Certain Streets during Snow Emergency” of the Revised General Ordinance of the Borough of Red Bank.”

Attorney O’Hern noted that the title as it currently existed stated “Parking Prohibited on Certain Streets...” and said, once adopted, the word “Certain” would be eliminated because it would be town wide.

Councilman Zipprich asked if it would apply when the Borough ordered a State of Emergency or when the Governor did.

Mayor Menna said it would be when the Borough issued the State of Emergency. He said the Borough historically had dovetailed on the State declaration unless it was limited to another part of the State.

Councilman Zipprich 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.

Public hearing and final adoption to be held March 12, 2014.

ORDINANCES – Public Hearing and Final Adoption

2014-3 Mayor Menna read, “Bond Ordinance Authorizing Various Water and Sewer Utility Improvements for the Borough of Red Bank, County of Monmouth, New Jersey; Appropriating the Sum of \$2,208,000 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 \$2,208,000; 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 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.

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

Councilwoman Burnham asked about the pump station at Marine Park and said she thought it was being paid for out of FEMA funds.

Mayor Menna explained that it the Borough would be reimbursed after the work was done.

Councilwoman Burnham asked how many sewer pumps there were and noted they were bonding for sewer pump station generators.

Administrator Sickels said there were three stations that did not have generators.

Councilman Murphy asked how many sewer pumps there were all together.

Mr. Sickels said there were nine.

Councilwoman Burnham asked who had come up with the numbers.

Mr. Sickels said they were the Engineer’s estimates.

Mayor Menna review the process used to come up with the estimate.

Councilman Murphy noted that it would go out to bid.

Mayor Menna confirmed and said the Council could accept or reject the bids.

Councilwoman Lewis asked when the Council would see a debt schedule.

Councilman DuPont said she would see that when the budget was introduced in the next couple of weeks.

Mayor Menna said he thought it was anticipated that, even with the addition of this bond, the debt amount would be coming down for 2014 because a number of previous bonds would be going off.

Councilman DuPont said the Finance Committee had been monitoring the Borough’s debt and noted that the debt had decreased close to twenty percent over the last five years. He said they anticipated that it would decrease again this year. He said they try to pay the debt down while planning and budgeting for items like aging infrastructure.

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:

- 14-48 A Resolution Regarding Mosquito Extermination Commission 2014 Aerial Surveillance and Treatment Program.
- 14-49 A Resolution Authorizing the Borough Engineer to Advertise and Receive Bids for the Boiler Replacement Project.
- 14-50 A Resolution Authorizing the Borough Engineer to Advertise and Receive Bids for the Repairs at Riverside Gardens Park.
- 14-51 A Resolution Authorizing Refunds Due to Overpayment of Taxes or Utility for Various Reasons.
- 14-52 A Resolution Authorizing Refunds Due to Overpayment of Taxes or Utility for Various Reasons.

- 14-53 A Resolution Authorizing Refunds Due to Overpayment of Taxes or Utility for Various Reasons.
- 14-54 A Resolution Authorizing Refunds Due to Overpayment of Taxes Due to Judgments of the Tax Court of New Jersey.
- 14-57 A Resolution Accepting and Adopting the Monmouth County Municipal Joint Insurance Fund's 2014 Safety and Compliance Program.
- 14-59 A Resolution Authorizing Refunds Due to Overpayment of Taxes Due to Judgments of the Tax Court of New Jersey.
- 14-60 A Resolution Amending the 2014 Temporary Appropriations.

Councilwoman Burnham asked about Resolution 14-48 regarding the Mosquito Extermination Commission Treatment Program and asked if people would be notified.

Mayor Menna said the County notified those affected and reviewed the requirements for the notification.

Councilwoman Burnham asked if a notification could go out to residents.

Mayor Menna said he did not see why they couldn't but noted that statutory obligation was with the County.

Councilman Zipprich pointed out that the correspondence from the Mosquito Extermination Commission said it anticipated the resumption of the aerial surveillance and treatment program on or about April 1.

Councilwoman Burnham said she also had a question on Resolution 14-49 and asked what boiler was being replaced.

Councilman Zipprich said it was a 90 Monmouth Street.

Councilwoman Burnham asked about Resolution 14-50 regarding bids for repairs at Riverside Gardens Park and asked Mr. Sickels if it was basically maintenance.

Mr. Sickels said there would be repairs on the sidewalk leading down to the river as well as damage that had been done by skateboarders. He said they would be making some changes to make the park less attractive to that type of activity.

Councilwoman Burnham asked if the retaining wall would be included.

Mr. Sickels said that it would.

Mayor Menna noted that this would be the first major repair to the park since it had been built.

Councilman DuPont 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.

- 14-55 Mayor Menna read, "A Resolution Awarding a Contract to Perform a Complete Revaluation of all Real Property in the Borough of Red Bank as of October 1, 2104 for the 2015 Tax Year."

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.

- 14-56 Mayor Menna read, "A Resolution Accepting Bid from and Awarding Contract to Greenleaf Landscape for the 2014-2015 Park Maintenance Contract."

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

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.

14-58 Mayor Menna read, “A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (Fire Marshal/Construction Office). “

Councilman Murphy 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

14-59 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,226,279.45”

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

Administrator Sickels reported that the invitation to bid on the Firehouse should have been in the Asbury Park Press that day. He said it would appear three consecutive weeks and noted that there would be a mandatory inspection for all bidders on March 13 at 2 pm. He said the receipts of bids would be March 25 at 10:30 am in the Council Chambers. He said it was a public auction. He said those that could not attend could send a sealed bid but noted it would be an auction to the highest bidder. He said, as directed, the minimum bid price was set at \$475,000.

Councilwoman Burnham said she had heard Councilman DuPont mention several times in the past the pedestrian problems people were having on Highway 35 near the Atrium. She asked if anything was being done and said she realized it was a County road.

Mayor Menna said it was not a County road.

Councilman DuPont pointed out it was a State Highway and said he had spoken directly to the State Department of Transportation (DOT) Commissioner. He said he also knew that Mayor Menna had sent a letter to both Senator Beck and the DOT. He said he had also spoken with Freeholder Director Arnone and Freeholder DiMaso and said they had been taking an active role in the matter. He said he thought it was an area that was extremely dangerous for seniors. He said he had seen a senior citizen have an accident there while he had been sitting at a light. He said he also knew the Mayor had followed up on it.

Mayor Menna said they had moved as far as they could go locally. He noted they had the support of the Borough Engineer who had given the DOT all of the statistical data that they could. He said Police Chief McConnell had also joined him in meeting with the State and given data on traffic flow. He noted that, even though they weren't involved, the staff of the County Highway Department had also met with them. He said the County was supporting the Borough in their effort. He said Senator Beck had been involved in the process and had followed up with the Commissioner. He discussed the different levels of review that were required by the State and noted the staff that had been assigned to review the matter. He also noted how the neighborhood had changed over the years. He said the DOT had acknowledged the area had changed dramatically and had not ruled out the possibility of a traffic light at Riverside Avenue and Bodman Place and also the possibility of crosswalks and lighting near Riverview Towers. He said the State had acknowledged that the signal at the crosswalk light was too fast and had agreed to change it.

Administrator Sickels noted that Mayor Menna had hosted an onsite visit with all of the groups he had mentioned to observe the conditions.

Mayor Menna summarized that the Borough had done all that they could do and said he felt there was some degree of response.

Councilwoman Burnham asked Councilwoman Horgan about the Library bulkhead and said she thought it was an accident waiting to happen. She asked her thoughts on getting in touch with the American Littoral Society again. She said they would need a letter.

Councilwoman Horgan said she would discuss the matter with her.

NEW BUSINESS

AUDIENCE

Freddie Boynton—365 Shrewsbury Avenue—said Sickels that the County Street Department had never returned to clean off snow that was left after they had plowed. He said he had clean it himself and had to wheelbarrows full of dead grass. He said he also had questions about the hiring practices of the Borough. He asked someone to explain the procedure.

Councilman Zipprich asked what he was referring to.

Mr. Boynton said he was referring to Public Works.

Mr. Sickels said applications were received then copied and sent to Public Works. He said the Public Works Director conducts interviews the candidates and recommends hiring.

Mr. Boynton asked if the Director had the choice to hire whoever he wanted to hire or if the Administrator reviewed it.

Mr. Sickels said the Director would make the recommendation, background checks were done and then it went to the Council for permanent hiring.

Mr. Boynton said it seemed like they were hiring retired police officers who were people that were getting a pension. He said he had brought this up before and Councilman Zipprich had said he was trying to help the middle class. He asked how they were helping the middle class by hiring people that were already getting a pension. He said there were people that were really desperate for a job, even if it was temporary. He claimed he was aware of a situation a couple of years ago where Mr. Watson had sent a supervisor to the home of someone who did not work for the Borough to get him to work on a garbage truck. He said the man was later hired but did not fill out an application until he was done working. He said he had a problem with the Borough not treating everyone fairly. He said he was not going anywhere and that his concerns would have to be addressed. He claimed he was aware of Borough employees that had worked in other towns and had had tests come back positive. He questioned the background checks and asked why the employee was working here if the other towns had gotten rid of him. He also said he was questioning the hiring of senior citizens and said he did not think they could do the work that may be required. He said they needed to hire younger employees. He said when he worked here, employees would work in whatever Department they were needed. He said these practices caused friction. He said they should give people a chance. He also said he had been told applicants needed a CDL but claimed people were being hired without it.

Mr. Sickels reviewed the practices that were in place including part time employment, full time employment, skill requirements, experience and CDL requirements. He said he could not comment on particular employees but said they did hire some people for part time positions when they felt their background might be of benefit in that position. He said one of the situations Mr. Boynton had discussed may be an example of that. He said having a police background may be helpful. He added that the choices go before the Public Works Committee of the Council. He said he felt they did a good job in matching people with the duties they were going to perform. He told Mr. Boynton that, if he had any specific issues, they could be pursued through the Union's grievance procedure. He said they had had over 100 candidates for the job and they had looked at the best candidates which was what they were supposed to do. He said they do talk to previous employers and send candidates for pre-employment physicals and background checks.

Councilman Zipprich said he had met with Mr. Watson that morning and they had discussed the last positions that had been advertised. He said Mr. Watson had reviewed over 50 resumes before culling them down to about a dozen candidates that possessed the skill sets that the Department needed before making the recommendation to hire. He said, regarding Mr. Boynton's point that young people should be given an opportunity, he noted that the Borough publicly advertised for the positions and said there were applicants from all age groups.

Mr. Boynton said it seemed to him that the Borough hired whoever was recommended by Mr. Watson. He also claimed that a Supervisor told him that he had been sent to get a Councilperson's nephew out of bed in order to hire him. He said by the time the application gets to the Administrator or the Council, it had been approved. He again cited an employee that he said he been fired by two other towns. He said he felt if they could give that man a chance, they could give people who lived in Red Bank a chance. He said if the town wasn't hiring the right help, they would not be able to get the work done. He said it would slow down the process and they would not be able to get the garbage collected. He took issue with the discussions to privatize. He again said the Borough was hiring people Mr. Watson wanted to hire and said it was not being done fairly. He said he felt people had a hard time getting a job because Mr. Watson was a retired police officer. He said "we" didn't know anything about people that came from other towns and suggested they could be sex offenders.

Mr. Sickels said that was why the Borough did background checks.

Mr. Boynton questioned how someone who had been terminated from other towns could be working here if a background check had been done.

Mr. Sickels said there was a time that Mr. Boynton had recommended that the Borough hire someone who had been fired from the Borough. He noted that the employee had actually been fired twice and Mr. Boynton had asked that he be brought back. He said sometimes people make changes in their lives that make them eligible to be hired. He said he could not speak on specifics but said Mr. Boynton had made a lot of allegations that he was hearing of for the first time and said he would be glad to speak to him aside because they could not discuss it in public.

Mr. Boynton said he did not want to hold up the Council while he and Mr. Sickels went back and forth but said he felt Mr. Sickels knew what was going on. He said he wasn't going to bring it up but said it was not fair. He said he was looking forward to the summer when he would be seeking permits for a march from Shrewsbury Avenue to 90 Monmouth Street on behalf of hiring in Red Bank that he said was not fair. He also claimed there were issues going on in Red Bank that should be the paper but were not.

Councilwoman Burnham said she supported Mr. Boynton on this issue and said she had been hearing it for quite some time. She said she had seen older gentlemen being hired and she also questioned the practice. She said she had seen an employee smoking a cigar while, driving a truck that he was backing into the Community Garden and said he had backed over some posts. She asked why they weren't hiring young family men that wanted to move forward. She said the first choice should be to hire residents of the Borough because they have pride in the town. She questioned the practice of hiring retirees who were collecting a pension.

Councilman Zipprich said, as a government entity, they comply with the Equal Opportunity practice and could not discriminate.

Councilwoman Burnham said she was not talking about age discrimination; she was talking about trying to pick the best employee.

Councilman Zipprich said if someone came through the door that had qualifications that fit the description of the job advertised, they couldn't decide not to hire them because they were too old or too young.

Councilwoman Burnham agreed but said if there were an older man and a younger man with the same qualifications...

Mayor Menna said age should not be a consideration and that would be illegal.

Administrator Sickels said that would be making an assumption that both people had the same qualifications and unless she had compared the applications and sat in the interviews, she did not have that information.

She said she had discussed the matter with the garbage men and heard them talk.

Mr. Sickels said "talk" was difficult and she had to have all of the information in front of her. He said they could share it with her but could not discuss it in public.

Richard Ashton—15 Clifford Place—said he was a lifelong Red Bank resident and said he agreed with Mr. Boynton. He called the hiring practices "foul." He offered the example of his son who was a combat veteran from Iraq. He said he had applied for jobs in Red Bank but had not been hired. He also gave the example of his brother who had been applying in Red Bank for over 10 years and had experience with blacktop. He said he thought it was an issue and said the retirees were "double dippers." He suggested Red Bank change their policies regarding hiring practices. Mr. Ashton also questioned the purchase of recycling cans without wheels that were distributed to Senior Citizens.

Councilman Zipprich said the cans had been donated by the County.

Mr. Ashton asked Councilman Zipprich why there was no provision to drop off bulk items. He said he knew that Mr. Sickels had said there was an issue with people from out of town dropping off but he said he had checked and said every other town had bulk drop off so questioned why they would bring it here.

Councilman Murphy asked if the Borough had hired any Senior Citizens.

Mr. Sickels said they had not.

Councilman Murphy asked what the age was to be considered a Senior Citizen and mentioned a person who had been hired.

Attorney O'Hern said they could not discuss specific employees.

Edgar Boynton—126 River Street—said he had been putting applications in for the Borough for the past ten years. He said he had a Class A CDL license and a background in construction for the past fifteen years. He said he could not understand why he had not been hired. He named some specific issues in town. He also said the tax in Red Bank keep going up and said he needed a job to help pay them.

Richard Ashton—noted that the Council had passed an ordinance requiring corner properties to shovel to make the crosswalk accessible and said once residents shovel it out, the plow would come by and pile it right back up. He asked if they would be fined for that.

Mayor Menna said that was not the intent of the ordinance. He said he knew what Mr. Ashton was talking about and said they would not be focusing on residents.

Sandra Davis—18 Shorebrook Circle, Neptune—said she was the president of the Red Bank NAACP. She asked if there was an Affirmative Action statement that had been filed regarding the Borough’s hiring practices.

Mayor Menna said the Borough was required to do that and had complied. He said they would be happy to disclose it to her.

EXECUTIVE SESSION

ADJOURNMENT

Councilman DuPont offered a motion, seconded by Councilman Zipprich 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