

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 12, 2014
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council President Murphy 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 Ballard.

ABSENT: Mayor Menna.

SUNSHINE STATEMENT

Council President Murphy 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 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.

Health Insurance Marketplace Presentation

Councilman Zipprich introduced Captain Jean Kelahan of the United States Public Health Service and said she was stationed with the Centers for Medicare and Medicaid Services. He said she was attending to report on the Health Insurance Market Place and what was happening in the local community.

Captain Kelahan thanked the Council for their time and offered a video presentation. She thanked Councilman Zipprich for providing a partnership with the Centers for Medicaid and Medicare Services and for bringing many of the services to the community of Red Bank. She distributed packets of information on the Health Insurance Marketplace to the Council along with her contact information. She reviewed healthcare.gov and explained how it worked. She said the purpose of her visit was to create awareness of outreach activities in the Borough and asked Council members to community the information.

RiverCenter Budget Presentation

RiverCenter Director James Scavone said the Board of Directors had approved the budget on February 26, 2014 and noted that it had to go before the Council as per statute. He said the budget remained flat at \$512,000 and had been so since 2009 when it had been lowered from the 2008 amount of \$624,000. He noted that the assessments were not taken from Borough tax funds but were an additional assessment on properties within the district. He reviewed the items that were funded by the budget. He noted that the Administrative/Operations budget was decreased in 2014 by over \$30,000 and said the savings would go into programs and services. He said, in addition to the \$512,000 assessment, RiverCenter brought in additional funds and had budgeted \$55,000 in fundraising efforts and \$24,000 through parking permits. He also noted that the organization had worked with the Red Bank Visitor’s Center to secure a grant through the New Jersey Department of Tourism of \$26, 250 which would be used to promote Red Bank outside of the State of New Jersey. He said they also raise \$75,000 in sponsorships and event participation fees each year. He said they would be increasing their business recruitment efforts in the coming year to try to reduce the vacancy rate. He said they would also be adding a large festival in Marine Park at the end of June in addition to the other events they already coordinated. He said they hoped to complete the visual improvement project in front of Borough Hall as well as additional

streetscape projects.

Council President Murphy thanked him for the presentation and asked what the time frame was for the plaza in front of Borough Hall.

Mr. Scavone said he would be working with the Borough Administrator to get permits and said they were ready to go after being held up due to weather. He said it should take two to three weeks. He said Count Basie had been very cooperative and had donated benches.

The Council members thanked the staff and commended them on promoting Red Bank, maintaining a vibrant downtown and keeping the budget flat.

Mr. Scavone thanked the Council for working closely with them.

Councilwoman Burnham asked for an update on the mural project.

Mr. Scavone explained that the RiverCenter Board was looking to bring a mural project to the Borough and was in the infant stages of researching funding and production for the project. He said there was not a lot to report at this time. He said they hoped to implement by 2015.

Councilwoman Burnham asked where they had planned to put them.

Mr. Scavone said they would go on the sides of building and said they would work with property owners.

Councilwoman Burnham said they did a great job of camouflaging empty store fronts at Christmas time and asked if they had thought about doing it year round.

Mr. Scavone said they were looking into designing some type of window covering that could promote the town and look nice.

Councilwoman Burnham suggested prints of historic photos.

Council President Murphy asked if RiverCenter had ever done a mural in town. Mr. Scavone said he believed the mural in Riverside Gardens Park had been done through RiverCenter.

Councilwoman Burnham noted that RiverCenter had also worked to have the electrical boxes painted over and camouflaged. She said they were spectacular and said the artist was a Red Bank resident.

14-74 Council President Murphy read, "A Resolution Approving the 2014 Budget of the Special Improvement District of the Borough of Red Bank."

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.

RESUME REGULAR ORDER OF BUSINESS

Councilman DuPont 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.

WORKSHOP

Monmouth Street—Council President Murphy said it would be nice to see the project completed on Monmouth Street and asked Administrator Sickels if funding had been obtained to take down the building at 106 Monmouth Street.

Mr. Sickels said it had.

Council President Murphy said once the house was down, they would redo the layout of the parking lot and it would result in a nice project.

Councilman Zipprich said the matter was being discussed at the next Department of Public Works meeting.

Councilwoman Burnham asked if the Council had discussed taking down the old Mazza property.

Council President Murphy said the Borough did not own it. He said it was a good suggestion but said the property was bogged down with back taxes, penalties and multiple liens..

APPROVAL OF MINUTES

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Burnham reported that there were new basketball hoops at Montgomery Terrace. She thanked John Garofalo, who she noted was a member of the Red Bank Regional Board of Education, for donating his services to stripe out the area. She also reported that she had been dealing with a lot of Code Enforcement issues and commended the members of the staff for their quick response. She said the Community Garden on Marion Street only had four plots left and said people could go on the Borough website under the Parks and Recreation tab to request a plot.

Councilwoman Horgan reported that Lunch Break had had a reception the previous evening to launch their capital campaign. She said they already had two million dollars pledged for their expansion and reviewed those plans. She also reported that the Environmental Commission had met the previous evening and said they had a lot of activities planned including hosting a World Water Day cleanup at the end of Chapin Avenue on March 22 from 9am to noon. She said they were also planning a bike rodeo in the spring, a backyard composting workshop and a fall eco-bike tour of Red Bank homes. She said they were also working on an anti-idling campaign. She said they continue to seek Sustainable Jersey certification and needed volunteers for their Green Team. She also reported that the Environmental Commission Chair had asked anyone with environmental health issues to reach out to her. She also noted that it was Women's History Month and said there was a proclamation on the agenda. She reviewed the history of Women's History Month.

Councilwoman Lewis reminded everyone that registration was currently open for Parks and Recreation programs and encouraged enrollment of the younger Borough residents.

Councilman Zipprich also reported on the expansion at Lunch Break and said there would be a ground breaking on the following Friday. He also noted that it was Women's History Month and encouraged everyone to recognize the contribution women had made to history. He acknowledged Red Bank's only female Mayor Katharine Elkus White and also the sitting Councilwomen for setting examples for young women everywhere. He expressed his pride in his daughter's accomplishments as well as his mother. He also recognized CFO Poulos for her efforts and Engineer Ballard as one of only two female Municipal Engineers in the State. He said the Department of Public Works Committee would be meeting the following Wednesday to prioritize tasks and to review final budget figures. He said they would also discuss the water/sewer fee structure and alternative methods for seasonal meters. He said he would report back on the Committee's findings. He reported that he had helped celebrate Dr. Seuss' birthday by participating in the National Education Association's Read Across America Week reading to students at the Primary School. He said he had also represented the Council at the Primary School's Black History Month celebration and said the acting Superintendent had asked him to convey his thanks for the Council's continued support. He reported that the Red Bank Borough Education Foundation was holding a 50/50 raffle on the first of April. He thanked John Ward for posting the information on redbankgreen.com. He said the Historic Preservation Committee was finalizing their annual report. He said they had been working with Elizabeth McDermott at the Red Bank Library and thanked her for sharing her historic knowledge. He said they had been focusing on the history of the west side of Red Bank. He also reported on the ongoing renovations at the Red Bank Train Station.

Councilman DuPont reported that the budget would be introduced on March 26. He noted that Department Heads had been submitting their budget requests and said the Finance Committee was asking for a flat budget. He said they would have a public meeting where the Administrator and Department Head would present their budgets. He also noted that he was a staunch advocate for the Library and said he thought it was important to confirm the Council's commitment to the Library. He said some falsehoods and misimpressions had been reported. He said he thought it was important for the Council to reaffirm its commitment to the Library. He reviewed his personal relationship with libraries. He noted that the Borough had paid the pension contribution for the Library the previous year and said he was in favor of doing so this year. He asked his fellow Councilmembers to support that. He also explained that, under the current recession, the Library's budget had been reduced. He explained the funding formula for the Library and noted that it was based on the Borough's assessed value. He outlined how tax appeals had affected the Library budget. He said the Borough gave the Library the statutory amount and that it

was run by an autonomous Board. He again said the Mayor and Council needed to publicly reaffirm their commitment to the Library. He said the innuendos that they were taking the library and building condos there was not basis on history, facts or documents. He addressed Councilwoman Burnham and said when she posted something like that, it created hysteria.

Ms. Burnham said it was her opinion.

Councilman DuPont said her opinion needed to be based on facts, documents or some discussion and said there was none of that. He said he wasn't saying she wasn't in support of the Library but, as an elected official, he said they had to understand that their words had implications. He said they should all work together. He noted that the Friends of the Library committee had been formed to raise money to help with the shortfall. He said he was prepared to match, up to \$1,000, all of the donations that the Mayor and Council donated to the Library. He outlined the many services provided by the Library and many reasons to support it including the fact that it was only place open during Hurricane Sandy. He called it the heart and soul of Red Bank. He asked everyone to remember their duty to the Library and called for an end to critical comments and asked everyone to praise the Library Board and the Friends of the Library. He spoke of the role the Library plays in the lives of Borough children. He spoke of some of the economic factors on the horizon and again noted his personal history with libraries.

Councilwoman Burnham said she agreed with how the Library helps the Borough's youth. She said it also helped Seniors especially that were within walking distance. She noted that many programs that were offered. She said she also hoped they could do something about the bulkhead. She said she had already donated her \$1,000,

He said he just felt they all needed to be on the same page and said it was not a political issue. He said he also want to bring up one other item which was regarding a resolution that had recently been done in Bradley Beach to prohibit Seismic Air Gus Testing in the Atlantic Ocean to search for oil and gas. He read the resolution and asked that it be added to the agenda.

Councilman Zipprich thanked Councilman DuPont for his passion and agreed that the Library needed community support. He said it was an important asset to the Borough and noted that it was not just the facility and the collections, but also the people who had served the residents.

Councilwoman Burnham also noted the beautiful view.

Councilwoman Lewis said she wanted to comment as a born and raised Red Bank kid and said she remembered taking her sibling to the Library over summers and enjoying the opportunity to expand their universe. She said she hoped the Community could band together to make sure that the Library was adequately funded. She said it was an important resource and an important institution in town. She encouraged everyone to continue to support it.

Councilwoman Horgan said she wanted to add that she had been appointed Council representative to the Library in January and had attended two of the Board meetings. She said she had been impressed by the passion and commitment of the Board, Foundation and Friends to the Library. She also talked about her personal experiences at a library. She said money had to be raised and the Library needed to be funded. She reviewed some of the Library's programs and urged everyone to donate.

COMMUNICATIONS AND PETITIONS

Council President Murphy read a request from Mansfield Williams for membership to the Fire Police Unit of the Red Bank Volunteer Fire Department.

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.

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

Council President Murphy asked if anyone would like to speak.

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

Councilwoman Burnham said she had a question on resolution 14-68. She said she understood what it was for but said there had been a missing basketball hoop and net at Count Basie Park for two and a half years. She asked if that repair could be included.

Administrator Sickels said it had already been budgeted and said the repair would be made after the surfaces were done.

Councilwoman Burnham asked if it would be done by summer.

Mr. Sickels said it would.

Councilman DuPont said he had also requested break-away rims to avoid damage

ORDINANCES – First Reading

ORDINANCES – Public Hearing and Final Adoption

2014-4 Council President Murphy read, “An Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter 490, Planning and Development Regulations, Article II (“Definitions”), §490-6, for Retail Food Establishment.”

Council President Murphy opened the public hearing and asked if anyone would like to speak.

Russ Crosson—Coffee Coral, Drs. Parker Boulevard—said he was much in support of the ordinance and that it was much appreciated. He also said he appreciated everything that was being done on behalf of the Library.

No one else appearing, Councilman Zipprich 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 DuPont 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.

2014-5 Council President Murphy 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.”

Council President Murphy opened the public hearing and 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.

2014-6 Council President Murphy 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.”

Council President Murphy opened the public hearing and 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 Zipprich.

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

By Consent Agenda:

- 14-62 A Resolution Calling for a Ban on the Subtherapeutic Use of Antibiotics in Livestock Agriculture.
- 14-63 A Resolution Requesting an Extension of the April 1, 2014 Termination Date for FEMA Housing Assistance and an Extension of FEMA Rental Assistance for Families Displaced as a Result of Damage Caused to Their Homes by Superstorm Sandy.
- 14-64 A Resolution Authorizing Release of Maintenance Bond Regarding Spring Street Associates, LLC, 297 Spring Street, Block 110, Lot 6.
- 14-65 A Resolution Releasing Performance Bond and Accepting Maintenance Bond for Lake Avenue Water Main Improvements.
- 14-66 A Resolution Authorizing Person-to-Person Transfer of Plenary Retail Consumption License No. 1340-33-014-011 (Triumph Brewing Company).
- 14-67 A Resolution Authorizing Acceptance of Grant Agreement between the Borough and the County of Monmouth, Department of Human Services, Division on Aging, Disabilities and Veterans Services.
- 14-68 A Resolution Authorizing Purchase of Outdoor Athletic Surfaces Under a National Cooperative Purchase Agreement for the Count Basie Park and Eastside Park.
- 14-69 A Resolution Adopting a Form required to be used for the Filing of Notices of Tort Claims Against the Borough of Red Bank in Accordance with the Provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:8-6.
- 14-70 A Resolution Authorizing Person-to-Person Transfer of Plenary Retail Consumption License No. 1340-33-004-005 (Murphy Style Grill).*
- 14-71 A Resolution Amending the 2014 Temporary Appropriations.

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilwoman Horgan with Councilman DuPont abstaining on Resolution No. 14-70.*

ROLL CALL:

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

NAYS: None

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

- 14-72 Council President Murphy read, "A Resolution to Approve the Hiring of Maureen Nocella as Senior Secretary in the Clerk/Registrar Office."

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.

- 14-73 Council President Murphy read, "A Resolution Confirming the Appointment of Bonnie Thomas as Deputy Registrar."

Councilman Zipprich 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.

14-75 Council President Murphy read, “A Resolution Fixing Fees and Charges under Chapter XVIII “Parks and Recreation” Section 18-6 “Fees and Charges” of the Revised General Ordinances.”

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

ROLL CALL:

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

NAYS: None

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

14-76 Council President Murphy read, “A Resolution Fixing Fees and Charges under Chapter XVIII “Parks and Recreation Section 18-6 “Fees and Charges of the Revised General Ordinances.”

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

ROLL CALL:

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

NAYS: None

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

14-77 Council President Murphy read, “Resolution Authorizing Change Order No. 1 Related to the Contract with GMH Associates of America, Inc. for Chestnut Street Clarifier Improvements Project.”

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

ROLL CALL:

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

NAYS: None

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

14-78 Council President Murphy read, “A Resolution Opposing Seismic Air-Gun Testing in the Atlantic Ocean.”

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.

PROCLAMATIONS

Council President Murphy asked Councilman Zipprich to read a proclamation proclaiming March 2014 as Women’s History Month in the Borough of Red Bank.

PAYMENT OF VOUCHERS

14-79 Council President Murphy read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,190,551.76”

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

AUDIENCE

Marge Conti—122 N. Riverside Avenue—expressed concern with restaurants that had seating on sidewalks. She said the restaurants sometimes added trees and there was not enough room for people to walk and she often had to walk in the street.

Administrator Sickels said he would meet with her after to get more information.

Council President Murphy said Councilwoman Burnham had mentioned earlier that the Borough had a great Code Enforcement Department that monitored sandwich board signs and sidewalk cafes and said they would be following up.

Councilwoman Burnham said she thought the sandwich board signs were controlled by RiverCenter.

RiverCenter Director James Scavone said they were enforced by Code Enforcement. He also asked Ms. Conti to report any issues to the RiverCenter Office. He noted that the restaurants were required to have five feet of clearance.

Candace Fowler—362 Crawford Street, Shrewsbury—thanked the Council for their time and noted that she was a full time employee at the Borough's library. She reviewed statistics from people served and services offered at the library in 2013. She said at the start of business that day, the library had 11 employees including the director. She said at the close of business they had been informed that there would be only six full time employees remaining and said there was a rumor that there would be one more employee dismissed the next day. She noted that this would leave only five employees including the Director who had notified the Board and the staff that she was leaving as early as May. She said as of the next day the library would not be able to offer the same level of service that it had for the last 75 years. She said the staff was asking the Council to open a dialog with the Library Board of Trustees to find a better solution to the fiscal and personal needs of the library which she said was a vital service to the Community.

Elizabeth McDermott—36 Ellsworth Ct., Middletown—said until today she had been the Local History Librarian at the Red Bank Library. She thanked Councilman Zipprich for mentioning her name and said the Historic Preservation Committee would no longer be able to do any research at the Library because the History Room had been closed. She said she wanted to highlight a recent book that had come out called "The Legendary Locals of Red Bank" and said it was the first of its kind in Monmouth County. She said the book would not have been able to be published without the Red Bank Library. She said the author had done half of her research at and received half of the photos from the Red Bank Library. She noted that she had received donations of approximately \$8,000 in the past year from individuals who wanted the money to be used by the History Room. She read a letter from the Library Director that had been sent to the Red Bank Lions to thank them for their donation but noted that the \$8,000 remained in the coffers because she was not there and said she believed the History Room would remain closed because there was not enough staff to run it. She reviewed her public outreach efforts and the programs she had started. She stressed the need to preserve Red Bank history.

Marion Quinn—140 Manor Drive—spoke on behalf of the library and said it enriched everyone's lives. She spoke of her experiences there with her children.

Sally Gordon—49 Windward Way—said she could not believe a town as wonderful as Red Bank was facing this library crisis. She said she understood the library was a gift from the Eisner family. She said they were now facing a cut back in staff and said she believed the hours had already been cut earlier in the year. She noted the many advantages that had already been mentioned but also noted that the library was open in the evenings for community groups, classes and seminars. She spoke of her personal experiences with libraries and said the books helped her learn to speak English. She urged the Council to figure out how to get past the crisis.

Teicia Gaupp—30 Tower Hill Avenue—said she was saddened by the stories for the staff and community as a whole. She spoke of her experiences at the library with her children and their participation in their programs. She called on the Council to come up with an "out of the box" solution.

Russ Crosson—Coffee Corral, Drs. Parker Blvd.—welcomed Councilwoman Burnham to the Council. He said he wanted to discuss to issues. First, he said he wanted to speak about the library and noted that he had grown up in Red Bank. He suggested his business and others could donate a portion of their proceeds to the library for a given month. Secondly, he said he was pleased to hear that the Council had adopted an ordinance to allow businesses to have tables. He discussed the municipal expenses involved in trying to do a renovation to his property and noted that it had to be put on hold. He encouraged the Council to do anything that they could to support local businesses.

Councilman Zipprich pointed out to Mr. Crosson that April 13 to 19 was National Library Week. There was a discussion on ways that businesses could promote that.

Council President Murphy complemented Mr. Crosson on his property.

Mr. Crosson also thanked Sarah Klempner for getting the word out about library.

Ginny O'Keefe—275 Spring Street—said she was happy to be on the Friend of the Library. She said she wanted to note the demographics of the Borough and the number of Spanish speaking people the use the library. She said to have that availability cut would be drastic.

Sira Williams—179 Bridge Avenue—said she was a resident and had been the Children's Services Coordinator at the Library. She said she had received her notice earlier that day. She said she wanted to speak on behalf of the children. She noted the many programs the library offered and the many young families that did not have resources, did not have computers and were not able to purchase the items

needed for school. She thanked for the support that had been expressed and hoped the Council could start a dialog with the Board and bring transparency to the budget process.

Councilman Zipprich said he wanted to tell her that members of the community with children had a tremendous amount of respect for the effort that she had put into the Children's Room and said they held her in high regard.

Councilwoman Burnham agreed.

Sue Goldberg—148 State Route 36, Highlands—said she was not a resident but had come to the Borough several years ago to purchase a library card because she had been impressed with the library. She said she now volunteered there and could not overemphasize what had been said by the library staff. She said the dialog with the Board needed to happen immediately. She called the staff cuts horrible and said she had a great deal of respect for the people who work at the library and for their commitment. She said she did not know the solution but again stressed the need for dialog. She said she respected the comments that came from the Council in support of the library but it needed to be more than talk.

Councilwoman Horgan assured her that the dialog was underway.

Sarah Hansen—64 Harding Road—noted her experience as a Library Director and said she was currently the Assistant Director of the Ocean County Library. She called for a serious look at the management of the library and criticized how the layoffs were handled. She implored the Council to make changes to the Board and look to their resident base for those with skills to assist. She said the issue should not come as a surprise and noted the frequent change in Directors over the last several years and the economic downturn. She told the Council to stop resting on their laurels and fix the problem.

Kathy Lou Colemorgen—67 Oakland Street—noted she had been a patron of the library since she was a child and was also a volunteer. She noted that one of the days she volunteered was Saturday and said there had been times that the library was so short-handed that she had been asked to watch some of the children in the library while the Children's Library was running programs for others. She noted that that was before the library had laid off staff. She said she really hope it stayed open and told the Council they could not rely on volunteers.

Jane Eigenrauch—192 Chapel Hill Road, Middletown—said she had been the Adult Services Library at the library for 37 years. She said she would feel remiss if she did not speak after colleagues, friends, supporters and volunteers had all spoken. She said she had spent her professional career at the library and as of the next day there would be four people on staff plus the Director who would be leaving soon. She discussed the limited hours and said she could not explain the drastic measures that had been taken. She asked the Council to look into the matter. She spoke of the many services offers including those for the elderly. She praised Ms. Williams and the Children's Program as well as Ms. McDermott and the New Jersey Room. She reviewed the efforts of others and called for more transparency in the budget process. She said it was an emergency and did not see how they could sustain the library. She said she hoped the jobs were restored and noted she would be retiring in the fall. She thanked the Council for their attention and asked them to take the situation seriously because she was afraid they would lose the library.

Councilman Zippich thanked her for her impassioned presentation and told her she had a tremendous amount of respect from the community and from her colleagues.

John O'Roarke—38 Windward Way—noted that Councilman DuPont had spoken in support of the library and had said it would be fully funded to the statutory level and had pledged \$1,000 of his own money. He pointed out the Councilwoman Burnham had also pledged \$1,000. He said it sounded like everything was going to be fine but said apparently it wasn't since there were staff cuts.

Councilman DuPont explained that the issue was that there statutory budget was based on assessments and assessments had gone down. He said they had discussed the matter at the Finance Committee meeting and had questioned whether or not they could give additional money from the town's budget to help fund the library.

Mr. O'Roarke said that was the question he wanted to ask. He asked what the shortfall was and how much would be needed to restore the library to full service.

Councilman DuPont said he did not have the numbers in front of him because the Department Heads were just providing their budgets in the past couple of weeks as part of the budget process. He again noted that the Finance Committee had discussed whether or not the Borough could give what they thought was approximately \$100,000 to the library. He said the Committee was in favor of it but said they had asked the CFO and the Borough Attorney if the Department of Community Affairs would allow it. He said they were thinking outside the box and were not resting on their laurels but looking at alternative funding options. He encouraged audience members to done and asked everyone not to lose hope. He pledged that the library would be funded.

Mr. O'Roarke also expressed concern about how the library would be funded annually.

Councilman DuPont said, if the value of the town increased, the library funding would increase.

Tim Kirby—26 Windward Way—express support for the library staff. He said he was confused how an affluent community was unable to finance their public library. He understood that there were

accounting/budget issues that he was unfamiliar with. He said the public library was fundamental to any small town. He said he was concerned about how it got to the position where staff and hours had to be cut. He said he heard it mentioned that there was hope but said he had also heard that people had already been laid off. He asked, if the funding was restored, would the employees return to work.

Councilman DuPont said he wanted to address two of Mr. Kirby's questions. First, regarding how it arrived at this point, he explained that the library budget was based on the assessment of the town. He said as that assessment went down, the funding went down. He noted that there were additional donations such as from the "Friends of the Library." He also explained that all municipal budgets must go to the Department of Community Affairs for approval and the question had been could the Borough give additional money over and above the assessed value. He again noted that they had asked the CFO and Borough Attorney whether or not they could do that. He said he did not know the answer to that question yet. He said there was legitimate reason to believe they could do that but before he could commit to it, the DCA would have to approve it.

Administrator Sickels noted that, by State statute, the Library Board was in charge of operating the library. He said the board prepared the budget based on the statutory amount and were empowered to adopt policies and supervise personnel. He said the town owned the property but the Board operated the library and approved the budget.

Mr. Kirby wished the Council luck in finding a solution.

Councilman Zipprich asked Mr. Kirby if he understood the process that had been explained.

Mr. Kirby said he did not.

Councilman Zipprich reviewed in more detail how the library was funded.

Sarah Klempner—25 Campbell Street, Middletown—said people had made it very clear to the Council how important the library was to them. She said she wanted to stress the importance of Ms. McDermott's role at the library. She said history was precious and also noted that Red Bank had been ranked highly in a recent article because of cultural offerings. She said the library was one of the few public places that people gathered from both sides of town. She explained how the library had been important to her. She talked about the importance of a library during a recession. She offered some finance suggestions including putting a living shoreline in place to save the expense of repairing the bulkhead. She also suggested that every Borough employee making more than \$75,000 per year be asked to donate a couple of thousand dollars. She urged the Council to reverse the layoffs immediately and said they had been very abrupt. She said the Library Board president John Grandits had said that the two percent statutory figure was a minimum not a maximum.

Mr. Grandits said from the audience that that was not what he had said.

Councilman Zipprich suggested that Ms. Klempner present her comments to the Library Board as well since they were the ones that governed the library.

Barbara Boas—135 Branch Avenue—spoke in favor of the library. However, she said, it was time to talk about what could actually be done. She said she wanted to know what the Council's oversight responsibility was in regard to the Library Board of Trustees.

Council President Murphy said the Board members were appointed by the Mayor with the consent of the Council.

Attorney O'hern said they were an autonomous Board but said there was some oversight. He said they were not completely outside the control of the Governing Body. He noted that the Mayor appointed the members but it was an autonomous Board with hiring authority and budgetary decision making authority. He said the Mayor and Council did not get involved in that. He said it was the Borough's responsibility to collect the fixed tax and disburse it to the library. He said they would be involved if there were improprieties but, from a general standpoint, it was an autonomous board that operated independently of the Governing Body.

Ms. Boas asked if there were criteria used to appoint members to an autonomous board with such a large budget.

Attorney O'Hern said he did not think there was specific criteria but said the Mayor and Council took the appointments very seriously. He said the members were vetted and the qualifications were considered. He said they could not speak about particular individuals.

Ms. Boas asked what the next step was and where the Board and Council would go from here.

Councilman DuPont said the Council had already asked the CFO and Attorney to contact the DCA to see if the Borough could give the library more than the statutory amount. If approved, he said the Finance Committee was in favor of making up the shortfall. He said it would then be included in the March 26 introduction of the budget and the Board would be notified. He said he was hoping they would have an answer within the next couple of days. He said they had also suggested having a coffee shop rent space in the library.

Ms. Boas asked if the Council did make those recommendations, was the Board required to listen.

Councilman DuPont said he thought the Board was open to suggestions.

Councilman Zipprich noted that the members of the Board were also Borough taxpayers.

Councilwoman Burnham asked if the town had formerly covered the expense of water usage at the Borough.

Administrator Sickels said they had. He said when renovations were done to the property, meters had been installed and water usage was metered and charged.

Councilwoman Burnham said she thought last year's water bill was about \$1,000 and suggested the Borough should cover it.

Councilman DuPont said it was a great idea and again noted that he was in favor of the Borough covering the shortfall if it was allowed.

Council President Murphy said the Council understood the situation. He said, in these trying times, cutting budgets was always difficult. He said they always found a way to make it work.

Stephen Hecht—135 Branch Avenue—said he was a supporter of the library and also of the municipal legislators. He stressed the need for transparency and called on the Council to look into it. He said he felt the Council had a responsibility. He said no autonomous board was totally autonomous. He said the Board members had not been elected, but the Council was.

Councilman DuPont said the CFO had asked for financial information from the Board and said the Administrator had also been in communications with the Board. He said he had not brought the transparency matter up because it involved personnel matters which could not be discussed in public. He said he knew that the CFO and Administrator would review and report back. He said the issues Mr. Hecht has raised were being evaluated.

Carol Dooling—22 Catherine Street, Fair Haven—said she had worked in the Borough's Zoning Office for ten years and had worked at the Library for ten years. She noted that the library employees that had been let go were also Borough employees. She said she did not believe anything like that had ever happened to a Borough employee unless there had been malfeasance. She said she found the situation shocking. She also noted that there had been a \$70,000 to \$80,000 shortfall during her second year as the bookkeeper for the library. She said it had come unexpectedly but said they had borrowed from different areas of the library budget and did without supplies and materials and got through it. She said it had not been easy but they had not had to lay anyone off. She questioned how \$131,000 could account for the salaries and benefits of two people.

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

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 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