

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JUNE 12, 2013  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Council Members Lewis (via phone), Zipprich, DuPont, Horgan and Lee.

ALSO PRESENT: Administrator Sickels, Municipal Clerk Borghi, Attorney O'Hern, Engineer Ballard, Chief Financial Officer Lapp and Auditor Kaplan.

ABSENT: Mayor Menna and Councilman Murphy.

Mayor Menna arrived at 5:39 p.m.

**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, 2013.

**SUSPEND REGULAR ORDER OF BUSINESS**

Councilwoman Lee offered a motion to suspend the regular order of business, seconded by Councilman DuPont.

**ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

**2012 Audit Presentation**

Auditor Kaplan reviewed the 2012 Audit and noted that the Borough was in a good financial position once again. He noted it had been an extremely challenging year with issues such as Hurricane Sandy and said the Borough had great people who had handled it well. He added that there were two recommendations in the Audit which were 1) that the Borough should solicit competitive bids whenever it was required to do so and 2) that the Foreclosed Property Register should be reviewed for accuracy. He elaborated on both of the recommendations.

Mayor Menna asked if anyone on the Council had any questions.

Councilman Zipprich asked for details on the Foreclosed Property Register and Auditor Kaplan gave more information.

Councilman DuPont thanked Auditor Kaplan for his stewardship as well as CFO Lapp for doing a great job in difficult times. He said it was good to hear that the Borough had gotten an unqualified report which was the best that they could get.

Mayor Menna asked if any members of the public had any questions regarding the Audit.

Peter Morfogenis—46 Manor Drive—asked if there was a footnote in the Audit regarding tax exempt properties and the portion of tax revenues that were part of the tax base.

Auditor Kaplan said there was no note to the Financial Statement that indicated the distribution of the assessed value. He said it was not a required disclosure but added that the information was readily available through the tax office.

Mayor Menna asked if any other members of the public had questions for the Auditor.

No one appearing, Councilman DuPont offered a motion to close public comment, seconded by Councilwoman Lee.

13-142 Mayor Menna read, "A Resolution of Governing Body Certification of the Annual Audit."

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

**ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Auditor Kaplan was excused from the meeting.

## **RESUME REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

## **WORKSHOP**

### **APPROVAL OF MINUTES – May 22, 2013**

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

## **MAYORAL APPOINTMENTS**

Mayor Menna appointed Kalman Pipo, 42 Wallace Street, as an Alternate Member of the Historic Preservation Commission.

Councilman Zipprich offered a motion to confirm the appointment, seconded by Councilman DuPont.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

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

Councilwoman Lewis reported that the Vision Committee had met the previous night and were continuing the planning and were working on band selection and sponsorships. She also noted that Parks and Recreation Committee would meet the following week.

Councilman DuPont reported that the Mayor's Wellness Committee was working with the Department of Public Works to install bike racks throughout town in an effort to make it more bike friendly.

Engineer Ballard noted that the Borough's Health Officer had obtained a grant to help purchase the racks.

Councilman DuPont noted that Health Officer Van Sant had been an active member of the Mayor's Wellness Campaign. He noted the Committee will also be hosting another one mile walk sometime in the fall. He said they hoped to exceed the 100 participants from last year.

Councilman Zipprich asked everyone to remember Senator Lautenberg in their thoughts and prayers and reviewed his career. He also noted that the President had issued a Pride Month proclamation earlier in the day and said it was fitting that there was a similar proclamation on the agenda that evening. He reported that the Historic Preservation Committee had held its first Spring Gathering at the Red Bank Women's Club the previous week and reviewed details of the event. He also noted that earlier in the day he and the Mayor had discussed the T. Thomas Fortune House, a national landmark on Drs. Parker Boulevard. He added that he had received a call from the National Park Service Landmark Preservation Bureau about a week before to discuss the state of the house and to confirm that it was still standing. He thanked the Mayor for stepping up to make sure that this important part of Red Bank history, and its only national landmark, remained unscathed and preserved. He said there were a number of people rallying to the cause to see how the owners could be helped to get the building stabilized and restored. He also reported that on the previous Tuesday he had attended the New Jersey League of Municipalities symposium on Property Tax Reform at Monmouth University. He said it was an interesting discussion on how New Jersey can move away from the traditional tax model of funding public education from property taxes. He also reported that the Public Works Committee would meet the following week.

Councilwoman Horgan reported that the Environmental Commission had met on May 28 and said the Mayor had attended the meeting. She said they discussed how Red Bank can improve its environmental footprint. She said they had also met the previous night and said members of the Commission were planning to participate in a program that had been coordinated by the YMCA at Red Bank Regional High School for incoming freshmen. She said the Commission would be putting together a program on composting and other environmental issues. She also reported that the Rent Leveling Board had met on May 30 to continue with the application by Grandville Towers. She said there was a good question and answer session. She said the Board would meet again on June 27 to continue with the Grandville Towers application to determine what expenses were maintenance and what were capital improvement. She also reported that the New Jersey Pride Festival and parade had taken place on June 2 in Asbury Park. She noted that she and Councilman Zipprich had attended along with other New Jersey

dignitaries. She said on Monday she and the Mayor had attended the Red Bank Regional High School Senior Awards Banquet and presented a resolution to the highest ranking Red Bank Senior, Samantha Lore. She also noted that Administrator Sickels' son had also received an award for his outstanding accomplishments in football.

Mayor Menna noted that, for about a year and a half, he had gotten conflicting reports about the Environmental Commission and said he wanted to thank Councilwoman Horgan for having them invite him. He said he had had a terrific night at the meeting and noted that a lot of misconceptions had been taken off of the table. He said he appreciated the opportunity to bridge the consensus of commonality of interest between the Council and the Commission.

Councilwoman Horgan said the Environmental Commission was very pleased to have the Mayor at the meeting and said she also thought it was very beneficial.

Councilwoman Lee reported that, on Sunday, she had attended the 10<sup>th</sup> Anniversary celebration for Rev. Porter at Pilgrim Baptist Church. She reviewed his accomplishments over his career.

Mayor Menna noted that Councilman Zipprich had discussed the issue of the T. Thomas Fortune House and historic preservation. He said he wanted to reaffirm that he had told the State that, although the municipality did not have an ownership interest of the property, its position continued to be that it was part of a national treasure and, as such, it was part of its historic inventory would soon be part of the Federal historic inventory. He noted that the Borough had a procedure where, before any adverse action was taken on a property on that list, the property owner and agents must notify the municipality for appropriate permits. He added that he had made it clear that, if any action was anticipated, those permits will be secured and Borough representatives will be heard. He said if there was any failure to follow through, the Borough and/or other agencies will follow through with appropriate remedies. He summarized by saying that although the Borough does not own property, they do have an interest in what happens to it and will be aggressively following through with those interests.

He also noted that, at the last Council meeting, there had been a report on the Dog Days of Summer in Red Bank. He praised the staff of Red Bank Veterinary Hospital for their full partnership in the event and also thanked the Monmouth County Regional Health Commission as well as other stakeholders. He said the event was scheduled to take place on the last Tuesday of the month. He added that it had originally been planned to start in June but would not begin until July and would continue through August, September and October, all on the last Tuesday. He also noted that the event had changed and would no longer be focused on the restaurants but would be a pedestrian mall on Monmouth Street for pets and their owners. He said there would be booths featuring sponsors and stakeholders from the pet industry. He said this event would be an answer to the criticism the Borough had received over the years for the fact that the Special Events in town did not include pets and said this would be an even for pets that would include humans. He said the final event on the last Tuesday in October would be Halloween for Pets on Monmouth Street.

Councilwoman Lee asked the Clerk to ensure that a representative of the Borough be on hand to express the importance of licensing pets and offered to man the table herself.

Mayor Menna said the Clerk had been participating in all of the meetings and that would be included in the event.

He also commended the sponsors and noted that Red Bank Veterinary Hospital, in addition to donating a number of services, supplies and treats, would be donating several permanent clean up stations to be placed throughout town.

Councilwoman Horgan asked if there would be animals to adopt. The Mayor said there would and noted that shelters had been inundated after recent events such as Hurricane Sandy and the tornadoes in Oklahoma.

Councilman Zipprich asked the Mayor to confirm that the veterinary clinic would be present and if people wanted to have their pet vaccinated they could make an appointment. The Mayor said they would definitely be there.

Councilman DuPont said he wanted to add that he had read that a Walgreens was planning to come to Red Bank and, while he didn't believe an application had been filed, he wanted to express his concern about the proposal. Mayor Menna said he did believe an application had been filed but said everyone was aware of the traffic and safety issues involved.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from First Baptist Church for use of Riverside Gardens Park to hold a concert on Wednesday, June 26, 2013, approved by the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Mayor Menna read requests from Brett MacDonald for membership to Independent Engine Company of the Red Bank Volunteer Fire Department, from Keith Uklist for membership to the First Aid & Rescue of the Red Bank Volunteer Fire Department, from Brian Lane for membership to Liberty Hose Company of the Red Bank

Volunteer Fire Department and from Antonio Carattini for membership to Navesink Hook & Ladder Company of the Red Bank Volunteer Fire Department.

Councilwoman Lee offered a motion to approve the requests, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Mayor Menna read a request from The Foundation to Save the Jersey Shore, Inc. to hang a banner on Shrewsbury Avenue from June 13, 2013 to July 1, 2013 to advertise their fundraiser entitled "The Great Gatsby Fundraiser for Those Affected by Hurricane Sandy" to be held on July 12<sup>th</sup>.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Mayor Menna read a request from Liberty Hose of the Red Bank Volunteer Fire Department to hang a banner on Shrewsbury Avenue from July 1, 2013 to July 14, 2013 to advertise their car show.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Request from Contemporary Motor Cars to film a commercial in front of Dean's Flowers on Monmouth Street and to close Monmouth Street to traffic on Sunday, June 16, 2013 from 7 a.m. to 11 a.m.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee

NAYS: None

ABSTAIN: DuPont

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

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

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

#### **ORDINANCES – First Reading**

2013-9 Mayor Menna read, "An Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter XVI, "Fire Prevention and Protection" Section 16-10, "Technical Amendments."

Administrator Sickels explained that this was an amendment to Ordinance 2013-8 that was on this agenda for Final Adoption that would include an item that had been left out.

Councilwoman Lee offered a motion to adopt the ordinance on first reading, seconded by Councilman DuPont.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Public hearing and final adoption to be held June 26, 2013.

**ORDINANCES – Public Hearing & Final Adoption**

2013-6 Mayor Menna read, “An Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter XVI, “Fire Prevention and Protection” Section 16-8, “Additional Required Inspections and Fees Required by the New Jersey Administrative Code”, Section 16-9, “Registration; Permits; Fees”, and Section 16-10, “Technical Amendments.”

Administrator Sickels said a review of the ordinance had revealed that portions were not necessary because they were covered by the State Code that the Borough had adopted. He also noted that it would adjust fees.

Mayor Menna 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: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

There being five 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: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

2013-7 Mayor Menna read, “A Bond Ordinance Authorizing Various Water Utility Improvements for the Borough of Red Bank, County of Monmouth, New Jersey; Appropriating the Sum of \$500,000 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 \$500,000; 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.

James Harris—Mechanic Street—asked for clarification on the ordinance.

Administrator Sickels explained that it was to fund a water main replacement on Lake Avenue. He said the Red Bank Water Utility provides water to customers on that street who were residents of both Red Bank and Fair Haven. He said Fair Haven was doing a reconstruction of the road on Lake Avenue and it has been found that parts of the system needed to be replaced. He said the Borough felt it would be beneficial to make the repairs and upgrade at this time because Fair Haven would be paying for the reconstructing/paving of the road. He noted that normally when they do work on a main, the Borough has to pay for that. He also noted that revenue from the Utility would pay for the cost of the bond.

Mr. Harris asked if that meant that water and sewer rates would go up.

Mayor Menna that in a way they would but explained that the utility was required to be self liquidating.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

There being five 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.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

2013-8 Mayor Menna read, “An Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter XVI, “Fire Prevention and Protection” Section 16-10, “Technical Amendments.”

Mayor Menna 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: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

## RESOLUTIONS

13-125 Mayor Menna read, "A Resolution Authorizing the Borough Engineer to Design and Advertise for Bids for the Lake Avenue Water Main Improvement Project."

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

13-143 Mayor Menna read, "A Resolution Authorizing Refunds Due to Overpayment of Taxes or Utility for Various Reasons."

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

13-144 Mayor Menna read, "A Resolution Honoring Samantha Lore as the Highest Ranking Red Bank Senior."

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

13-145 Mayor Menna read, "A Resolution Requesting Change in Title, Text, or Amount of Appropriating Pursuant to NJS 40A:4-85."

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

CFO Lapp explained that this resolution would move funds from one line in the budget to another and would not affect the bottom line.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

13-146 Mayor Menna read, "A Resolution Authorizing Approval of Sidewalk Cafés."

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee

NAYS: None

ABSTAIN: DuPont

There being four ayes, no nays and one abstention, the resolution was declared approved.

13-147 Mayor Menna read, “A Resolution to Rescind Resolution No. 12-246 that Authorized a Person-to-Person Transfer of Plenary Retail Distribution License No. 1340-44-028-003.”

Councilman Zipprich asked for clarification. The Mayor explained that the buyer did not proceed with the purchase so it was being transferred back to the original owner.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee

NAYS: None

ABSTAIN: DuPont

There being four ayes, no nays and one abstention, the resolution was declared approved.

13-148 Mayor Menna read, “A Resolution Approving the Hiring of Joanne Strollo as Temporary Part Time Violation Clerk.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

13-149 Mayor Menna read, “A Resolution Renewing Contract Related to the Borough’s Water and Sewer Connections and Mains Force Account.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

**PROCLAMATIONS**

Councilman Zipprich read a proclamation proclaiming June 2013 as Lesbian, Gay, Bisexual & Transgender Pride Month in the Borough of Red Bank.

**PAYMENT OF VOUCHERS**

13-150 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,215,411.05.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**AUDIENCE**

Peter Morfogenis—46 Manor Drive—suggested the Council look at adopting an ordinance to make it illegal to cross a street while using a cell phone.

Mayor Menna said it was an interesting idea and said he agreed that people didn’t look where they were going but thought it would be a losing battle and difficult to enforce.

Mr. Morfogenis also asked about people who cross in the middle of the street.

Mayor Menna said that was not allowed and said he had participated in meetings on the subject. He also said a Yield to Pedestrian Task Force had been put in place and issued a number of summonses. He noted the Chief of

Police would be presenting a plan for greater enforcement of yielding to pedestrians. The other problem, he continued, was that pedestrians often cross against the light or in the middle of the street. He said that was illegal and the police would be enforcing that also.

Sean Di Somma—28 Morford Place—asked Councilman DuPont about fees associated with the bond.

Councilman DuPont said he did know the exact amount off of the top of his head.

Mr. Di Somma said he understood it was \$100,000.

The Mayor disagreed and said the bond was \$500,000 and noted there would be a cash component and asked CFO Lapp to elaborate.

Ms. Lapp said it was self-liquidating fund so the Borough did not have to put any money down.

Councilman DuPont asked Mr. Di Somma if that was what he was asking.

Mr. Di Somma said he was asking about professional fees.

Councilman DuPont asked if he was referring to the Engineer.

Mr. Di Somma said he was asking about engineers and lawyers.

Mayor Menna said normally with a bond, the Borough Attorney would have nothing to do with it and it would be handled by Bond Counsel. He said he did not think they had seen anything from the Bond Counsel on it yet but noted that it was normally a set amount per bond and a percentage of the actual bond.

CFO Lapp confirmed that no invoice had been received yet and said the rate had been set at the beginning of the year when the Professional Services were quoted.

Mr. Di Somma asked why the town was running a water utility and asked if anyone on the Council had ever worked for a water utility or sat on a Board of Directors of a public water utility.

Councilman DuPont said they had not but noted that the question had been posed before. He said an investigation done a few years ago to see if the utility was cost effective had shown that it was. He added that he had voted against any measures to sell the utility on the basis of that investigation. He said it showed the Borough was providing water for cheaper than some of the public companies. He reviewed the history of the water utility with the assistance of Councilwoman Lee and Administrator Sickels.

Councilman DuPont noted that the issue had come up in a debate and he had asked Ms. Lapp to do an investigation to see if it was cheaper for residents to have to utility and she had found that it was.

Mr. Di Somma disagreed and said there was no way that was possible. He also noted that, in his line of work, he dealt with public utilities, their Boards of Directors and CEOs. He said Red Bank had raised rates ten percent per year and asked them to compare rates to other water companies.

Councilman DuPont said he thought the last time the rates had been raised was about three years ago and said Mr. Di Somma's statement that the utility was not cost effective was not the case. He also said the rates that the public water companies had presented to the BPU had been extremely high. He added that he would have no problem with anyone looking at the books of the Borough's Water Utility saying it was cost effective. He also noted that when there was a major water problem last year, Red Bank residents had continued to have water delivered in a cost effective manner.

Mayor Menna said he understood Mr. Di Somma's comments and agreed that it was a public policy issue. He noted that, unlike traditional utility companies, Red Bank had a small Department of Public Works and said the people that serve in the water utility do multiple jobs and attend to other duties in Public Works. He said they don't have a lot of highly paid professionals like they do at other utilities. He also confirmed Councilman DuPont's statement that the Council had looked at the numbers and found it didn't make sense to sell.

Mr. Di Somma asked why the town even had a Department of Public Works and said some of the surrounding towns had started to privatize and were saving a significant amount of money.

Mayor Menna said that was a legitimate question.

Mr. Di Somma asked what the total bond obligation was for the Borough and the water utility.

Councilman DuPont said he didn't have the numbers off the top of his head and would have to pull the information.

Mr. Di Somma said the people of Red Bank were basically \$20 million in debt.

Councilman DuPont challenged that statement noting that the utility was self-liquidating so one would have to take into account the assets.

Mr. Di Somma said he understood but said it was still \$20 million in debt. He asked if, aside from the water, there was \$13 million in municipal debt.

Councilman DuPont confirmed that there was and noted the Council had reduced it over the last five years by thirty percent.



Mr. Di Somma asked how much they had increased property taxes over the last five years and said it was also thirty percent.

Councilman DuPont said that was not accurate.

Councilman Zipprich said he thought he might be including the taxes from the Boards of Education.

Mr. Di Somma said he was not.

Councilman Zipprich noted that schools take about 65 cents out of every dollar and the Borough runs on about 22 cents on the dollar.

Councilman DuPont said he thought it was 24 cents on the dollar and also noted that they would most likely see discussions on outsourcing the garbage collection.

Mr. Di Somma said he felt it was a shame and said when he compared Red Bank's property taxes to those of surrounding towns, Red Bank's was higher than almost all of them. He said no one on the Council had ever cut a tax or, to his knowledge, ever voted against a bond issuance.

Administrator Sickels said the Council would not put forward a bond ordinance that they did not feel was necessary. He asked why they would vote against something that they felt was appropriate and gave examples of when they have delayed action. He again noted they would only put a bond ordinance forward if they felt it was legitimate.

Mr. Di Somma compared the Council to an 18 year old with a credit card. He said he had to question their judgment and again said no one on Council had every voted against a bond issuance or cut or maintained a municipal tax rate. He said he had spoken with a gentleman who said he may have to leave Red Bank because his taxes were through the roof.

Councilman DuPont said he appreciated Mr. Di Somma's point of view but said he needed to take into consideration the fact that Red Bank was 16.1 percent not for profit tax exempt properties. He added that that was in excess of \$1 million dollars that the Borough loses in revenue.

Mr. Di Somma asked how many rateables Red Bank had in comparison to surrounding towns.

Mayor Menna said that would make no difference because if they had a certain percentage of those rateables that was tax exempt, it was money that they were not getting.

Mr. Di Somma said they should just tell everybody that their taxes were going up.

Councilman DuPont pointed out that there were things within the municipal budget that they could not control and when they kept operations and spending flat, some items still increased such as labor contracts. He said the phrase "cost effective" was a misrepresentation because the Finance Committee looks line by line for ways to cut the budget. He added that, not only has the debt gone down over the course of time, but they have also lost revenue in excess of \$200,000 due to the economic downturn. He suggest the tax system of balancing budgets on real estate should be changed. He also noted that the Borough had had in excess of \$20 million in assessed revenue lost due to the economic downturn. He said they also had expenses from Hurricane Sandy of more than \$500,000.

Mr. Di Somma said he understood the loss in assessments which he said was because 500 people in town appealed their taxes.

Councilman DuPont noted that that was both commercial and residential.

Mr. Di Somma said the same economic downturn had happened in surrounding towns yet it had not affected their tax rates.

Councilman DuPont said towns had cut in other ways and noted that Middletown had closed its library. He said Red Bank had been fiscally conservative and to allege or argue that they did not attempt to bring it in flat or cut was not true.

Mr. Di Somma asked him to admit he couldn't do it.

Councilman DuPont said they had demonstrated where they had cut and had also demonstrated the increase in costs that were beyond their control. He said Mr. Di Somma had failed to acknowledge that there were some costs beyond their control. He said he had also failed to acknowledge the points that he had raised where they had kept spending flat. He said he would be happy to go over the budget with him to show him where spending had remained flat. He also noted that the labor force had gone down over time and now multiple jobs were being done by one person because they haven't had the ability to hire. He noted that even with reduced personnel, the Borough still had to maintain its roads, ensure garbage collection, provide water. He said the water was a valuable resource in Red Bank together with the public employees. He acknowledged that they didn't get paid a lot but were doing a number of jobs.

Mr. Di Somma said he understood that but it took someone like him to come forward and suggest privatizing garbage.

Mayor Menna told Mr. Di Somma that the Council had had that discussion but perhaps had not brought it to the public. He said they should have it again and put the numbers out to the public then make a decision. He said another issue he had been espousing was to do what neighboring towns had done which was to have internal

engineering services instead of farming it out to a private firm. He said that was another public discussion the Council had to have.

Mr. Di Somma asked why that hadn't happened.

Mayor Menna said they still needed to get some numbers together.

Councilman DuPont said to remember that they would still have to make money off of it and could not spend more than they were currently paying. He noted several other towns that had in house engineers.

Mr. Di Somma claimed that Fair Haven had gone six years with no tax increase and that Red Bank had had a giant tax increase.

Councilman DuPont said he disagreed with that statement.

Councilman Zipprich asked if he had the same conversation with the school board where 65 cents of the tax dollar went.

Mr. Di Somma said it was on his list.

Peter MorforGenesis—asked why Red Bank didn't reach out to other municipalities to see if they could share services.

Mayor Menna noted that Red Bank had been on the forefront of shared services and had started the practice 20 years ago before Trenton began encouraging the effort. He gave examples of specific services including the fact that he had tried to merge court services with neighboring towns but they were not interested.

Cindy Burnham—71 Wallace Street—said the Memorial Day service was very nice and Parks and Recreation Director Crystian had done a nice job. She asked if next year they could include the flag salute, national anthem and "Taps." She said she thought those were importance parts of the service that should be included.

Mayor Menna said he had had a discussion with Director Crystian after the ceremony and said he had thought it was time to review how the Borough coordinates the ceremony. He said going back several years, the Borough used to have an active, primary role in the service. Since then, he continued a number of other institutions such as the Elks, had taken it over to assist the Borough. He said he felt it was time for them to sit down will all interested parties because they have to rebuild what they once had. He said it was not a reflection on Parks and Recreation because they had done a great job but their role was basically to put the players together. He said it was really run by the Elks and they had done a great job but it was time for the Borough to take an ownership interest. He said he was concerned with the lack of interest. He stressed that it had nothing to do the Parks and Recreation, but said he felt, as a community, they could do a better job.

Ms. Burnham said she felt saying the Pledge and playing Taps were very important.

Mayor Menna said it had to be more than that.

Ms. Burnham also asked about abandoned, boarded up houses or those with incomplete construction. She cited some specific examples and asked about enforcement.

Administrator Sickels asked Ms. Burnham to give him the list. He said the Code Enforcement Office investigates when they get a complaint since they can't go around and inspect every house.

Ms. Burnham said some of the situations had been in place for years.

Mayor Menna suggested she email Mr. Sickels.

Ms. Burnham asked who the owner of the property on the corner of Broad and Wallace streets.

Mayor Menna said he understood it was in negotiations for a new tenant.

Ms. Burnham asked who was responsible for maintaining the property.

Mayor Menna said it was the owner.

Ms. Burnham outlined current maintenance issues with the property.

Mayor Menna again suggested she email the Administrator with issues she sees. He also noted that the two Code Enforcement Officers were doing the best they could and noted that there used to be two additional part time officers that had not been replaced in an effort to save money.

Ms. Burnham noted that the Borough had hired more employees at the Department of Public Works.

Councilman Zipprich clarified that they had replaced positions that were vacant.

Mayor Menna note that the positions were filled because someone had either retired or gone out on sick leave but the pool had not increased.

Ms. Burnham asked about the status of 60 Broad Street which was boarded up. It was reported that a restaurant chain was going in.

Mayor Menna noted that it was taking a long time and suggested they be asked to expedite.

Administrator Sickels said one of the problems was that the State had directed that the approvals be given extensions due to the economy. He added that the situation used to be that if they did not start construction within the year, the approval would expire.

Engineer Ballard noted that it had recently been extended again.

Tracy Kohlstrom—376 Shrewsbury Avenue—expressed concerns about egregious actions by vehicles such as u-turns. She asked about enforcement and giving tickets.

Councilwoman Lee asked if there were specific hours when she was seeing this.

Ms. Kohlstrom said it was mostly during the day and again expressed concern.

Mayor Menna said, while a police officer cannot be an every corner, 24 hours a day, the Police Chief was aware of the issue and would be beefing up traffic enforcement.

Councilwoman Lee said it would be easier if she had been seeing a problem in a given area and said it was hard to direct an officer to look for issues in random locations.

Ms. Kohlstrom did say that she thought the intersection of Mechanic and Broad streets was an area where she saw a lot of infractions.

Councilwoman Lee suggested she report issues to the Traffic Division for follow up.

Administrator Sickels suggested she contact the Police Chief's Office.

Mayor Menna said the Chief was very responsive.

Ms. Kohlstrom also asked that signs be posted regarding littering and enforcement.

Mayor Menna said the ordinance was on the books and it was a question of enforcement. He said he didn't think they needed more signage.

Councilwoman Lee said the other issue was that someone had to see the offense to have a ticket issued.

Ms. Kohlstrom said she would like to see a police officer enforce the matter.

Peter Morforigenis—said he had seen bicycle patrols in the past and asked if they were still in place.

Mayor Menna said they were and the program had never been eliminated. He noted that the assignment was as the discretion of the Police Chief.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Respectfully submitted,

Pamela Borghi