

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JUNE 26, 2013
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilwoman Lewis.

Councilwoman Lewis joined by phone at 6:45 pm.

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

Councilman Murphy offered a motion to suspend the regular order of business, seconded by Councilman DuPont

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Teachers of the Year

13-151 A Resolution Commending Alyssa May on Being Named Teacher of the Year for Red Bank Primary School.

13-152 A Resolution Commending Amy Campbell on Being Named Teacher of the Year for Red Bank Middle School.

12-153 A Resolution Commending John Chestman on Being Named Teacher of the Year for Red Bank Charter School.

13-154 A Resolution Commending John DeBarberie on Being Named Teacher of the Year for Red Bank Regional High School.

Mayor Menna commended the teachers on their success and presented the resolutions.

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

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the resolutions were declared approved.

Mayor Menna urged the Westside Christian Academy, Red Bank Catholic and St. James Grammar School to also submit a Teacher of the Year from each of their establishments for recognition for the coming year.

Social Media Day Proclamation

Mayor Menna spoke of the benefits of Social Media and read the proclamation and presented it to representatives of the Red Bank-based company DefinedLogic.

RiverCenter Check Presentation

James Scavone of RiverCenter noted that the Second Annual International Flavour Festival had been very successful and presented checks to Monmouth Day Care and Red Bank Regional High School's Athletic Foundation. He said each charity would receive \$10,000. Representatives of each organization thanked RiverCenter for the donation.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

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

WORKSHOP

Mayor Menna said there were several quality of life issues for the Borough's residents that he thought should be addressed.

Proposed "General P & D Regulation" applicable to all zones of Red Bank

Mayor Menna said he thought Red Bank should try to protect more residential areas from noise and commercial development and he proposed they consider an ordinance to preclude drive in/drive through type commercial establishments within 100 feet of a residential zone excluding or exempt existing businesses.

Councilman DuPont said he thought it was a wonderful idea that would not only protect neighborhoods but would also reduce noise and traffic.

Councilman Murphy asked what would happen if one of the existing businesses such as a bank shut down and other bank wanted to move in.

Mayor Menna said from the land use perspective it would be known as a pre-existing non-conforming use and as long as there was no expansion it would be allowed.

Councilman Murphy expressed concern about commercial areas such as Front Street that had some residential use.

Councilman DuPont said he thought they were just trying to prevent more drive through establishment from going in to residential neighborhoods.

Councilwoman Lee noted that there were not a lot of opportunities for new businesses and there was not a lot of space. She asked if the proposed ordinance would affect the business district.

Mayor Menna said he thought it would have more of an impact on outlying areas that were near residential zones. He said he did not see that it would impact areas such as Monmouth Street, Broad Street or Shrewsbury Avenue.

Councilwoman Lee said she felt that there were residential uses throughout town and said there wasn't really a solid business district anymore.

Attorney O'Hern noted that there were defined zones and that any ordinance would only be applied to truly residential zones.

Mayor Menna confirmed that the core business district, by definition, would have to be excluded. However, he added that it may apply to residential zones.

Councilman Zipprich asked about Shrewsbury Avenue which was a mixed use of commercial and residential.

Councilman Murphy said he didn't want to limit or discourage opportunities.

Administrator Sickels said he would work with Zoning Director Barr and Attorney O'Hern to draft something for the Council's review.

"No Turn on Red" at White Street and Maple Ave

Mayor Menna said he thought there was confusion by some drivers regarding the delayed light and said there were a lot of near misses at the intersection. He said the Police Department had confirmed that there was a problem but were concerned that there could be a stacking issue with a no turn provision. He said the matter would be referred back to the Police Department and suggested designating specific lanes to help avoid stacking traffic.

Councilman Murphy noted that, since the light had gone in, there had been a 37 percent reduction in accidents. He said the Police Department was concerned about traffic backing up and were looking into changing the timing on the lights on Maple Avenue.

Councilwoman Horgan said she noticed that the Police report had suggested reducing the time on Water Street and she said that should not happen because it was part of Highway 35. She said if that was put in place it would really cause a backup. She said no turn on red with two lanes on White Street would be a better solution.

Councilman Zipprich asked if the State would have to be involved in the change.

Councilman Murphy said he did not think they would be involved on the time of the lights but would have to be notified.

A discussion followed of traffic issues at the intersection.

Councilwoman Lee asked them to also consider coordinating the timing of the light on Front Street by the bridge.

Pedestrian Crosswalk Enforcement on Broad Street and Shrewsbury Avenue

Mayor Menna noted that there had been requests from neighborhoods throughout town and said they needed to do more traffic calming. He also said summonses should be issued for jay walking and cars not stopping for pedestrians to help make people understand Red Bank was a pedestrian friendly town.

Ordinance to Establish Fine for Vehicular Impact with Front Street Railroad Bridge

Mayor Menna noted that normally when someone strikes the bridge, they would get a careless driving summons for minimal or no points on their license and a maximum \$200 fine or they were cited for obstructing traffic which was only an \$85 fine and no points. He noted that when these incidents happened, there was inconvenience to visitors, the commercial district, residents, volunteers and police officers. He said he was suggesting an ordinance that would carry a \$1,000 fine for an incident where commercial traffic impacted the bridge and resulted in preventing traffic from flowing through. He added that the fine would go to the municipality to offset the impact.

Administrator Sickels asked that the ordinance include a provision for additional costs incurred.

Mayor Menna suggested the fine should carry the nominal \$1,000 fine but could allow for additional out of pocket reimbursable expenses.

Councilman DuPont confirmed that it would only affect commercial traffic.

Councilwoman Lee asked if the measurements had been checked since the road was repaved.

Councilman Murphy asked if the same fine would be imposed for hitting a pole.

Mayor Menna said the Department of Transportation measure before they put up the sign.

Councilman Zipprich asked if they would need to post information about the fine.

Mayor Menna said it would have to be posted.

Councilman DuPont noted that the bridge would be changed soon.

Mayor Menna agreed but said he still thought it would be a problem.

Residential Food Composting Initiative

Councilman DuPont reported that New York City had started a pilot program calling for food waste to be separated and composted. He said New York City had found that this helped reduced fees. He said he wanted to refer it to the Environmental Commission to determine if it was a worthwhile program that could save the Borough some money.

Councilman Zipprich said he would also like it to be reviewed by the Board of Health.

APPROVAL OF MINUTES – June 12, 2013

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

ROLL CALL:

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

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy reported that there would be a celebration for Bob Laveratt and Don Wright at Navesink Hook and Ladder on July 21 at 3pm for their 50 years of service to the Red Bank Volunteer Fire Department. He also asked if one of the bond ordinances on the agenda would cover the replacement of the fire/police radio tower and also the electrical panel for the boats at Marine Park.

Administrator Sickels confirmed that they were both included.

Councilwoman Lee reported that the Library had just started a program in the New Jersey History Room every Tuesday from 2 to 4 and said it would include researchers, genealogists and historians. She said later this evening, a local librarian would be talking about all things Red Bank.

Councilwoman Horgan reported that the Human Relations Advisory Committee had met the previous Monday night and were thinking of asking a business to sponsor a new one. She said they were also thinking of working to create a resource guide for Red Bank. She also reported that they had co-sponsored the 10th Annual International Night. She said the Environmental Commission had met the previous night and said they were looking to resurrect the Green Team and were looking for residents and Borough employees that were willing to help out on an as-needed basis. She said, in regard to the bulk head bonding, that the Department of Environmental Protection was encouraging living shorelines and added that she advocated the idea. She said the Environmental Commission was asking the Borough to consider creating living shorelines rather than bulkheading wherever it was not deed restricted. She also reported that the Rent Leveling Board would be meeting the following night at 7:30 pm to discuss the Grandville Towers application in regard to determining what was maintenance and what was capital improvements.

Councilwoman Lewis reported that the Vision Committee was continuing to seek sponsorship opportunities and asked for any leads. She said the Parks and Recreation Committee had met the previous week to discuss

housekeeping issues, park maintenance and the budget. She said summer camp registration was underway and Jazz in the Park and Movies in the Park would be starting soon.

Councilman Zipprich reported that it was a historic day as the Supreme Court has issued a decision in favor of marriage equality. He also reported the Historic Preservation Committee would be meeting later in the evening to discuss the porch preservation and reconstruction program and to plan the fall gathering. He noted that the previous week he, Gary Watson, Bobby Holiday and Historic Preservation Chair Mark Fitzsimmons met with NJTransit to talk about the continued restoration of the Red Bank Train Station. He also congratulated Administrator Sickels on being recognized for his efforts during Hurricane Sandy. He said there was continued interest in the T. Thomas Fortune House and said many organizations were interested in working to save the national landmark. He said it was an important part of African American heritage and asked anyone interested in helping to contact him. He also reported that he and Councilwoman Horgan would be discussing the second annual Two River Pride event for the fall.

Councilman DuPont said it was reported earlier in the day that the Borough would be reimburse for 90 percent of its FEMA costs rather than the 75 percent that was anticipated. He said the additional 15 percent would do wonders for the budget. He also reported that Public Works had started installing bike racks and credited Health Officer Sandra VanSant for securing a \$7,500 grant from the New Jersey Department of Health using CDC Childhood Obesity Prevention funds. He said the program was part of the Mayor's Wellness Campaign and noted that one rack was being installed at Marine Park and another was being placed at Count Basie Field. He said more racks would be installed in various places around town. He also reported that some of the Borough's retiree costs may be able to be shifted under "Obamacare" and said it would definitely save the Borough money. He said they were investigating to see if it was possible. He also noted that a Capital Budget amendment was on the agenda that would allow the Borough to participate in the MCIA equipment lease.

Mayor Menna commended the extraordinary efforts of Emergency Management Coordinator Tom Welsh and his team along with Administrator Sickels, CFO Lapp, Engineer Ballard, Police Chief McCarthy, Public Works Director Watson the Fire Chief and First Aid Squad Captain and said it was through their efforts that the Borough received the 90 percent FEMA reimbursement.

COMMUNICATIONS AND PETITIONS

Mayor Menna read the following requests:

Request from the Red Bank Volunteer Fire Department to hang a banner on Shrewsbury Avenue from August 5, 2013 to September 8, 2013 to advertise their street fair.

Request from Lunch Break to hang a banner on Shrewsbury Avenue from September 9, 2013 to October 22, 2013 and on Broad Street from October 1, 2013 to October 22, 2013 to advertise their annual fundraising gala.

Request for expedited approval of a filming permit from Studionow, Inc. for June 30, 2013 during the Sippin' on the River event, approved by the Special Events Committee.

Request from CCCM Projects for filming to be done July 8, 2013 to September 20, 2013 at Jay & Silent Bob's Secret Stash, 35 Broad Street, pending approval of the Special Events Committee.

Request from Navesink Hook and Ladder to close Mechanic Street from Broad Street to Globe Court on Sunday, July 21, 2013 beginning at 3pm.

Councilman Murphy offered a motion to approve all of the requests, seconded by Councilman DuPont.

ROLL CALL:

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

NAYS: None

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

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

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

Cindy Burnham—71 Wallace Street—asked about Ordinance 2013-13.

Mayor Menna noted that the matter was only on for introduction and noted that a public hearing would be held later.

Ms. Burnham said she was concerned about the amount being bonded. She also noted that the Borough had a fiduciary duty to maintain the bulkhead and said it had been neglected for 25 years. She criticized the Council for not planning for it by putting money away or looking at grants. She also noted that the American Littoral Society had given presentation on a living shoreline and pointed out that Councilwoman Horgan had reported that it was something that the Department of Environmental Protection was encouraging. She said she thought most residents were in favor of a natural shoreline. She said she thought the Eisner deed calling for the bulkhead maintenance did not anticipate the possibility of a living shoreline and compared it to a requirement to maintain an outhouse.

Mayor Menna said he appreciated her comments and reminded her that the bond ordinance would simply be executing a decision that had been previously made by the Governing Body last year. He said this would simply put the mechanism in place to get that accomplished by way of public funding. He noted that it included other Borough property that was also in need of having a bulkhead replaced that had been deteriorating for closer to 40 years. He said it was the location of a sewer line and said if they did not act it would further deteriorate not only the street but the flow into the river and adjacent properties.

Administrator Sickels said they had made several applications and inquiries for several different sources of funding including when the Marine Park bulkhead was done and have been told they were not eligible.

Ms. Burnham asked if anyone had reached out to the Eisners.

Mayor Menna said the Eisners had been very generous to the library and while the commitment was there, it was also constrained.

Ms. Burnham asked how they had determined the amount of \$596,000.

Mayor Menna said he understood that it was the Engineer's estimate of the work to be done and the administration of the contract.

Councilman Zipprich noted that the Mayor had said that the decision had been made earlier and asked if it had predated Hurricane Sandy.

Mayor Menna said it had.

Ms. Burnham said she wants to state that she thought it was poor planning and suggested the matter should have been investigated. She said she thought a living shoreline could have been done for next to nothing.

Councilman Zipprich said he and Councilwoman Horgan had discussed the living shoreline concept with the Mayor and the Administrator and said, if they could have done it, it would have been a terrific solution except that it could not be done legally at the library. He said they could not jeopardize losing that piece of property and the public library by not honoring the deed that was written in 1937.

Ms. Burnham again questioned the fact that it had been neglected for 25 years. She said she wanted to go on the record saying she was against the bond and that she thought they should have gone with the living shoreline. She said she thought if the Council wanted to do it, they could have done it.

Councilman Zipprich again noted that would have jeopardized the library.

Councilwoman Horgan noted that, besides the clause requiring the repair/preservation of the bulkhead, the deed also included a clause that the grounds should not be used as a place for people to assemble. She said that could be a problem with a living shoreline. She noted if the property was lost, the property would revert to Harvard who would probably sell it to a developer. She said it had not been an easy decision.

Michael Vitiello—Attorney for Corinthian Cove Residential Homeowner Association—said he understood that the Mayor had said the matter had already been deliberated and just wanted to say that his client was very much in support of replacing the bulkhead and believed that the Borough had made the right decision. He said they believed that the deed did create a restriction and, beyond the deed, believed that the Borough had an obligation to adjacent homeowners. He said they supported the decision and support the bond.

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading

2013-13 Mayor Menna read, "Bond Ordinance Authorizing Bulkhead Replacement in and for the Borough of Red Bank, County of Monmouth, New Jersey; Appropriating the Sum of \$596,000 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 \$566,200; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing."

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

2013-10 Mayor Menna read, "Ordinance Authorizing the Leasing of Certain Capital Equipment by the Borough of Red Bank, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto."

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

2013-11 Mayor Menna read, "Ordinance Authorizing the Leasing of Certain Capital Equipment by the Borough of Red Bank, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto."

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

2013-12 Mayor Menna read, "Ordinance Authorizing the Guaranty by the Borough of Red Bank, New Jersey for Payment of Principal and Interest on the Capital Equipment Lease Revenue Bonds, Series 2013 (Red Bank Project) of the Monmouth County Improvement Authority."

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

2013-14 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 \$205,440 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 \$205,440; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing."

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

2013-15 Bond Ordinance Authorizing the Acquisition of Various Capital Equipment and the Completion of Various Capital Improvements in and for the Borough of Red Bank, County of Monmouth, New Jersey; Appropriating the Sum of \$1,669,900 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 \$1,586,405; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing.

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption to be held July 10, 2013.

ORDINANCES – Public Hearing & Final Adoption

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.”

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 Murphy

ROLL CALL:

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

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 Horgan.

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

13-155 Mayor Menna read, “A Resolution Regarding the Borough of Red Bank Report of Audit for the Year Ended December 31, 2012 and Corrective Action Plan Required by Federal OMB Circular Reference Number A-133.”

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

ROLL CALL:

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

NAYS: None

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

13-156 Mayor Menna read, “A Resolution Authorizing Release of Maintenance Guarantee Regarding the Visiting Nurse Association of Central Jersey, Inc. 176 Riverside Avenue, Block 3, Lots 2.01, 2.02, 4.01 and 9.”

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

ROLL CALL:

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

NAYS: None

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

13-157 Mayor Menna read, “A Resolution Authorizing Renewal of Plenary Retail Distribution Licenses 2013-2014.”

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: DuPont

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

13-158 Mayor Menna read, “A Resolution Authorizing Renewal of Plenary Retail Consumption Licenses 2013-2014.”

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

ROLL CALL:

AYES: Lewis, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Zipprich, DuPont

There being four ayes, no nays and two abstentions, the resolution was declared approved.

13-159 Mayor Menna read, "A Resolution Authorizing Renewal of Club Licenses 2013-2014."

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

ROLL CALL:

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

NAYS: None

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

13-160 Mayor Menna read, "A Resolution to Extend the Temporary Suspension of the Parking Deficiency Schedules in the Borough's Planning and Development Regulations During Economic Emergency."

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

ROLL CALL:

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

NAYS: None

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

13-161 Mayor Menna read, "A Resolution of Need Pursuant to N.J.S.A 55:14K-1 et seq with Respect to the Oakland Square Development Project."

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

ROLL CALL:

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

NAYS: None

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

13-162 Mayor Menna read, "A Resolution Approving the Hiring of Alyssa O'Connor as Temporary Part Time File Clerk."

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

ROLL CALL:

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

NAYS: None

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

13-163 Mayor Menna read, "A Resolution to Approve the Hiring of Parks and Recreation Summer Staff."

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

ROLL CALL:

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

NAYS: None

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

13-164 Mayor Menna read, "A Resolution Authorizing Capital Budget Amendment No. 2."

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

ROLL CALL:

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

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

13-165 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,074,190.59."

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

ROLL CALL:

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

NAYS: None

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

OLD BUSINESS

None.

NEW BUSINESS

None.

AUDIENCE

Cecilia Davis—39 Marion Street—said she had an issue with the Community Garden Fence which she said was close to her hedges. She said she had spoken with Administrator Sickels and Public Works Director Watson about the issue and asked for a meeting with representatives of the garden to resolve the matter. She offered pictures of the property.

Administrator Sickels confirmed that he and Mr. Watson had met with Ms. Davis and had said they would set up a meeting with the Garden representatives. He noted that he had been away but said he would set up the meeting the next day.]

Ms. Davis noted that she had moved her fence closer to her property and offered a history of the property. She said she was asking for leeway so she could access her hedges with a lawnmower. She said the Garden looked nice and said everyone was doing a good job. She said the other neighbor had requested a 10 foot setback.

Mr. Sickels said he appreciated her concerns and said he understood there were issues with her fence and hedges crossing the property line. He said they would try to resolve the matters at the meeting. He also noted there was a curb cut on the opposite side of the property so when they laid out the garden they continued to use it which resulted in the 10 foot setback. He said it was not done at the request of the neighbor. He again said he would meet with Ms. Davis and the committee to address her concerns.

Councilman Murphy asked who had installed the fence. Mr. Sickels said it was done by the Committee at their expense.

Ms. Davis said she had requested that they allow her access when it was installed and they told her it was not a problem.

Mr. Sickels said he believes the plots had been laid out but said it would be best if they met and reported back to Council.

Ms. Davis offered her suggestions on how plots could be moved and said she felt she was being blown off and attacked and cornered. She also expressed concerns about flooding as a result of the changes at the garden.

Councilman DuPont asked if they would be meeting at the site.

Mr. Sickels said he thought that would be advisable.

Suzanne Viscomi—23 Arthur Place—asked Councilman DuPont if the budget summary could be posted to the Borough's website.

Councilman Dupont said that it was.

Ms. Viscomi also asked if the basketball net at Count Basie Field could be replaced.

Mr. Sickels said it was included in the bond ordinance on this agenda.

Ms. Viscomi asked if it could not be handled as part of the \$100,000 budget.

Mr. Sickels said it was a part of capital improvements that had a lifespan of more than five years. He said it included many improvements for Count Basie Field.

EXECUTIVE SESSION

13-166 The Attorney read a resolution to adjourn to executive session to discuss contract negotiations and personnel; no formal action to be taken.

Councilman DuPont offered a motion to adjourn to executive session to discuss contract obligations and personnel, seconded by Councilman Zipprich. Minutes to be made public in 180 days.

ROLL CALL:

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

NAYS: None

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

Councilman DuPont offered a motion to close executive session, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi