

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 24, 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, Attorney O’Hern and Engineer Ballard.
ABSENT: Councilwoman Lewis and Chief Financial Officer Lapp.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Seating of Acting Mayor YMCA Summer Leadership Conference

Mayor Menna introduced Suubi Mondesir, a Red Bank Charter School student he had met through the YMCA Summer Leadership Conference. He said he had been impressed by her and had offered her the opportunity to come to a Council meeting at serve as “Acting Mayor” for the evening. He reviewed the YMCA Summer Leadership Conference program and commended the organization. He welcomed representatives of the YMCA and the Red Bank Charter School as well as members of Ms. Mondesir’s family.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

WORKSHOP

EMS Services

Mayor Menna reviewed issues with the First Aid Squad and ability to handle the number of calls that they received. He said the Borough receives a much higher number of calls than surrounding towns. He said they have the ability to enter into an agreement with MONOC services to assist on a two-month trial period to see if it would provide a greater service to the Borough’s residents and visitors. He said the squad would still be actively involved in the evening hours but would help cover calls during the day. He said it would not cost the Borough any money and the issue would be reviewed at the end of the trial period.

Councilman Murphy called forward Diana Wieczerzak who currently serves as Captain of the First Aid Squad. He noted that the squad was part of the Fire Department. He said the issue of First Aid calls had been under discussion for several months. He stressed that volunteers could not be replaced and they seemed to provide adequate coverage in the evening hours but daytime calls were difficult because of job commitments. He said they approached MONOC and together they worked out the plan. He also noted that it would be done at no cost to the town. He said an ambulance would be stationed in the First Aid Building and be dedicated to Red Bank calls during the trial period to evaluate the need.

Councilman DuPont said it sounded like a win/win situation that would benefit the Squad and better serve the residents.

Mayor Menna agreed and said it was a smart thing to do. He added that it was a dilemma they had faced for the greater part of 25 years. He said now was the time to act.

Councilman Zipprich asked for clarification that MONOC would do an assessment after the eight week trial to determine if it made sense for them to go forward and then propose a contract with the Borough.

Mayor Menna said that was correct.

Ms. Wieczerzak said MONOC would like to meet with Borough representatives after the two months and continue the service until they have fully determined what service would best serve the residents of Red Bank. At that time, she added they will also determine the best location for the ambulance which would either be in Red Bank or in a location that could serve Red Bank and other locations but noted that it would be exclusively dedicated to Red Bank for the next eight weeks.

Councilman Zipprich asked if MONOC currently had agreements with any of Red Bank's neighboring municipalities.

She said they were currently contracted to run daytime calls in Middletown from 6am to 6pm where they served as the primary EMS with Middletown's Squad backing them up during the day.

Councilman Murphy reiterated that there would be a dedicated ambulance stationed in Red Bank and that it would not be coming in from Middletown.

Councilwoman Lee noted that that was during the assessment period and that after the assessment period they may determine that they can service Red Bank's needs from outside the Borough.

Mayor Menna said that was correct but that there would be a meeting after the trial period that would encompass members of the First Aid Squad, Fire Department, Emergency Management Office, the Fire Commissioner, Mayor, Administrator and CFO. He said they would then come back to the Council with a report and various options to be considered so it was premature to discuss where the service would go without the data.

Administrator Sickels said he wanted to clarify that MONOC had been serving as a backup to the Squad for the past 18 months and were being dispatched to calls on the second alert. The problem, he continued, was that the ambulance they would send would be coming from the Bayshore area and would often be tied up with other calls. He said the change was that they would be assigning a crew to Red Bank for two month period so that both Red Bank and MONOC could determine if it made sense to have a dedicated crew.

Councilman Murphy thanked Ms. Wieczerzak for coming in.

Ms. Wieczerzak thanked the Council for considering the plan.

Councilman DuPont made a motion to authorize the Mayor to sign a two month agreement with MONOC, seconded by Councilman Murphy.

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Feral Cat Ordinance

Mayor Menna noted that Councilman DuPont had brought this matter to the Council's attention.

Councilman DuPont said he had been contacted by resident Joanna White who volunteered at the Monmouth County SPCA regarding their Trap, Neuter and Return initiative for feral cats. He said the program had been adopted in several municipalities including Sea Bright, Eatontown and Highlands. He said he had provided the ordinance adopted in Sea Bright and would like Red Bank to consider adopting a similar ordinance.

Councilman Murphy asked for more information on the program.

Councilman DuPont said they trap and neuter feral cats and return them to the area where they had been living. He said he knew the Borough had feral cats and, while he didn't think there was a problem, he thought they should adopt the program so they could be treated humanely rather than euthanized.

Mayor Menna said that was the recommendation of Animal Rights organizations, it was the enlightened thing to do and noted that the towns that had done it hadn't had a problem with it. He said he thought they should move forward with it.

Councilman DuPont thanked the Mayor.

Katharine Elkus White

Councilman DuPont asked for an update on the plan to honor former Mayor and Ambassador Katharine Elkus White.

Mayor Menna said the Borough had been in discussions with the former Executive Director of RiverCenter to include an enhancement of the plaza area in front of Borough Hall as part of the Monmouth Street improvements. He said plan was to enlarge the seating area and designate the area as the Katharine Elkus White Plaza. He said the Monmouth Street improvement project was almost done and, hopefully, at that time there would be the addition of planters and seating to create an open plaza to be dedicated to Ambassador White. He said the Count Basie Theater was in support of the idea so it was a matter of the three entities sitting down and finalizing the design.

MAYORAL APPOINTMENTS

None

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy had no report.

Councilwoman Lee had no report.

Councilwoman Horgan reported that the Environmental Commission has met the previous night and discussed moving forward to certify the Sustainable Jersey Program and re-establish a Green Team which was a mandatory part of the program. She asked for anyone interested in volunteering to contact her or the Environmental Commission Chair. She said the group had also discussed composting but were looking for more information. She thanked Councilman DuPont for information he had forwarded on the matter which she forwarded to the members of the Commission for discussion at their next meeting. She also reported that the Westside Hose Company had held its annual picnic and several members of the Council had attended. She also noted that Navesink Hook and Ladder had held a celebration to honor two of its members that had each served 50 years in the Department.

Councilman Zipprich reported that the Historic Preservation Commission had a meeting this evening to discuss the preservation of the T. Thomas Fortune House. He said they would also be discussing their fall gathering and were looking for a speaker on the history of Red Bank. He said they would also be reviewing the historic district on the west side of town in the area of the railroad tracks. He said they would also be discussing the historic inventory and fund raising projects for the fall. He said the Public Works Committee had met the previous Wednesday and discussed the emergency response contractor for the water treatment plant. He said they also discussed the Lake Avenue Water Main project and repair and maintenance of the Borough's parks.

Councilman DuPont asked Mayor Menna if he had had an opportunity to speak with anyone from Harvard University regarding the bulkhead issue.

Mayor Menna said he had been discussing the matter with the Borough Attorney and had made some preliminary inquiries. He said he had drafted an extensive letter to the Vice President for Public Affairs of Harvard University and its foundation outlining the issues raised by the Council. He said it would include all of the documentation. He said he felt it was too important and critical to be handled with a telephone call and said he wanted everything in writing. He said the Council would be copied when it went out. He said he did not want to rush it and wanted it to be a factual recitation of the issues without opinion.

Mayor Menna announced that Ordinance 2013-18 had been removed from the agenda for revisions and would be introduced at a subsequent meeting.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from the Two River Theater to hang a banner on Broad Street from December 1-December 30, 2013 to advertise their holiday show, *A Wind in the Willows Christmas* and from January 20-February 15, 2014 to advertise their show, *As You Like It*.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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.

Sarah Klemper—on behalf of the T. Thomas Fortune Preservation Committee—said she wanted to thank the Council for the resolution reaffirming its support for the preservation of the National Historic Landmark. She said she wanted to specifically thank Councilman Zipprich who, together with George Bowden and the Historic Preservation Commission, had brought the house to the public's attention. She also thanked Peter Primavera, who she said was a career preservationist who had galvanized an effort in town to preserve and repurpose the property.

Mayor Menna asked if anyone else 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: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

ORDINANCES – First Reading

2013-16 Mayor Menna read “An Ordinance Amending Chapter XX Water and Sewer, Section 20-8 Sewer Connection Fees and Section 20-9 Water Connection Fees.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Public hearing and final adoption to be held August 14, 2013.

2013-17 An Ordinance Supplementing the General Legislation Section of the Borough’s General Code to Adopt Procedures and Standards Governing the Installation of Fiber Optic Cables.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Public hearing and final adoption to be held August 14, 2013.

ORDINANCES – Public Hearing & Final Adoption

None.

RESOLUTIONS

13-175 Mayor Menna read, “A Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-176 Mayor Menna read, “A Resolution Requesting Permission for the Dedication by Rider for OEM Donations Required by NJS 40A:5-29.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-177 Mayor Menna read, “A Resolution Awarding Contract for Lake Avenue Water Main Improvements.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-178 Mayor Menna read, “A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-179 Mayor Menna read, "A Resolution Opposing the Closure of State Developmental Centers."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-180 Mayor Menna read, "A Resolution Honoring Donald Wright on His 50th Anniversary as a Member of the Red Bank Volunteer Fire Department."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-181 Mayor Menna read, "A Resolution Honoring Robert Laveratt on His 50th Anniversary as a Member of the Red Bank Volunteer Fire Department."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-182 Mayor Menna read, "A Resolution to Authorize the Borough Engineer to Advertise and Receive Bids for an Emergency Response Contract for the Water Treatment Facilities."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

13-183 Mayor Menna read, "A Resolution Re-Statting the Opinion of the Mayor and Council that the T. Thomas Fortune House Should be Preserved as a Historic Site."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Councilwoman Lee noted that the Council had been in favor of the project since it was brought to their attention and she thanked her fellow Council members for supporting it.

Councilman Zipprich thanked Councilwoman Lee for being the driving force behind the issue and he thanked her for her efforts.

PROCLAMATIONS

None.

PAYMENT OF VOUCHERS

13-184 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,520,751.03."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

None.

NEW BUSINESS

Councilman DuPont asked if they could have a resolution at the next meeting congratulating and thanking Ms. Mondesir for her service as Acting Mayor.

AUDIENCE

Cindy Burnham—71 Wallace Street—asked if there was still free parking on Sunday.

Mayor Menna said there was.

Ms. Burnham said she thought the pay station signs were confusing and thought they should clarified to say “free parking on Sunday.”

Administrator Sickels said all of the parking signs have the same wording which says “Monday through Saturday” for consistency.

Councilman Murphy said they had not received any complaints on the issue but said they would look into it.

Ms. Burnham said she had spoken with other towns that had the same system and was told that the pay stations could be programmed to say “free parking on Sunday.”

Steven Hecht—135 Branch Avenue—said he noticed that new benches had been installed in Marine Park and said he thought that was wonderful. He said he also saw that the benches that had been damaged by skate boards still did not have any protection to keep the skateboarders from further damaging them.

Mayor Menna noted that there had been criticism of the Council by certain people for an ordinance that would provide for park improvements and those improvements were part of that. He said they could not put the improvements in place until the bonds had been passed which was done at the last Council meeting and said the work would begin soon.

Councilman Zipprich said the matter had come up at the last Public Works Committee meeting and that it had been discussed with the Engineer.

Mayor Menna asked if anyone else would like to speak.

No one appearing, he said he would like to call forward Ms. Rhonda Anderson CEO YMCA.

Ms. Anderson thanked the Mayor and Council for the opportunity for Ms. Mondesir to participate in the meeting. She commended Ms. Mondesir and said she was very reflective of the children in Red Bank.

Mayor Menna also called upon Meredith Pennotti of the Red Bank Charter School.

Ms. Pennotti thanked Mayor Menna on behalf of all of the children of Red Bank. She said she hoped and encouraged the Council would do this more often. She said she would also like to see a Youth Takeover the Town Day where the students would study the municipal positions and then come and sit with them. She commended Ms. Mondesir and said she was a wonderful ambassador.

Councilwoman Horgan said she would like the Education/Technology Committee to follow up on the idea and said she would be in touch with Ms. Pennotti.

Mayor Menna thanked Ms. Mondesir for her service and presented her with a book of photos of historic Red Bank.

Ms. Mondesir thanked her mother and father and the people from the YMCA Leadership Program for the opportunity and she thanked the Mayor for inviting her to the Council meeting.

Respectfully submitted,

Pamela Borghi