

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
AUGUST 8, 2012  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Councilwoman Lewis.

**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 12, 2012.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Ziprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna invited Councilwoman Horgan to present the Teacher of the Year resolutions.

Councilwoman Horgan noted that the Borough was honoring two Teachers of the Year, one from the Red Bank Primary School and one from the Red Bank Middle School.

12-125      Councilwoman Horgan read, “A RESOLUTION COMMENDING BRANDY BALTHAZAR ON BEING NAMED TEACHER OF THE YEAR FOR RED BANK PRIMARY SCHOOL.”

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

**ROLL CALL:**

AYES: Ziprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna presented Ms. Balthazar with a framed copy of the resolution.

Ms. Balthazar thanked the Council and said she loved working in Red Bank and found the children ready and willing to learn.

Councilwoman Lewis arrived at 6:45 p.m.

12-160      Councilwoman Horgan read, “A RESOLUTION COMMENDING THERESA DAVIDSON ON BEING NAMED TEACHER OF THE YEAR FOR RED BANK MIDDLE SCHOOL.”

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

**ROLL CALL:**

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

NAYS: None

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

Mayor Menna presented Ms. Davidson with a framed copy of the resolution.

Ms. Davidson thanked the Council. She said she thought she had the best job in the world and, until she worked in Red Bank, she didn't realize how great it was.

Mayor Menna called upon Red Bank School Superintendent Laura Morana for comments. Ms. Morana thanked the Council for recognizing the talent, ability and dedication of their teachers. She introduced Erin Mulligan, the new principal of the Red Bank Primary School and spoke of her experience and passion.

12-161        Councilwoman Horgan read, "A RESOLUTION COMMENDING PUBLIC WORKS EMPLOYEE DOUGLAS LANG."

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

**ROLL CALL:**

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

NAYS:        None

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

Mayor Menna noted that very few people have spent more time at Council meetings than Muriel DeFazio and said it was with great pride that the Council had often referred to her as an honorary Council person. He said the presentation might be more special coming from her and asked her to present Mr. Lang with a framed copy of the resolution.

Ms. DeFazio thanked Mr. Lang for his actions.

Councilwoman Horgan noted that it was Carl Colmorgen who had brought the matter to the attention of the Council and she thanked him for that.

Councilwoman Lee said, as someone who sat on the Council, she thought it was fantastic to think of herself as a Borough Employee. She said she also wanted to thank the teachers because there had been teachers in her past in the Red Bank School system that had taken extra time with her and that was why she was where she was. She said she just wanted to tell each of the teachers how special they were and said she told Mr. Lang how important he was to her. She again said she considered herself lucky to be considered a Borough Employee because each one of them was special.

Councilman Murphy said he was speaking for the Borough Police Department and for the First Aid and thanked Mr. Lang for his quick thinking to help out Mrs. DeFazio who had been a part of the Red Bank family for a long time.

Councilman Zipprich said he wanted to thank Mr. Lang for his swift efforts to make sure Mrs. DeFazio got the attention she needed. He said, as Chair of the Public Works Department, he enjoyed seeing Mr. Lang around town and spoke of the value in the fact that he knew the residents as well as he did.

Councilman DuPont thought the story epitomized what Red Bank was all about. He noted the emotion response that he had seen from Mrs. DeFazio's son in appreciation of Mr. Lang's efforts. He said Mrs. DeFazio was a loved and blessed woman and said, on behalf of Red Bank, he wanted to thank Mr. Lang.

Mayor Menna said there was another group of people who were not present to thank Mr. Lang, but he knew they were very important to Mrs. DeFazio and they were children she had served as a crossing guard for the Borough.

**RESUME REGULAR ORDER OF BUSINESS**

Councilman Murphy offered a motion to resume the regular order of business, 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.

**WORKSHOP**

No workshop items.

**APPROVAL OF MINUTES**

**MAYORAL APPOINTMENTS**

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Murphy—Reported that Anne Schmidt, a member of the Ladies Auxiliary and mother of Public Works employee Joshua Schmidt as well as the daughter of long time Fire Department member Bill Stratz, had passed away. He said the services would be the following evening.

Councilwoman Lee had no report.

Councilwoman Horgan—reported that the National Night out from the previous night had been a big success and she wanted to thank the Police, EMS, Fire, Public Works and all of the other organizations that had manned table to inform the public about their various services. She said she also wanted to welcome Councilman Zipprich back from his months stay at Harvard.

Councilwoman Lewis reported that the Vision Committee was proud to announce that their first concert would be held in the Shrewsbury Avenue pocket park from 7 to 9 pm on the following Friday and there would be additional concerts on the 17<sup>th</sup> and 24<sup>th</sup>. She said they had gotten both corporate and community sponsors for the events. She also noted that the Red Bank Family Reunion Block Party would be held the next day on Drs. Parker Blvd. between Shrewsbury and Bridge avenues.

Councilman Zipprich said the Department of Public Works Committee was happy to report that the road program was under way. He said Peter's Place was currently under construction and getting new curbs and road re-surfacing. He said Drummond Place would also be a part of the project. He also said he would like to commend all of the First Responders including the Police, EMS and Fire departments for a very successful National Night Out. He also thanked Memone Crystian and Gary Watson for their efforts at the event.

Councilman DuPont also thanked the participants in the National Night Out which he said was a wonderful event. He also congratulated Councilman Zipprich for completing his studies and welcomed him back.

#### **COMMUNICATIONS AND PETITIONS**

Mayor Menna read a request from Learning Tree Preschool to hang a banner on Broad Street from January 7, 2013 to January 26, 2013 to promote their open house.

Councilman DuPont offered a motion to approve the request, 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.

Mayor Menna read a request from Red Bank Flavour Culinary Alliance to hold "A Night on the Navesink" on Thursday, August 16, 2012 from 6:00 p.m. to 9:00 p.m. at the Molly Pitcher Inn, approved by the Special Events Committee.

Councilman Zipprich offered a motion to approve the request, 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.

Mayor Menna read a request from the New Jersey Museum of Contemporary Art to install the large-scale paintings of artist Dumitru Gorzo on Sunday, August 12, 2012 and Sunday, August 19, 2012 from 7:30 a.m. to 6:00 p.m.

Councilman DuPont offered a motion to approve the request, 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.

#### **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, 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.

#### **ORDINANCES – First Reading**

None.

#### **ORDINANCES – Public Hearing and Final Adoption**

None.

#### **RESOLUTIONS**

By Consent Agenda:

12-162 A RESOLUTION RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEE REGARDING BROAD STREET REALTY ASSOCIATES, LLC, BLOCK 30.01, LOTS 21, 22 & 23.

12-163 A RESOLUTION REQUESTING SPECIAL ITEM OF REVENUE.

- 12-164 A RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE.
- 12-165 A RESOLUTION AUTHORIZING A TAX REFUND DUE TO OVERPAYMENT OF TAXES.
- 12-166 A RESOLUTION AUTHORIZING WAIVER OF THE TIME LIMITS FOR CONSTRUCTION WORK UNDER SECTION 3-9.12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK WITH RESPECT TO THE CONSTRUCTION OF CR-10 – IMPROVEMENTS TO EAST/WEST FRONT STREET.
- 12-167 A RESOLUTION AUTHORIZING CONSTANCE S. LUDDEN, TAX COLLECTOR, TO COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS.
- 12-168 A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PARTICIPATION AND CONTRIBUTION AGREEMENT BETWEEN THE BOROUGH OF RED BANK AND ST. JAMES CATHOLIC CHURCH (RED BANK CATHOLIC HIGH SCHOOL) RELATED TO THE COUNT BASIE PARK ATHLETIC FIELDS.
- 12-169 A RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL WARDEN SERVICES WITH THE TOWNSHIP OF SHREWSBURY.
- 12-170 A RESOLUTION AUTHORIZING PURCHASE OF SYNTHETIC TURF UNDER A NATIONAL COOPERATIVE PURCHASE AGREEMENT FOR THE COUNT BASIE PARK PHASE 3 IMPROVEMENTS.
- 12-171 A RESOLUTION AUTHORIZING THE PURCHASE OF JOHN DEERE 2012 624K WHEEL LOADER.

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

**ROLL CALL:**

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

NAYS: None

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

- 12-172 Mayor Menna read, “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES 2012-2013.”

Mayor Menna noted that the resolution was in respect to Heritage Liquors only.

**ROLL CALL:**

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

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

**PAYMENT OF VOUCHERS**

- 12-173 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,387,938.85.”

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

**ROLL CALL:**

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

NAYS: None

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

**PROCLAMATIONS**

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

Mayor Menna asked if there was anyone who would like to speak.

Cindy Burnham—146 Harrison Avenue, Fair Haven—said she wanted to thank Gary Watson for the work that was done at the Community Garden. She said they were ready to go and said she had put out a flyer trying to get residents to lease a plot. She asked if the information could be put on the Borough website.

Councilwoman Horgan said the Borough could do that and noted that Administrator Sickels had wanted to meet with the representatives of the Committee.

Mr. Sickels said before she put any information out, he needed to meet with the group to go over the rules in regard to the garden. He said there were some issues that had to be resolved and he wanted to sit with those involved in the garden. He said they should be able to meet in the next day or two. He said there were questions regarding whether the garden would operate as a separate entity or as part of the Borough.

Ms. Burnham said they were a non-profit.

Councilman Zipprich asked if they had been incorporated as a non profit.

Ms. Burnham said they had.

Councilman Zipprich asked if they had been incorporated as a 501c3.

Ms. Burnham said she did not know.

Mr. Sickels said that was what had to be discussed. He said he had spoken with Councilwoman Horgan, Councilman Zipprich and the Borough Attorney and he thought the issues had been resolved but they needed to meet.

Mayor Menna asked if anyone else would like to speak.

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

**ROLL CALL:**

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

NAYS: None

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

**EXECUTIVE SESSION**

**ADJOURNMENT**

Councilman DuPont offered a motion, seconded by Councilman Murphy 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