

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
NOVEMBER 7, 2012
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Zipprich, DuPont, Murphy and Mayor Menna

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

ABSENT: Councilwoman Lewis, Councilwoman Horgan and Councilwoman Lee.

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.

WORKSHOP -- No Workshop items.

APPROVAL OF MINUTES – September 26, 2012

Mayor Menna asked the record to reflect that Councilwoman Lee had arrived at 6:35 pm.

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

ROLL CALL:

AYES: Zipprich, DuPont, Murphy, Lee

NAYS: None

There being four ayes and no nays, the minutes were declared approved.

MAYORAL APPOINTMENTS – None.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Menna said they would dispense with reports of Mayor and Council members except he said he did want to congratulate Councilman Murphy and Councilman DuPont on a wonderful campaign. He said he also wanted to congratulate Suzanne Viscomi on a well-run campaign and for being a participant in the process.

Councilman DuPont said he wanted to express the same sentiment to Ms. Viscomi.

Councilman Murphy said he also wanted to thank the Council and the Mayor for their support in their bid for re-election. He thanked Ms. Viscomi and said it was a good race.

Councilman Zipprich also congratulated Councilman DuPont and Councilman Murphy on a well-run campaign and welcomed them back. He also thanked Ms. Viscomi for running a good race.

Councilwoman Lee said she was grateful to have her Council mates back for another three years and said it was an honor to serve with them. She thanked Ms. Viscomi for running out of a love for her community.

Mayor Menna asked the record to reflect that Councilwoman Lewis had arrived at 6:38 pm.

COMMUNICATIONS AND PETITIONS

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 appeared.

ORDINANCES – First Reading

None.

ORDINANCES – Public Hearing and Final Adoption

2012-19 An Ordinance Authorizing the Conveyance of Two Permanent Sanitary Sewer Easements, a Permanent Water Main Easement and the Vacation of Existing Conditional Easements for the Extension of Cedar Avenue (Also Known as Cedar Street) and River Street in Connection with the Cedar Crossing Affordable Housing Development Project.

Mayor Menna noted that the Ordinance had been recommended by the Planning Board.

Councilman DuPont offered a motion to open the public hearing, seconded by Councilman Murphy.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Mayor Menna opened the public hearing and asked if anyone would like to speak.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

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 Murphy.

ROLL CALL:

AYES: Lewis, Zipprich, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

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

RESOLUTIONS

By Consent Agenda:

- 12-212 A RESOLUTION AUTHORIZING TAX REFUNDS DUE TO OVERPAYMENT OF TAXES FOR VARIOUS REASONS.
- 12-213 A RESOLUTION SUPPORTING THE GOOD SAMARITAN EMERGENCY RESPONSE ACT (S851/A578) AND REQUESTING THE NEW JERSEY SENATE AND ASSEMBLY TO OVERRIDE THE GOVERNOR'S VETO.
- 12-214 A RESOLUTION RELEASING MAINTENANCE GUARANTEE POSTED BY RANN REALTY WITH RESOLUTION RELEASING MAINTENANCE GUARANTEE POSTED BY RANN REALTY WITH RESPECT TO PROPERTY LOCATED AT 210-214 BROAD STREET, BLOCK 102, LOTS 21 AND 22.

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

Councilman Zipprich noted that the Good Samaritan Emergency Response Act would protect people who were willing to assist in the prevention of a suicide attempt. He said he thought it was a good idea to help people who assisted in a time of crisis to avoid prosecution.

Mayor Menna thanked him for bringing it to the Council's attention.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

PAYMENT OF VOUCHERS

12-216 Mayor Menna read, "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$5,652,897.81."

Mayor Menna noted that amount was larger than usual due to the fact that the previous meeting had been cancelled due to lack of a quorum.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

None.

OLD BUSINESS

None.

NEW BUSINESS

Councilman Zipprich reported that the Historic Preservation Commission had postponed their Fall Gathering that had been scheduled for the following Saturday, November 10 to be held at the Red Bank Women's Club. He said a new date would be announced.

Mayor Menna reported that Borough would be hosting a brief Veteran's Day ceremony on Sunday, November 11 at 11 am. He noted that the holiday was not subject to be changed by Federal legislation so, since it was falling on a Sunday, the schools would not be available to participate. He said the Borough Parks and Recreation Department was organizing the event that would be held in front of the monument at 51 Monmouth Street. He also noted that Trinity Episcopal Church would be holding their annual memorial service at 9:30 on the 11th and, later in the day, the United Methodist Church would be having their annual Veteran's Appreciation Service. Mayor Menna said he would attend both and the Council was invited.

Councilwoman Lee noted that many Veteran's Hospitals were looking for supplies and volunteers.

Councilwoman Lewis said she wanted to commend the Department of Public Works and Director Watson, the Emergency Management Committee headed by Coordinator Welsh and the Borough staff for their efforts in the recent storm, their hard work and their support. She noted that Red Bank was not as badly hit as some other Communities. She also said Lunch Break had been exceptional and had called in people that were on vacation to rally around and meet the needs of the Community. She commended everyone for working together, believing in their Community, staying strong and helping each other out.

Councilman Zipprich thanked her for bringing the matter up and said he wanted to commend her as well for the volunteer hours she put in to make sure people were fed. He said he had met her at the Salvation Army and had assisted in the effort. He said he had witnessed an amazing feat of teamwork and commended the Emergency Management Team, the first responders including the Fire and Police departments, Administrator Sickels, Public Works Director Watson and Municipal Clerk Borghi. He said everyone pulled together to get through the trying time which he thought should be recognized.

Mayor Menna said the Borough had been putting out daily advisories on the website and said a new notice had just been issued with the most up to date restoration information.

Councilman DuPont said he wanted to commend the effort to get out a daily bulletin. He also noted that many homes were still without power. He said the public had been starving for information and noted that daily bulletins had been hand delivered. He said it had been a great source for information. He said they would need to discuss how to deliver information in the future and think outside the box regarding how to get information to the public. He commended the Borough's CERT team for their efforts to hand deliver flyers every night. He said he wanted to offer special kudos to Public Works and Director Watson, Borough Clerk Borghi, OEM Coordinator Welsh and particularly Administrator Sickels for his efforts to come up with solutions.

Councilman Murphy commended Public Works, the Police Department, the Fire Department and the Emergency Management Team. He said he was impressed by the radio room the Emergency Management Team had set up at Union Hose and the outstanding job that had been done regarding communication. He said he didn't think people realized what went on behind the scenes and said Red Bank had done a stellar job. He commended everyone involved and particularly Administrator Sickels and the amount of hours he had put in to ensure power restoration continued. He said the whole town had pulled together and was impressed by the people that had made it in for a special Department Head meeting.

Councilman Murphy said he had also discussed with Councilman DuPont the possibility of extending the tax payment due date. He said CFO Lapp had said it may not be possible but said he was asking if they could look into it especially considering many people had had difficulty with banking issues throughout the storm. Councilman DuPont confirmed that they had discussed it and said the Borough would have to check with the Department of Community Affairs to make sure they were allowed to do it.

Councilman Murphy asked if it had been done before. Mayor Menna said it had but they would have to look into it because there was a very limited window.

Councilwoman Lee commended the Borough Clerk noting that it was a difficult season with a lot of challenges and said she was willing to do whatever it took and had come up with options they could work with. She also noted that when calls were made to Borough Officials every phone was answered.

AUDIENCE

No one appeared.

EXECUTIVE SESSION

12-217 The Attorney read a resolution to adjourn to executive session to discuss contract negotiation and litigation.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

There being five 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, Lee, Murphy

NAYS: None

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

RESOLUTIONS

12-215 Mayor Menna “A RESOLUTION TO ESTABLISH A JOINT COMMITTEE OF THE CUSTOMER TOWNS OF THE TWO RIVER WATER RECLAMATION AUTHORITY.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

ADJOURNMENT

Councilman DuPont offered a motion, seconded by Councilman Zipprich to adjourn the meeting.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi