

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 22, 2012
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Municipal Clerk Borghi, Attorney Byrnes and Engineer Ballard.

ABSENT: 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 12, 2012.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to suspend 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.

Monmouth County Engineer S-17 Bridge Project

Mayor Menna introduced Joseph Ettore and John Moren of the Monmouth County Engineers and noted that they had been working with the Borough's professionals for the past year or so as well as with adjacent municipalities. He said they would be presenting what was, in his opinion, a phenomenal plan that would address a lot of issues with respect to replacement of the Front Street Bridge and, more importantly, would include a broader vision for that part of town.

Mr. Ettore thanked the Mayor and Council and noted that they had appeared about two year prior to discuss the bridge replacement and realignment. He said the plans were now almost complete and they were wrapping up final design. He said they would like to schedule a second public information session for the resident of both Red Bank and Middletown to review the plan. He said they were appearing at this meeting to update the Council. He presented graphics showing the proposed design of the new bridge and the new alignment. He noted that Front Street would be shut down for a very brief time. He estimated the total construction time would be between 18 months and 2 years and said he hoped the actual time of closure would only be three to four months out of that time.

He reviewed some of the design specifics noting that it would remain two lanes and would have sidewalks on both sides. He said pedestrian traffic would be extended on the south side and said the traffic signals at Shrewsbury and Hubbard avenues would be coordinated. He also noted that it would have architectural enhancements similar to Cooper's Bridge and ornamental lighting.

He said they were preparing for the final public information meeting with residents and would have a full set of construction plans available as well as the construction schedule. He said they hope to award the contract in 2013 and hoped to time the closure after the holidays and before the summer. He also noted the project was 100 percent federally funded.

Mayor Menna thanked Mr. Ettore and Mr. Moren on behalf of the Council and noted the planning had been ongoing for a year and a half. He noted the final version was substantially different from the original including the fact that the closure was originally estimated at two years and it had been cut to

only four months which he called extraordinary. He also commended them for the fact that the plan addressed a lot of open space and access issues. He said the Council was committed to increasing accessibility. He said the architectural treatments would harmonize with Red Bank and the previous bridge.

Councilman DuPont said the project had defined the spirit of cooperation between the Municipality and the County. He said it would promote transportation to and from Red Bank and it fit with Red Bank trying to do more with walkways, cycling and river access.

Councilman Zipprich complimented them on recycling the temporary span and said the project was an incredible feat of engineering.

Administrator Sickels noted that the original plan had called for only one sidewalk and said the County had been very receptive about adding the second and also about adding the aesthetic treatments.

Mr. Ettore said the town had communicated that they considered it a gateway and a landmark.

Mayor Menna said he was looking forward to the public hearing.

Councilwoman Lee offered a motion to change the order of business, 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.

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

No one appeared.

ORDINANCES – First Reading

2012-2 Mayor Menna read “AN ORDINANCE AMENDING THE SALARY ORDINANCE OF THE BOROUGH OF RED BANK.”

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

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the ordinance was declared adopted on first reading.

Public hearing and final adoption scheduled to be held March 14, 2012.

2012-3 Mayor Menna read “BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY; APPROPRIATING THE SUM OF \$1,100,000 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 \$1,045,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.”

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

Mayor Menna said he wanted to offer some background before the vote was taken. He noted that because of the size of Red Bank, the volume of fire calls and the types of structures contained in the Borough, it was important to have a more modern aerial truck than they currently have. He acknowledged that it was

an expensive piece of equipment, but said that is what they cost and it was a necessary expense. He also noted that they were replacing a piece of equipment that was a quarter of a century old.

Fire Commissioner Murphy said he just wanted to make it clear that the policy used to be to replace the equipment every 20 years and said Red Bank was one of the first towns to realize the limits of their budget and changed their policy to 25 years. He noted that the members of the volunteer department take care of the vehicles and commended them on their efforts that have lead to the Borough having a good fire rating.

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the ordinance was declared adopted on first reading.

Public hearing and final adoption scheduled to be held March 14, 2012.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

By Consent Agenda:

- 12-42 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 8 & FINAL RELATED TO THE CONTRACT WITH BLACK ROCK ENTERPRISES FOR THE 2010 ROAD IMPROVEMENT PROJECT.
- 12-43 A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO ADVERTISE FOR BIDS FOR THE 2011 ROAD PROGRAM.
- 12-45 A RESOLUTION SUPPORTING MARRIAGE EQUALITY FOR SAME SEX COUPLES IN NEW JERSEY.
- 12-46 A RESOLUTION AUTHORIZING TWA-1 SANITARY SEWER EXTENSION APPLICATION – G.S. REALTY CORP./AMBOY BANK – BLOCK 42, LOTS 1, 2, 2.01, 3, 4, 19, 20 & 21 – SITE PLAN.

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

ROLL CALL:

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

NAYS: None

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

- 12-44 A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES FROM THE RED BANK AFFORDABLE HOUSING CORPORATION FOR PHASE II OF THE CEDAR CROSSING AFFORDABLE HOUSING DEVELOPMENT PROJECT, BLOCK 75.01, LOTS 83, 84 AND 85, AND BLOCK 75.03, LOTS 50.01 AND 69.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

There being five ayes, no nays and one abstention, the resolutions were declared approved.

Councilman Dupont excused himself from the meeting at 6:55 pm.

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, Horgan, Lee, Murphy

NAYS: None

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

WORKSHOP

Rent Leveling Board

Mayor Menna said the Rent Leveling Board would be meeting the next night and continuing discussions. He said the Council would defer taking any action until after the Board had met and voted. He said the matter would be carried to the next month.

Bikeshare in Red Bank

Councilman Zipprich introduced Nora Shepard from MeadowLink and asked her to review a grant opportunity for the Borough. He said the grant would be for 75 percent of the funding and would require a 25 percent match. Ms. Shepard reviewed her organization which she said was a transportation management association. She said it was a private non-profit that worked with both corporate and government clients. She said a lot of their funding came from Federal, local and State grants as well as foundations. She said they provide transportation services such as shuttles, car pools and van pools and were getting into bicycle/pedestrian facilities. She said she had participated in Red Bank's process to develop a bike and pedestrian plan. In light of that, she continued, she thought it would be fun to apply for grant funding to provide a BikeShare for Red Bank. She said the funding was called CMAQ funding which she said referred to Congestion Mitigation Air Quality and said applications should focus on supporting the operations of new or expanded shared ride services that reduce congestion, improve air quality, encourage and increase transit use and seek to optimize the performance of local and regional transportation networks, improve personal mobility and reduce congestion and air pollution. She confirmed that the grants were 75 percent funded with a 25 percent local match which could come from a variety of sources. She noted it was a three year program which allowed for time for the program to become self sustaining such as private sponsorship and through advertising revenue. She said there was a very short window for the grant application and they would not find out if they had been approved for the funding for 12 to 18 months. She said they look for worthwhile projects and try to work out details during that 12 month period.

She gave details of the program for those unfamiliar with a BikeShare noting that there would be a kiosk with 6, 12 or 24 bikes in a rack that could be used through a subscription system. She said the purpose was to be used as a commuting option and discussed how the program had worked in other areas. She reviewed suggested locations for stations in Red Bank.

Mayor Menna said it was an extraordinarily interesting idea but noted that many of the locations that had the program had much larger populations than Red Bank. He asked what made her think Red Bank was a good model for the program. He said the town had tried a shuttle bus and it had been an utter failure. He said he thought Red Bank might be too small.

She said their philosophy was to start small with six bikes and three stations. She also noted that they were not hardwired but ran off a solar panel so placement was flexible.

Mayor Menna asked about the matching grant. Ms. Shepard suggested the matching funds could come from a partner such as the hospital. She reminded him that they were seeking approval to apply for a grant and if they decided it did not make sense upon approval, they did not have to move forward.

Councilwoman Horgan reiterated that there was no guarantee the Borough would be approved for the grant and there was a short time span to apply. Ms. Shepard noted that a previous application that she had submitted took 14 months before she learned if it had been approved. She said bicycle programs were fairly new but she felt they were the wave of the future and said she thought the application was worth putting in.

Councilwoman Horgan noted that it would cost the taxpayers nothing for the Borough to apply.

Councilman Zipprich said he wanted to note that the Borough had adopted a bicycle/pedestrian plan to the Master Plan. He also noted that there was a bicycle/pedestrian citizen group that was interested in this project, the matching grant was relatively small, the project fit with the Mayor's Wellness Campaign as well as the ANJEC grant to reduce emissions and there was no real commitment in applying.

Councilman Murphy asked about liability issues. Ms. Shepard said it was included in the agreement unless there was a mechanical issue. She said there would be a request for proposals for an operation of the program who would be in charge of maintenance.

Mayor Menna said there was a resolution that would authorize him to sign a letter of support and said, if the Council was on board, it would be added to the agenda. He said there wasn't a problem in the Borough's supermarkets but there had been some problems with pricing in some of the smaller stores.

Consumer Pricing issues

Mayor Menna said he had met with the Hispanic Affairs Council and representatives of the Hispanic Community. He said, while State Statutes address consumer pricing in general, he had verified with the Clerk that there was no local ordinance in place regarding pricing issues. He said he had asked the Clerk to research for an ordinance that would state, unless otherwise provided by a store owner, must prominently post the prices for goods. He reviewed the reports he had received regarding the issue.

APPROVAL OF MINUTES – February 8, 2012

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

ROLL CALL:

AYES: Lewis, Zipprich, Lee, Murphy

NAYS: None

ABSTAIN: Horgan

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

MAYORAL APPOINTMENTS

Mayor Menna appointed Laura Dardi to the Environmental Commission as Alternate No. 1 for unexpired 2-year term expiring 12/31/12.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna appointed Helene Blyskum to the Environmental Commission as Alternate No. 2 for unexpired 2-year term expiring 12/31/13.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy had no report.

Councilwoman Lee reported that the Eisner Memorial Library would be celebrating their 75 year anniversary and would like to invite the public to a ribbon cutting and reception on April 14, 2012 from 2 to 4 pm.

Councilwoman Horgan reported that the Environmental Commission would be participating in a Clean Up at the Primary School on March 24 from 10 am to noon. She said the ANJEC grant, known as Red-

uce-Bank, had to do with anti-idling and the Environmental Commission would be hosting the fourth planning session on Tuesday, February 28. She said they would be finalizing details for the kick off which was planned for April 22.

Councilwoman Lewis reported that the Vision Committee had met on February 13 and they were nailing down details and hoped to have a presentation for workshop by the next meeting.

Councilman Zipprich reported that the Public Works Committee had met earlier in the day to review the Operating and Capital Budget for 2012. He said he also wanted to report that the Borough had been reimbursed \$6,980 through the Shade Tree Committee efforts in the Community Forestry Management plan they help put together. He also reported that the Historic Preservation Commission would be meeting later in the evening.

Mayor Menna noted that the Emergency Management Committee had met on the 21st for their mandated quarterly meeting and he thanked the volunteers and municipal staff saying they had been doing a Herculean job in terms of emergency management preparedness and reports to the Community. He said it was wonderful to see the support they have gotten from the Community. He said they were moving forward with the CERT program which would allow for volunteers to participate in emergency management especially in buildings such as high-rises. He thanked all those who were part of the volunteer effort and said the Council was appreciative.

He said he was also hopeful that the Borough may be getting some more equipment from the BRAC commission and the Department of Defense. He said the Borough would be reaching out to request equipment for the Department of Public Works, as well as Code Enforcement and the Fire Department.

He also reported that, the same day, he had the pleasure of spending about four hours at a factory in town. He said it was an eye opening experience and one of the most pleasurable he has had as Mayor. He said he took a tour of the Seals Eastern factory on Pearl Street and saw what 152 employees do at the facility. He said he had known there was a factory there but did not know what they did. He described the type of work done at the facility and said they created works that were recognized throughout the world in the engineering business including plastic tubing, moldings and seals for oil drilling equipment to space shuttles. He said was even more astounded to find that more than one third of the employees live in Red Bank, many of whom walked to work. He commended the company and said he would like to thank the management for their loyalty to Red Bank. He noted that the Code Enforcement and Fire Marshal's offices had worked with the Company to assist them in re-tooling to make sure the facility was safe for their employees. He said he felt it was important to create an annual award known as the Industry and Commerce Award and said he would like to nominate Seals Eastern Company and its employees as the first recipient for having the sustainability to continue to produce a competitive product on the international market while maintaining their commitment to remain in Red Bank. He said he would like the Council to be involved in the presentation and said he felt it should involve the employees because they were the ones with a great pride in Red Bank. He said they should look for other recipients of the award.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from the Diocese of Trenton to hold their annual march from St. Anthony's Church north on Bridge Avenue to Chestnut Street to Maple Avenue to Peters Place to Broad Street to Newman Springs Road on Saturday, March 24, 2012, pending approval of the Chief of Police.

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

ROLL CALL:

AYES: Horgan, Lee, Murphy

NAYS: Lewis, Zipprich

There being three ayes and two nays, the request was declared approved.

Councilman Zipprich said, in light of recent events in the State of Virginia as well as other issues regarding women's health, he felt he had to object to the march.

Councilwoman Horgan said she agreed with him but there was the issue of Freedom of Speech and Freedom of Public Assembly. She said she struggled with the issue but said she felt approving their right to march did not mean she was approving of what they advocate in regard to women's reproductive health care. She said she did respect and appreciate Councilman Zipprich's comments.

Mayor Menna read a request from William Bruno for membership to Relief Engine Company of the Red Bank Volunteer Fire Department.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

RESOLUTION

12-47 Mayor Menna read “A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR MEADOWLINK’S BIKESHARE SYSTEM PROPOSAL.”

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

12-48 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,041,361.35.”

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Carl Colmorgen—Oakland Street—said he wanted to bring up something he had discussed before which was the suggestion of honoring Katherine Elkus White in the community. He said he had discussed it with the Mayor but noted nothing had been done.

Mayor Menna said he had asked for suggestions and he had received some. He said he felt it was a “no-brainer” and that they were reviewing suggestions to see which was the appropriate place. He reviewed some of the suggestions including the naming of the amphitheater at Riverside Gardens Park or to rename White Street in her honor.

Mr. Colmorgen said he had suggested renaming Eastside Park in her honor. Mayor Menna said they were all good ideas and they just needed to discuss and finalize. He assured Mr. Colmorgen they had not forgotten about the matter.

EXECUTIVE SESSION

None.

ADJOURNMENT

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi