

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
May 9, 2012  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

**ABSENT:** 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.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

**NAYS:** None

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

**Grow Monmouth Presentation**

Mayor Menna introduced Deputy Freeholder Thomas Arnone to make a presentation on the Grow Monmouth Program. Freeholder Arnone thanked the Council for welcoming them and said he wanted to review some things that were being done at the County. He spoke of his previous experience as a Mayor and said, as a Freeholder, he wanted to focus on the Municipalities. He said they had three initiatives. He said the first was to lower taxes and another was increase shared services. He commended the Mayor and Council for having several shared service agreements and reviewed some services that were available from the County and the savings that were being realized by some of the participating municipalities. He said the final initiative was to encourage job creation and businesses. He commended the Borough on its business friendly initiatives. He said the County had created staff from existing personnel to create a new Department and introduced two members of the Office of Economic Development, John Ciufo and Amy Fitzgerald.

Mr Ciufo explained that the Grow Monmouth program was the branding of Monmouth County and position things so they were ready for business. He reiterated that they were using existing resources to focus on municipalities and the business community. Ms. Fitzgerald said they wanted to send the message that Monmouth County was open for business. She said they wanted to retain and grow businesses and create jobs. Mr. Ciufo reviewed partners and tools they were using. He said they had developed their GIS into an economic tool and they showed a sample of how the program worked. He said they had done a map of Red Bank and offered to provide it on disc.

Freeholder Arnone said they had reduced spending and needed to increase revenue. He stressed the importance of retaining businesses and said he wanted to increase rapport with municipalities.

Mayor Menna said he appreciated their presentation and said they had a partner in Red Bank. He said Red Bank was not just the third best town in the nation but he felt it was the best place in the County to do business. He spoke of new businesses opening in the Borough and noted he would be making a presentation of the Mayor's Industry and Commerce Award to Seals Eastern in June. Freeholder Arnone said he would like to attend. He stressed the need for cooperation and his desire to put politics aside.

Councilman DuPont agreed and cited the example of the cooperation between the Borough and the County regarding the projects at Front and Broad streets and the West Front Street Bridge.

Councilman Zipprich asked about the possibility of the County coming to Red Bank to help clean out catch basins along County roads and for the sweeping of County roads. Freeholder Arnone said he should call the Shared Services Department to see what services they could provide.

Councilman Zipprich asked what a small business would have to do to participate in Grow Monmouth. Freeholder Arnone said they should reach out to Mr.Ciufo and Ms. Fitzgerald and they will give them the tools. Ms. Fitzgerald said the most popular tool was the business to business consumer mailing list. Mr. Ciufo said they would sit and discuss their needs.

Mayor Menna thanked them again for their presentation.

### **Special Improvement District 2012 Budget Public Hearing**

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

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

#### **ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

12-94 Mayor Menna read "A RESOLUTION ADOPTING 2012 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT."

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

Councilman Zipprich congratulated RiverCenter on making sure the budget remained flat and said they were doing a great job.

Councilman Murphy noted the budget had remained flat for the last three to four years.

RiverCenter Director Nancy Adams said part of the reason they were able to achieve that was that they were looking to other sources for funding such as fundraisers for the Holiday decorations.

The Council reviewed the success of the recent Food Festival which raised funds for RiverCenter along with other organizations.

#### **ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

### **RESUME REGULAR ORDER OF BUSINESS**

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

#### **ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

### **WORKSHOP**

None.

### **APPROVAL OF MINUTES – April 25, 2012**

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

#### **ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

### **MAYORAL APPOINTMENTS**

#### **Mayor's Wellness Campaign Committee**

Mayor Menna said there was a tremendous amount of enthusiasm about participating announced the following individuals would be appointed to the Core Committee:

Mayor Pasquale Menna  
Councilman Michael DuPont  
Rick Ivone, Chairman  
Memone Crystian, Parks and Recreation Director  
Sandra Van Sant, Health Officer  
Tim Hogan, Riverview Medical Center  
Andrea Plaza, YMCA  
Margaret Mass, RiverCenter  
Rev. Terrence Porter  
Carolyn Robertshaw  
Jenny Rossano  
Barbara Nevius

He said Mr. Ivone would work with him to produce the frame work for the vision of the Committee and would create a schedule of activities to be announced through the Borough's website. Both the Mayor and Council DuPont offered a prize to the winner of a weight loss competition.

#### **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman DuPont noted there was a budget amendment on the agenda that would further reduce the budget by almost a penny. He said they were originally facing an increase for the average homeowner of \$94 and in would now be a reduction of \$56.40. He commended the Council members for reviewing with Department Heads and thanked the Department Heads for finding ways to save. He said they were still investigating the insurance increase. He said CFO Lapp and Administrator Sickels had done a wonderful job to work to determine if it was time to leave the Health Insurance Fund and possible go to the State Health Plan or a private plan. He said he hoped to have a recommendation in the coming weeks.

He also thanked the Mayor for participating in the Wellness Campaign and looked forward to all of the Mayor and Council participating. He said he would like the first area of education to be about Diabetes noting that it was an extremely common disease that could be affected through diet. He also noted a recent article in the Asbury Park Press about obesity.

He said he would also like to see the Borough install a charging station for electric vehicles.

Councilman Murphy said he thought that was a part of the Monmouth Street plan. Councilman Zipprich confirmed that the issue had been discussed with the Borough Engineer as part of the redevelopment of Monmouth Street.

Councilman Zipprich reported that he and other Council members had attended the NAACP Disenfranchisement presentation the previous week. He said it was a bipartisan group and commended them for getting the message out.

He also noted that the Historic Preservation Committee was finalizing the 2011 Annual Report including their inventory. He said the Shade Tree Committee would be meeting and discussing the Forestry Management Plan and the possible removal and replacement of hazardous trees. He said Public Works would be meeting the next week to discuss street sweeping and park maintenance during events. He congratulated RiverCenter and the Restaurant Association on the successful Food Festival event.

He also noted it was Paint the Town Pink Week and urged everyone to participate and support the Borough's merchants. He stressed the importance of mammograms. He said he and Councilwoman Horgan were working with the Human Relations Advisory Committee, the Two River Theater and the Making It Better for Youth organization to organize the first annual Pride Celebration on June 20<sup>th</sup>. He thanked the Mayor for his support of the event.

He said he and Councilwoman Lewis had represented the Borough at the Victory Front Brunch in New York City. He said they had been able to speak with government leaders about topics that affect all levels of government. He also noted that the Monmouth County Transportation Council would be holding their annual symposium at Monmouth University the following Thursday.

Councilwoman Lewis congratulated Reverend Porter and Pilgrim Baptist Church on their recent Community Unity and Bike Blessing event. She said it was well attended. She also reported that Saturday, May 12, would be Baseball/Softball day at Count Basie Field and said the event would be for both children and adults.

Councilwoman Horgan said she and Councilwoman Lee had attended in the sixth annual Running and Working workshop at Monmouth Regional High School. She said the program brought together young women who were high schools juniors to meet with elected or appointed female officials to inspire them to run for public office. She also noted that on May 5 the Red Bank Boys and Girls Club had held a volunteer day to clean up their property and planted a garden. She said the past Saturday she had attended a Transition Towns Workshop at the Eisner Library that focused on building a sustainable community. She said it was coordinated, in part, by Red Bank Environmental Commission. She also noted that there was an anti-idling resolution on the agenda. She also reported that the Environmental Commission had unanimously voted the previous evening to support a Senate Bill that calls for the prevention and transporting and treatment franking water into the State.

She noted there would be an art walk in town the following Friday from 6 to 9 pm. She reviewed the types of art and the locations. She said Gallery U was taking the lead on organizing the walk and reviewed the work of the gallery.

She also noted that Sunday was Mother's Day and said Monday, the 14<sup>th</sup> would mark the 10<sup>th</sup> Annual Women's Check Up Day. She also noted that the following week would be National Women's Health Week. She said she was happy to report that President Obama's Affordable Care Act would empower women to take responsibility and make their own family planning decisions.

Councilman Zipprich thanked Councilwoman Horgan for a piece she had written for a local paper on the Affordable Care Act.

Councilman Murphy reported that there were requests from two individuals to join the Fire Department on the agenda. He also noted that they would have six residents attending the next Council meeting to receive certificates after completing six weeks of Emergency Management Training. He also reported that the Fire Boat had been placed in service and was docked at Marine Park.

He said the Food Festival had gone well and noted there were no incidents at the event. He said he wanted to thank the Police and Fire personnel. He said he also wanted to thank whoever was responsible for the cleanup noting what a good job they had done.

Mayor Menna said he was pleased to announce that Sawtooth, a national advertiser for several large companies, was moving to Red Bank. He noted the Chairman of the Board of the company was quoted in the Star Ledger saying they had chosen Red Bank because it was “a fun, creative and entrepreneurial community.” Mayor Menna said he thought Red Bank had a dynamic mix and he was glad this business had chosen Red Bank. He also reviewed some other new businesses who had recently opened or were slated to open in the coming weeks. He also reviewed upcoming events including midweek car shows and Streetlife and a festival planning in August to honor Count Basie.

Councilman Zipprich suggested new businesses to town should be given information on the Live Where You Work program.

Councilman DuPont also noted that the Council would be awarding the Monmouth Street Road project and pointed out that it included a streetscape aspect. He said it was a validation of the vision they had all had over the last three years. Mayor Menna called the plan was phenomenal and said he was pleased to report they would have complete cooperation. He said that once street project and another large project was complete, he expected to see more exciting recycling of properties. He said people had questions why it had taken so long and he cited the economy and litigation were factors.

Councilman Zipprich also noted the Train Station was being renovated. Mayor Menna said he had met with representatives of NJTransit and they had said they were on schedule.

### **COMMUNICATIONS AND PETITIONS**

Requests from Andrew Jahmal Hill for membership to the Westside Hose Company and Kevin Tormey for membership to the Liberty Hose Company of the Red Bank Volunteer Fire Department.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the requests were 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, Murphy

NAYS: None

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

### **ORDINANCES – First Reading**

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

2012-8 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER III, POLICE REGULATIONS, SECTION 3-9.12 “NOISE DISTURBANCES.”

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

Philip E. San Filippo—said he was appearing on behalf of three property owners including Welsh Farms, 7-11 and a realty partnership. He asked what statistical data had been received from the Chief of Police. Mayor Menna said the Chief had provided a summary of calls that had occurred at certain establishments that were open all night long. Mr. San Filippo asked if there were any other reports because the minutes had referenced Code Enforcement. Mayor Menna said he recalled discussions of the Council’s knowledge of other incidents involving another establishment that was in a residential area on Leighton Avenue. He said there were a number of hearings that ultimately led to the license for a package goods store being revoked and they had heard from neighbors about incidents in the neighborhood.

Mr. San Filippo asked if the Council members had had a chance to review the statistical compilation before the introduction of the ordinance.

Councilman DuPont objected to the tone of the argument said Mr. San Filippo was suggesting that the information provided was not adequate to support the passage of the ordinance. He said he understood Mr. San Filippo intended to file a law suit which he found disappointing in light of the fact that he had been a neighbor and a business owner in Red Bank for many years. He also noted that Mr. San Filippo

had represented 7-11 and some of the gas stations in town. He said he objected to the insinuation that the statistical data wasn't provided or didn't support the passage of the ordinance. He said the client that Mr. San Filippo was representing had never had 24 hour serviceability and they had had issues with a property on Leighton Avenue that had caused the Council to hold hearings that went on for months. He said it was his personal opinion that this was a creative way to protect the Borough's neighborhoods from 24 hour establishments that have never historically been there. He said Mr. San Filippo's tone implied that the Council was not supplied with statistical data or the data didn't support it.

Mr. San Filippo asked for an answer to his question. Mayor Menna said he had reviewed the data and felt it was sufficiently credible to move forward with a review of the existing noise ordinance which, he said, probably hadn't been reviewed for a substantial amount of time. He added the municipalities wax and wane and they change and he said he felt ordinances had the same sort of shelf life. He said when he saw the data he felt the information called for them to look at the ordinance in terms of health, safety and well-being and the municipality's police powers ordinances to address those concerns. He said it was glaring that a developed and diverse municipality like Red Bank did not have some sort of pattern of conduct in terms of the impact of noises as well as activities after certain hours in residential districts. He said he felt it called for action on his part after he reviewed the statistical data.

Mr. San Filippo asked how many of the activities in the report were noise related.

Attorney O'Hern noted that the data was not broken down but was organized by codes. He said a large number of the complaints were disorderly persons complaints. He said the reports also show that there is a significant increase in incidents after a certain time. He gave the example of the 7-11 that had a significant increase at 2 am. He said he thought the Mayor and Councilman DuPont were trying to make the point that the data was just one piece of the puzzle. He added that he thought it was common sense to conclude that if one put a 24 hour operation within 100 feet of a residential district there would be potential for interference with peace, quiet and solitude. He said the courts have consistently upheld the municipality's exercise of the police power.

Mr. San Filippo noted that the 2 am incidents at the 7-11 correspond with the bar closings and he questioned why the ordinance was confined to businesses operating 24/7 as compared to bars, restaurants and hotels.

Mayor Menna said it was because the bars and restaurants were located in the core business district.

Mr. San Filippo questioned whether or not there was a bar or restaurant within 100 feet of a residential district.

Mayor Menna said he did not know of any.

Mr. San Filippo asked how many calls occurred between 11 pm and 6 am.

Attorney O'Hern said the statistical data was in the report and the report showed, generally, that 24 hour operations showed an increase in police calls in the late evening to early morning hours. He said the reports speak for themselves and again noted it was just one piece of the puzzle in the governing body's decision. He said the reports were a factor but they were not just relying on them. He also repeated that he thought it was common sense that if there was a 24 hour operation with people coming in and out all night that it could potentially interfere with the peace, quiet and solitude of the neighbors who live nearby. He also noted that under the police powers, the Council had very broad discretion to make these kinds of decisions.

Mr. San Filippo said the report did not address the time of year.

Mayor Menna said he didn't think it had to and agreed with Attorney O'Hern that a standard of common sense should be applied and noted that courts as high as the Supreme Court had address the issue on point regarding quality of life for people living in residential neighborhoods being impacted by activities outside of certain hours.

Councilman DuPont said in looking back he realized they should have enacted this ordinance when they were having the issues on Leighton Avenue. He said he felt the give and take on the statistical documents didn't serve any purpose and that they speak for themselves. He added that the public purpose of this hearing was to answer questions on the ordinance not on the documents. He added that, in his opinion, the documents were not a basis for the introduction of this ordinance but it was based in discussions trying to protect the welfare of neighborhoods and from past experience.

Mayor Menna said that was his point adding that the Council could, with or without empirical data, amend any ordinance they feel necessary and proper for the maintenance and health, welfare and public order of the municipality.

Mr. San Filippo said the Borough currently had two ordinances that dealt with noise. He said one was the land development ordinance which he said already gave the Borough enforcement powers in regard to excessive noise. He said they also had the ordinance under consideration tonight that regulated noises that occurred on properties rather than the use of those properties. He said every subsection except the proposed one dealt with the activities that might occur on the property. He said they seemed to be trying to regulate the use of properties by limiting the hours of operation of those uses despite the fact that they might be permitted.

Councilman DuPont said he disagreed completely saying that that was the opinion of Mr. San Filippo. He said they were not regulating the use and said he felt it was ironic that Mr. San Filippo was standing before them representing an entity that he had represented for many years that was open 24/7.

Mr. San Filippo noted that the entities he represents had contributed substantially to the tax base over the years. He added that they had also been upgraded and modernized which he felt was laudable.

Councilman DuPont agreed that it was laudable and said he felt it was more laudable when the Mayor and Council tried to protect neighborhoods from an entity that would be open 24/7.

Mr. San Filippo said he felt the ordinance was too broad in scope and cited the example that if he worked with a client after 11 pm or before 6 am, they would be violating the noise ordinance.

Attorney O'Hern said that was not the intent of the ordinance.

Councilman DuPont said that interpretation was way too broad adding that when one was working at 11:00 at night, they were not open for business. He said he completely disagreed with Mr. San Filippo's interpretation.

Mr. San Filippo argued over the definition of "open for business." He also started to ask if the ordinance was not for a sole purpose.

Councilman DuPont strongly stated that it absolutely was not.

Attorney O'Hern said the comments were purely argumentative at this point. He added that the ordinance spoke for itself and noted that it was very narrowly tailored and outlined the properties that would be affected and said it was applied prospectively. He said it was not designed for a single property and noted that the Mayor and Councilman DuPont had referred to different properties that were areas of concern.

Mr. San Filippo said the examples that were cited on Leighton and Prospect avenues were both in areas where business uses were not permitted. He said any application to establish or expand a business would have to go to the Zoning Board of Adjustment because they were prohibited uses.

Mayor Menna noted that the store on Prospect Avenue was an existing non-conforming use and one could expand their operation to 24 hours since there was currently no restriction on hours of operation.

Mr. San Filippo said the Zoning Officer could take the position that it was an expansion of the use. He said if the Council was really concerned about noise associated with businesses within proximity of residences then they should regulate the activities that would generate the noise. He said it would not be the car doors of patrons but the deliveries and recycling/refuse collection. He called for the regulation of those activities. He questioned the amount of noise that would be generated by someone using the establishment.

Attorney O'Hern noted that the Supreme Court had already upheld a case involving a convenience store and added that the case involved a store that wasn't looking to operate overnight but just into the evening hours. He said the concern of the municipality was the noise from people coming in and out of the convenience store.

Mr. San Filippo stated he felt the ordinance was overly broad and regulated uses rather than activities. He said, in regard to his client before the Planning Board, they had made every concession to the municipality to avoid disturbing noises or activities in the overnight hours. He said he thought it was more of a zoning ordinance.

Councilman DuPont offered a motion to close the public hearing, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

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

Councilman DuPont said he felt it was time for the Council to protect the Borough's neighborhoods as they had done in the past. He said they shouldn't be intimidated for act with fear. He said the creativity that the Mayor had spearheaded should be supported. He said he felt that, by acting boldly, they were protecting the neighborhoods. He said he didn't agree with the comments that were proffered and that he felt the Mayor's comments had been decisive. He said he felt that, based on the experience they had had regarding Leighton Avenue and the history provided, they needed to support the ordinance. He called on the Council to act in unison to be bold and protect their neighborhoods.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the ordinance was declared adopted on final reading.

## RESOLUTIONS

### By Consent Agenda:

- 12-96 A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE AND INSPECTION ESCROW REGARDING BIG CHINA CORPORATION, 91-93 BROAD STREET, BLOCK 47, LOT 15.
- 12-98 A RESOLUTION TO AFFIRM THE BOROUGH OF RED BANK'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.
- 12-99 A RESOLUTION RELEASING PERFORMANCE GUARANTEE REGARDING 201 HARDING ROAD, BLOCK 110, LOT 11.01.
- 12-100 A RESOLUTION ADOPTING A STRONG ANTI-IDLING POLICY.
- 12-104 A RESOLUTION AUTHORIZING APPROVAL OF SIDEWALK CAFÉS.

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

### ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

### By Individual Vote:

- 12-95 Mayor Menna read "A RESOLUTION AUTHORIZING AGREEMENT WITH CHASE PAYMENTECH FOR CREDIT CARD PROCESSING AT PARKING PAY STATIONS."

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

### ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

- 12-97 Mayor Menna read "A RESOLUTION ACCEPTING BIDS AND AWARDED CONTRACT FOR THE 2011 ROAD PROGRAM."

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

Councilman Zipprich asked the Borough Engineer to review the Developers Agreement regarding Monmouth West. Engineer Ballard said the portion of the program from Monmouth West would include curbing, sidewalk, minor drainage and pedestrian crossing as shown on their site plan.

### ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

- 12-101 Mayor Menna read "A RESOLUTION ACCEPTING BIDS AND AWARDED CONTRACT RELATED TO THE BOROUGH'S WATER AND SEWER CONNECTIONS AND MAINS FORCE ACCOUNT."

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

### ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

- 12-102 Mayor Menna read "A RESOLUTION ACCEPTING BIDS AND AWARDED CONTRACT FOR THE BOROUGH'S SEWER CLEANING AND TELEVISION INSPECTION FORCE ACCOUNT."

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

### ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

12-103 Mayor Menna read “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 RELATED TO THE CONTRACT WITH D&D TRENCHLESS SOLUTIONS, INC. FOR THE SHREWSBURY AVENUE WATER MAIN IMPROVEMENTS PROJECT.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

12-105 Mayor Menna read “A RESOLUTION PROVIDING FOR INTRODUCTION AND APPROVAL OF AMENDMENT NO. 1 TO THE 2012 MUNICIPAL BUDGET.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

#### **PAYMENT OF VOUCHERS**

12-106 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,665,858.72.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

#### **PROCLAMATIONS**

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### **AUDIENCE**

Cindy Burnham—146 Harrison Avenue, Fair Haven—asked if the Borough had purchased the old Vaccarelli house on Bergen Place. Mayor Menna said they had not and they were not interested.

Ms. Burnham also asked about the pay stations and if the Borough was planning to put them in the Gold Street Lot. Councilman Murphy Sickels said not at this time. Ms. Burnham asked why they had chosen not to. Mayor Menna said the Parking Committee had reviewed the lots and the Council had relied on their recommendation of the Committee. Councilman Murphy said they had tried to contain it to one area of town while they assess how they operate. Ms. Burnham said she brought it up because the Gold Street Lot was used predominantly by Red Bank Catholic and had about 34 parking spaces as opposed to Maple Cove which was out of the district. Administrator Sickels noted that the Gold Street issue was complicated because there were multiple property owners and they just wanted to focus on the Borough owned lots.

Ms. Burnham asked why they weren't metering the Count Basie Lot. Councilman Murphy said that would be the same as asking why they don't meter the other streets. He said they meter where people park to move traffic along. Ms. Burnham noted that the Borough meters Marine Park and Maple Cove. Mayor Menna reviewed the history of parking in Marine Park and said he had complained back in the seventies that people were parking there all day for commercial purposes including hospital employees. He said the Council at that time put meters there because the public was not able to use the spots because they were taken up by employees, businesses and boats. He said they look at these things on a regular basis and, if the Parking Committee makes a recommendation, they will sit down and review it.

#### **EXECUTIVE SESSION**

#### **ADJOURNMENT**

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Respectfully submitted,  
Pamela Borghi