

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 30, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilwoman Horgan.

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 March 1, 2011.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman DuPont offered a motion to suspend the regular order of business, 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.

11-69 Mayor Menna read “A RESOLUTION COMMENDING JOSUE MADRIZ-PICADO ON HIS BRONZE METAL WIN AT THE WORLD INDOOR ROWING CHAMPIONSHIP.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Mr. Madriz-Picado thanked the Mayor and Council and the members of the Navesink River Rowing Club. He also thanked David Prown who he said he considered a mentor.

Special Improvement District Budget Presentation

Nancy Adams appeared on behalf of the RiverCenter district and noted that the budget was funded by a special assessment on the properties within the district and had stayed flat from the previous year’s budget.

Mayor Menna asked if any member of the Council had any questions. There were none. Mayor Menna asked if any members of the public had any questions. No one appeared.

11-67 Mayor Menna read “A RESOLUTION APPROVING THE 2011 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF RED BANK.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

There being five ayes and no nays, the resolution was declared approved. Mayor Menna noted there would be a public hearing on the budget on April 26, 2011 at 6:30 pm.

RESUME REGULAR ORDER OF BUSINESS

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

WORKSHOP

No workshop items.

APPROVAL OF MINUTES – March 16, 2011

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

Mayor Menna appointed Laura Dardi to the Environmental Commission as Alternate No. 2 for an unexpired 3-year term expiring 12/31/13.

Mayor Menna appointed Alison Hayes to the Rent Leveling Board for an unexpired 3-year term expiring 12/31/11.

Mayor Menna appointed Jenny Rossano as Pedestrian Coordinator for a term expiring 12/31/11.

Mayor Menna appointed the following members to the Emergency Management Committee for terms expiring 12/31/11:

Stephen McCarthy – Police Coordinator
Stanley Sickels – Deputy Coordinator, Planning/Logistics
Alan Soden Jr. – Deputy Coordinator, Operations
Mark Fitzgerald – Emergency Health Care
Gary Watson – Public Utilities
Joseph Forgione – Hazardous Material Technician
Pamela Borghi – Public Information Officer
Vincent Light – Information Technology
Bela Erdelyi – Information Technology
Chris Soden – Emergency Response Team Liaison

Mayor Menna expressed his gratitude to Thomas Welsh, as the new Emergency Management Coordinator for 2011. He said Mr. Welsh had met with representatives of the State, County and larger municipalities and it was his recommendation to appoint additional individuals to fill specific needs that were previously unmet. He also noted that the individuals had already started to serve and participated at no cost. He again praised the efforts of Mr. Welsh and the committee and noted that they would be making a presentation in the near future in regard to what the Borough may be able to receive in terms of donated equipment.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Councilwoman Lee said she had confirmed a member for the Board of Health that she would be submitting for the next meeting.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Lee said she had no report but had been asked to make a report on behalf of the Environmental Commission regarding the Community Garden. She reported that she had visited alternate sites with Environmental Commission Chair Laura Bagwell which would be discussed at the group's next meeting. She added that they were considering some things "out of the box" and were hoping for a positive result.

Councilman Murphy reported that the Red Bank Volunteer Fire Department was selling bricks that would be placed at the Fallen Firefighter Memorial in front of Borough Hall. He said funds raised would support the 100 percent volunteer fire department. He said it was for a great cause and encouraged everyone to participate.

Councilwoman Lewis reported that the Parks and Recreation Committee had met on March 23 and the status and maintenance of the fields and parks. She said preliminary planning for summer camp was underway. She said she had also met with the Director of RiverCenter on the 28th and they had talked about the feasibility of the Vision Projects. She said with collaboration and sponsorship, they may be able to get one or two done this year.

Councilman Zipprich said, on behalf of the Department of Public Works, he wanted to remind everyone that bulk pick up will resume in April and is done by appointment. He also announced that there would be a Shredding Day on April 16 in Marine Park which was being done in cooperation with Monmouth County. He said he was working with Gary Watson and the DPW Committee to enhance the use of the Parking Smart Card technology. He thanked Councilman Murphy for inviting him over to the Senior Center for a St. Patrick's Day luncheon. He added that Councilwoman Horgan had asked him to report on the Human Relations Advisory Committee's efforts to adopt a diversity statement. He said the group was also working on conducting a survey that would earn Sustainable Jersey points for the Borough. He also reported that, on the evening following the meeting, fire hydrant flow testing would be taking place on Shrewsbury Avenue between 10 pm and 2 am to determine and verify water supply for fire hydrants.

Councilman DuPont announced that the Finance Committee would be holding their budget workshop on April 7 at 7:30 pm at the Senior Center and the public was invited to attend. He said he had also met with RiverCenter to look for ways to improve the business climate and the permit process.

Mayor Menna noted there was an additional resolution that had been placed on the agenda because of urgency. He urged the Council to adopt the resolution and thanked John Burton of the Two River Times for waking people up to the issue regarding installations recently made by New Jersey Natural Gas. Mayor Menna said the regulators they had installed were hideous and despicable and that it was done for what he felt were purposes of economic efficiency. He compared them to horse posts and noted that the work had been done without consultation of the Borough or RiverCenter. He said he felt it was an attack on a municipality that had undergone 25 years of restoration and renovation to make the downtown look that way it does. He said the plan, if approved by the Board of Public Utilities, called for having the regulators placed in front of each building and protruding onto the sidewalk. He said it called for strident action on the Borough's part and said the corporate officials had to know that the Borough was not in favor of it and the business community and residents were up in arms. He said it dealt a mortal blow to historic preservation and he felt they had to get the legislators to respond and to petition the Board of Public Utilities to oppose New Jersey Natural Gas on this effort. He said it would change the streetscape of the downtown and would create a safety hazard especially at night.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Board of Education Budget Presentation

Board of Education member and Finance Committee Chairman Ben Forrest introduced Superintendent Laura Morana and Business Administrator Anne Darrow. He also introduced Board members who were in the audience.

Dr. Morana reviewed the budget process and distributed a paper copy of a Power Point presentation they had prepared. She said they would be holding a series of meetings before the April 27 school election. She said a newsletter would be going out with details and highlights regarding the budget. She reviewed their goals including enhancing learning and programs for students and enhancing partnerships. She reviewed the challenges they faced and how they had worked to overcome them. She also noted funding that had been received some of which helped them focus on the performing arts which she said was critical to the youngsters. She also spoke of their commitment to world languages. She said the budget was developed by focusing on the needs of the children while working with in the cap. She said state aid would be increased by \$120,000 over last year but said it was not a large amount considering expenses. She said they also received funds from the Office of the President. She also noted there was an increase in enrollment and spoke of Special Education needs and the expenses associated with that. She also discussed grants that had been received.

Ms. Darrow clarified that the district had actually received \$151,000 in state aid but it was offset by debt service for work that was done years ago and the net was about \$121,000. She said they had prepared budgets with different scenarios including one that would have anticipated a flat state aid. She explained how the pre-school aid was used and noted that it did not provide for special education needs. She said the budget increase would be 1.8 cents. She noted that they could have used certain waivers and had a higher increase, but they were very sensitive to the economic situation of the residents.

Dr. Morana spoke about the difficulty of staying under the 2 percent cap and outlined some of the tough decisions that had to be made. Ms. Darrow explained some of the cost saving measures they had put in place.

Mayor Menna thanked them for their presentation and asked if any of the Council members had any questions. Mayor Menna asked if there were any out of district paying students in either the Primary or Middle School. Dr. Morana said there were two students who had been in the system for three or four years and would be moving on to the high school so they would be losing the \$80,000 in tuition from those students. He asked if that amount covered the expenses. They said it did. He said it was often stated that out of district students that were children of faculty go to Red Bank Schools and asked if that was a fact. Dr. Morana said it was and that there were currently three or four children under that policy. Mayor Menna asked if there was tuition being paid by their municipalities. She said not to her knowledge. Mayor Menna asked if the Board had considered setting a range of contribution for those municipalities. She said she was aware that the policy was set by districts and that some charge \$2,500 to the family. Ms. Darrow said it evens out because their home district was not able to count them for state aid but Red Bank could so they did get funding for those students. Mayor Menna thanked them for the clarification and asked if anyone else had any questions.

Councilwoman Lee asked them to confirm the date of the election. Dr. Morana said it was April 27.

Mayor Menna noted that this was an informal presentation but offered a chance for the public to make brief comments.

David Prown—44 Hillside Place—asked Dr. Morana and Ms. Darrow to confirm that this was the second year in a row that they had agreed to a salary freeze. They confirmed that it was.

RESUME REGULAR ORDER OF BUSINESS

Councilwoman Lewis offered a motion to resume the regular order of business, 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.

COMMUNICATIONS AND PETITIONS

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

No one appeared.

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

2011-4 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER 4, GENERAL LICENSING, SECTION 4-6, GAMES OF CHANCE ON SUNDAYS.”

Attorney O’Hern clarified that this ordinance would delegate authority to approve or disapprove the applications to the Municipal Clerk which is allowed under state statute.

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

Stephen Hecht—135 Branch Avenue—asked if this action was connected in anyway with comments at a previous meeting regarding commercial entertainment. Mayor Menna said it was in no way connected to that issue. Mr. Hecht asked what a game of chance was. Mayor Menna said it referred to raffle licenses. Mr. Hecht asked for further clarification on the ordinance. Mayor Menna explained that, without this ordinance, the Governing Body would have to approve each and every raffle application that would then be forwarded to the State Legalized Games of Chance agency and that it was purely administrative in nature. He further noted that the State conducts the investigations and issues the permits so there as no need for the Governing Body to review it.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

2011-5 Mayor Menna read “CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).”

CFO Mason explained that there were two caps that would affect the 2011 budget and he said this ordinance referred to the 1977 appropriations cap and would allow a \$67,000 increase which was a half percent increase.

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 Zipprich.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

RESOLUTIONS

11-68 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF MONMOUTH FOR SOCIAL SERVICES FOR SENIOR CITIZENS.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-70 Mayor Menna read “A RESOLUTION AUTHORIZING RELEASE OF A PORTION OF CASH PERFORMANCE GUARANTEE REGARDING PILGRIM BAPTIST CHURCH, 172 SHREWSBURY AVENUE, BLOCK 67, LOTS 20, 21.01, 23.04, 25 AND 25.01.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-71 Mayor Menna read “A RESOLUTION AUTHORIZING TRANSFER OF CURRENT FUND APPROPRIATION RESERVE.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-72 Mayor Menna read “RESOLUTION REGARDING THE BICYCLE/PEDESTRIAN PLANNING PROJECT.”

Councilman Zipprich 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.

11-73 Mayor Menna read “A RESOLUTION AUTHORIZING REFUND OF SUBSEQUENT PAYMENTS MADE BY TAX CERTIFICATE LIEN-HOLDER OF TAX SALE CERTIFICATE NO. 2009-52 REGARDING BLOCK 87, LOT 11.”

Councilwoman Lewis asked for an explanation of the resolution. Mayor Menna explained that someone had paid taxes on a tax certificate that should not have gone out for sale and since the Borough already had the money, they were returning subsequent payment.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-74 Mayor Menna read “A RESOLUTION FIXING FEES AND CHARGES UNDER CHAPTER XVIII “PARKS AND RECREATION” SECTION 18-6 “FEES AND CHARGES” OF THE REVISED GENERAL ORDINANCES.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-75 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF REPLACEMENT PERFORMANCE GUARANTEE REGARDING BROAD STREET REALTY ASSOCIATES, L.L.C., 2, 8 & 10 BROAD STREET, BLOCK 30.01, LOTS 21, 22 & 23.”

Councilman Murphy 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.

11-76 Mayor Menna read "A RESOLUTION COMMENDING VALERIE FERBER."

Mayor Menna noted that Councilman Murphy had represented him at the retirement party for Ms. Ferber as he had been unavailable. Councilman Murphy said it was a good event and everyone had a good time. He said Ms. Ferber was a great asset to the Borough and would be missed.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

11-77 Mayor Menna read "A RESOLUTION OPPOSING NEW JERSEY NATURAL GAS COMPANY'S PROPOSED GAS PRESSURE REGULATOR RELOCATION PROJECT."

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming April 10 through 16, 2011 as National Library Week in the Borough of Red Bank.

PAYMENT OF VOUCHERS

11-78 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,007,901.67."

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 resolution was declared approved.

Mayor Menna reported that he and the Municipal Clerk had attended the annual Mayor's Dinner held by the Municipal Clerk Association of Monmouth County. He thanked Clerk Borghi for her work with the association.

OLD BUSINESS

NEW BUSINESS

Councilwoman Lewis reported that the annual Easter Egg Hunt would be held on April 18 at noon at Eastside Park.

AUDIENCE

Jenny Rossano—said she was making a request as a Girl Scout leader said she was requesting permission to paint fish on storm drains as part of a campaign for non point source pollution.

Mayor Menna asked if she had a written request. She said she did. He asked her to submit it to the Clerk for placement on the next agenda.

Councilwoman Lee asked if they would coordinate with Borough Officials. Ms. Rossano said they would.

Engineer Ballard said it was a great project for Red Bank. She noted that the Borough had storm water requirements and educational outreach requirements and working with the Girl Scouts would be a great way to achieve both of those goals.

Mayor Menna said since it was a relatively simple request, he would read it as part of this meeting.

Mayor Menna read a request from Brownie Troop #1556 for permission to conduct a campaign to help educate the people of Red Bank with respect to non point source pollution to include the stenciling project to identify storm drains and pollution in the Borough's waterways subject to coordination with the Borough Public Works Department.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Roger Mumford—247 Bridge Avenue—spoke of the amount of time and effort he had expended in the area of Bridge Avenue between Cedar Street and Drs. James Parker Boulevard adding that it had been a long and expensive process. He said in March of 2010 he had received a use variance for the old MidState building and in May of 2010 he received site plan approval. He said he wanted the Council to understand that his application was designed to rehabilitate an awful block. He noted that the plan included knocking down existing buildings and replacing them with the same type of building so there would be no change in density. He said he had spent over \$200,000 processing the application and as part of the process it was determined that he had to pay a parking fee. He explained that the buildings were in compliance and there was no need for additional parking spaces but due to the fact that one of the tenants had field employees that would require parking, a parking fee of \$29,000 was levied. In addition, he continued, those field employees were specifically prohibited, by resolution, from driving to the site. He said he took issue with the fact that he had to pay a parking fee even though the employees were not allowed to drive to the site. He compared his situation to other businesses in town that would require many more spaces. He said he wasn't asking for a tax abatement, or anything other than more cooperation than he had received and called the situation tortuous. He said he decided last May not to appeal the fee because his attorneys had sent a letter to the Borough and Mayor Menna had assured him of the likelihood that he would see his money returned due to an impending ordinance. He noted that when the ordinance was passed, he found the dates did not include his application.

He outlined some other issues he had with the process including having to sprinkle single family homes and pay for water and sewer fees even though he bought homes that already had connections. He said he was appearing to ask the Council to refund his parking fee. He said he had paid \$23,000 in fees and was required to pay another \$6,000. He added that, until the matter was resolved, he couldn't file a map and start the project. He criticized the lack of communication and the lack of care for an area in such need for redevelopment. He asked to meet with the Administrator on the matter.

Mayor Menna commended Mr. Mumford for his efforts in the area. He also said he felt the Zoning Board had taken action they should not have taken. He questioned the fact that they passed a resolution calling for the applicant to pay into a parking fund and then tell them they couldn't park there. He had tried to resolve the matter but it was now in the hands of the Borough Attorney. He said that was why he had been unable to meet with Mr. Mumford on the matter.

Attorney O'Hern agreed and said the Mayor was sensitive to the issue and said the he had been in discussions with Mr. Mumford's attorney to find a resolution. He said he had to advise the Mayor and Council not to comment on the matter noting the Mr. Mumford's attorney had filed a notice of claim against the Borough. He said the Council appreciated his comments and were sensitive to the issues. He said he would have to discuss it in Executive Council with the Mayor and Council for a final decision. He added that he had had conversations with the Attorney and felt they were making progress.

Mr. Mumford said the block was horrendous and the project was not an economic opportunity. He said he was effectively subsidizing a major improvement in order to honor his personal guarantees with lenders. He stated he had not had consistent support from the Borough and that he had heard the same sentiment from others. He said he felt that the fact that area was in need of rehabilitation and that he was willing to bring his experience to the project and that the matter was not moving along was outrageous and infuriating.

He spoke of the need to resolve the matter so he could move forward with the project.

Marjorie Lowe—9 Wall Street—expressed concern for the amount of bicycle riders that were out at night with no lights or light colored clothing. She suggested there should be a law that bicycle rider should have to wear a white hat or have a light on their bike.

Councilman Murphy noted that Ms. Lowe was a member of the Senior Center Advisory Board and had been a member for a long time.

Linda Cohen—28 Riverside Avenue—noted she was the owner of Eye Design on Broad Street said she had some concerns about the upcoming race on Broad Street to benefit the children of Haiti. She said the signs that were posted advertising the race for the following Saturday had no time noted. She said this would imply to customers that the street was closed for all of Saturday which was a very important business day. She said it would be a serious detriment and wanted to address it so it didn't happen again in the future. She said she had brought it to the attention of RiverCenter Director Nancy Adams who had reached out to the sponsor of the race.

Ms. Cohen said she had another concern she wanted to discuss. She said there had been a funeral next to her business the previous Saturday at St. James Church and, as usual they placed cones in front to block parking but forgot to take them in at the end of the service which made parking virtually impossible on the block.

Mayor Menna asked Administrator Sickels to direct a memo to all of the funeral parlors in Red Bank and to St. James Church that the permissible area of funeral reserved parking should be from the church's property on Peters Place up to the church's property line and it shall be removed after the funeral. Mayor Menna noted that St. James had a 600 space parking lot behind the church and suggested they could use that.

Councilman Murphy asked for more information about the run and when it was going to occur. Mr. Sickels said it would be from 8 to 10 am. Councilman Murphy asked if the event had gone before the Special Events Committee. Mr. Sickels said it had. RiverCenter Director Nancy Adams said she could clarify and noted that she had reached out to the event organizer who was doing it for the first time. She said he had been advised to place signs along the route to warn people about the race but he neglected to put the time on the signs. Councilman Murphy asked how much of Broad Street would be closed. Ms. Adams said it would be closed for Harding Road to White Street but on one side only. She said the organizer had said he would go back and mark the times on the signs. Mayor Menna suggested they should be sensitive to any additional closing on Saturday mornings because of the effect it had on downtown businesses.

Councilman Murphy asked how the event had come about and if the organizer had come to RiverCenter. He also asked if the store owners had input. Ms. Adams said she usually brought up the concerns of the business community at Special Events with respect items such as road closures and using out of town caterers. Mr. Sickels noted that this was one of the events that were approved by Council before being sent to the Special Events Committee and both he and Councilman Murphy noted that the process had since been changed. Mr. Sickels said the Committee tried to get them to run the race earlier but they felt they had already been approved and had printed their materials. Councilman Murphy said such an event on a Saturday should start at 7 am. It was suggested the race could be run on a Sunday but it was determined that would conflict with church services. Mr. Sickels noted that this particular event was sponsored by Tower Hill Church who held it on Saturday to make use of their parking lot.

Adam Sobel—150 Chestnut Street—appeared before the Mayor and Council and Mayor Menna asked him if he had received an answer from the Administrator yet. He said he had not. Mayor Menna asked Mr. Sickels to report. Mr. Sickels said he had just received information from Bradley Beach about a similar ordinance and they hoped to have an ordinance ready for the next meeting. Mr. Sobel thanked the Council for allowing for the bidding of a single spot for a mobile food service. He said he also wanted to present one more location for their review which would be on Monmouth Street between Pearl and West Streets. He noted there were no food establishments on that block and he had gotten a signed letter of approval from the owner of the Eurasian Eatery which was the closest restaurant.

Mayor Menna said it was also a high demand parking area for the theater and shops on Monmouth Street. Mr. Sobel agreed that it was. Councilman Murphy said he would like to see how things went at the previously suggested location. He said he had concerns about the Monmouth Street location such as parking and pedestrian safety.

EXECUTIVE SESSION

11-79 The Attorney read a resolution to adjourn to executive session to discuss contract negotiations and pending litigation.

Councilman Zipprich offered a motion to adjourn to executive session to discuss contract negotiations and pending 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 Zipprich offered a motion, seconded by Councilwoman Lewis to close executive session and adjourn the meeting.

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi