

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
OCTOBER 26, 2011
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilwoman Lewis and Chief Financial Officer Lapp.

Councilwoman Lewis arrived at 5:35 p.m.

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 September 29, 2011.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Count Basie Cup Trophy Presentation

David Prown and Enrico Ciabattoni said they were appearing before the Mayor and Council to officially recognize the participants in the 2nd Annual Count Basie Cup event. Mr. Ciabattoni said he and Mr. Prown started the event as a way to bring the students of the Middle School and Charter School together on the new turf field. He said they also asked the participants to bring food items that were donated to local food pantries. Mr. Prown noted that the program was funded a local businessman who wished to remain anonymous. Mr. Ciabattoni noted that the Girls’ teams ended in a tie and said the names of both teams would go on the trophy for 2011. He said in the event between the Boys’ teams, the Charter School was victorious. Members of teams were called forward to be presented with the trophies. Mr. Ciabattoni said the Girls’ trophy would spend six months in each school since the contest ended in a tie.

RESUME REGULAR ORDER OF BUSINESS

Councilman Murphy offered the motion to resume the regular order of business, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

WORKSHOP

Arts & Antique District Parking Issues

Danny Murphy said he was appearing to address issues of parking in the Borough’s Arts and Antique District. He said he felt there was more of a parking perception problem rather than an actual parking

problem. He said he felt the situation could be improved with better signage. He said he also felt the east side lots should be better lit and better promoted.

Mayor Menna said he had been talking about the issue for two years and was waiting for RiverCenter to produce signs.

Mr. Murphy stressed the need to have a program in place before the Westside Lofts Project came to fruition because of the additional cars that would come with it. He again noted that there was a perception that there weren't a lot of spaces but said he felt there were. He again stressed the need for signage and reviewed the number of locations that were available for parking. He talked about the changes that have occurred in the Arts and Antiques District over the past several years. He noted the need for parking lines on Bridge Avenue so it was clear that it was available for parking. He offered his best guess on what the parking needs will be in the district in the future. He also discussed availability of parking in the NJTransit lot and the need for it to be better policed to make it more user friendly. He said he also brought a representative of a valet parking company to the meeting to offer his expertise.

Councilman DuPont asked Mr. Murphy if he had approached RiverCenter with his concerns. He said he had and discussed issues with the business area on the east side of town versus that on the west side of town. He said he felt patrons were less willing to walk from parking areas due to a perception of safety concerns and a lack of signage. He discussed the amount of money contributed by the west side of the district and how he thought it should be used toward a parking initiative.

Mayor Menna said the Council appreciated his suggestions and said they were good suggestions that fit with the vision the Council had. He also said the idea behind incorporating an expanded RiverCenter was to create a continuous flow of a commercial district which would include the train station area and the arts and antique district. He said it was good that Mr. Murphy was bringing it to the forefront because he shared his vision that in two years that area would be demonstratively changed. He said he felt that the Monmouth Street Corridor and Bridge Avenue Corridor were appropriate areas for them to focus on before the changes happen rather than after. He said issues included streetscape, visibility and increased lighting. He noted he had gotten complaints about these issues and said the lights that were installed 25 years ago were no longer adequate. He said the Council could talk about it and set up a task force. He asked Mr. Murphy to recommend members for that task force and said that RiverCenter would participate but that it would be a governmental entity.

Mr. Murphy said he would like to attract people to Red Bank and have it be a tourist destination which would help keep store fronts rented.

Councilman Murphy pointed out that Red Bank had changed the way developers develop and named a few projects that were forced to provide parking or reduce in size because of policies the Council had put in place. He said his point was that parking was being provided and also noted an approval for a parking garage in the district that had yet to be built. He said he agreed with Mr. Murphy's ideas but wanted to put on record what the Council had achieved.

Mayor Menna said he agreed but noted that Mr. Murphy was bringing up the need for prospective planning before the Lots project was built. He said he thought that was sound advice and what he was proposing the task force address.

Councilman Zipprich said he thought the timing was perfect in order to be in front of the issue and plan for the future. As the economy comes back, buildings go up and businesses move in, he continued, it was a valid concern that should be addressed now.

Mr. Murphy also noted the benefits of using social media and web sites to provide parking information. Mayor Menna agreed.

RiverCenter Director Nancy Adams said the Purchase Order for the Wayfinding signs had been completed and was with the sign maker. She said they were also waiting for permission to locate informational kiosks at the NJTransit property and other locations within the Borough. She said they had also contracted to develop an iPhone app for Red Bank. She said they really didn't want to broadcast some of the things until they were in place.

Councilman Zipprich asked if the kiosks would be interactive. She said they were not but that they would have the smart phone bar code to connect to the RiverCenter and Riverview Medical Center web sites.

Councilman DuPont said he thought it would be appropriate to call for a resolution to extend the parking contribution moratorium until June of 2012. He said he felt it would send the message the Red Bank was open for business by streamlining and reducing the cost to open a business. He said he would like to see a vote on the resolution at this meeting.

Mayor Menna said it would be added to the agenda. He also noted that the matter had been discussed beforehand and that he had spoken with the administrator the previous Friday and represented to him that it should be on the agenda. He said it was a technical error that it was not on the agenda which is why they were adding it.

Councilman Zipprich summarize by saying that prior planning prevents poor performance and said he felt that Mr. Murphy had raised a good point that they should consider the issues in the Arts and Antique District and plan for the future.

Mayor Menna agreed and said he invited George Sourlis to hurry and build his parking garage before his permits expired.

Councilwoman Lewis arrived at 5:35 pm

RiverCenter Request re: Holiday Tree

Councilman Murphy said he wanted to note that the Council had agreed that certain events would go before the Special Events Committee before being brought to the Council and said he had received a call earlier in the week from RiverCenter Director Adams saying she had been unable to get in touch with anyone at Borough Hall to get something on the agenda stating she had been approved by the Special Events Committee. He noted that documentation had been provided by Administrator Sickels stating that nothing had been approved by that Committee. He said he also verified with the secretary of the Committee that there was nothing in the minutes of the November meeting stating the Holiday Tree lighting had been approved and that it was on the agenda for the next meeting. He said many of the Department Heads that sit on that Committee had concerns similar to those outlined by Mr. Sickels.

Ms. Adams said she and Joyce Sileno sit on the Special Events Committee and they recalled that, at the last meeting, they had reviewed the Oyster Festival and later on the agenda they had discussed issues with the holiday events this year. She said the first issue was moving the stage farther north on Broad Street from Peter's Place to Canal Street which she said the Committee had no issue with. She said there had also been ongoing discussions about moving the holiday tree from next to a bar to a more family friendly location and she said she had discussed this at Special Events. She said traditionally when RiverCenter events were approved at Special Events it was a formality. She said she had never heard an official approval. She said she was under the impression that it was approved and the next step was that it had to go to Mayor and Council. She said regardless of what had happened, they were trying to locate the tree in a more family friendly location that was more visible. She said they were working with Public Works Director Gary Watson and the company that installs the holiday decorations to try to make it work at Riverside Gardens Park.

Mayor Menna noted that the tree had not been in the present location several years ago but had been at the intersection of Broad and Monmouth streets and also at the train station. He said he didn't think it was a bad request but said they had to consider the opinions of the Police Department and Traffic Safety Division as well as other Departments and possibly even the County because it involved one of their roads.

Ms. Adams said there was no objection raised by the Police Department at the Special Events meeting.

Councilman Murphy again noted that he had discussed the matter with the Special Events Committee secretary and there was nothing in the minutes regarding the tree. He stressed that the protocol was for the requests to go to Special Events before coming to the Council.

Ms. Adams said the next Special Events Committee meeting was in the first week of November and that there was a time issue at this point. She said they were hoping to get the Mayor and Council's opinion on the location subject to review and approval by the Committee.

Mayor Menna said the next meeting of the Committee would be November 7 and asked if that would not give them enough time. Ms. Adams said it would not if they had to subsequently return to the Council. Administrator Sickels noted that Council meeting was immediately following on the 9th. Ms. Adams said that would not give them time to make arrangements for the tree.

RiverCenter representative James Scavone said they had a possibility of a donated tree that would fit in the park but not in the traditional location at the Dublin House and they needed to give the donor an answer within the next week. Ms. Sileno said they would also like to give the Dublin House notice if the tree was being moved so they could make arrangements.

Councilwoman Horgan asked what the issues were with having the tree at Riverside Gardens Park. Mayor Menna said a large hole would be cut in the pavement and it would have to be repaired which could be a very expensive proposition. Mr. Sickels said there were also concerns about how it would be installed and whether the equipment and the tree could get around the existing archway. He said other questions included how it would be lit and how the hole would be secured when the tree was removed because it was a

well traveled walkway. He said there was also concerns about what type of activities would go on at the location if the tree were there. He said those issues were to be discussed at the upcoming meeting.

Councilman Murphy noted that the professionals all attend the Special Events meetings and that was where those issues could be discussed to cover all the details. He said that was why the protocol was to go to the Committee before it came to the Council.

Councilwoman Horgan asked Ms. Adams what alternative she was proposing. Mayor Menna said the matter of location was not an unusual discussion, but that what he was hearing especially from Councilman Murphy and Administrator Sickels was that they should not make a decision on limited facts. He said he agreed with Councilman Murphy's opinion that it should go before the Special Events Committee where everyone in the room could consider the issues. He noted that Ms. Adams had said there was not enough time. She said there may or may not be. Mr. Sickels noted it was two weeks.

Ms. Adams said they were asking the Mayor and Council would approve of it in theory and they could get the professionals to review it to make sure it was safe. She again noted that they had been getting requests to move the tree to a location that wasn't a bar and was more visible.

Councilman DuPont said he felt it was a bad location and he didn't see any of the Borough's experts being in favor.

Councilman Murphy said he wished the matter had come up sooner.

Councilman DuPont agreed saying he was surprised she was bringing it up at such a late date.

Ms. Adams said, to be fair, it had been brought up a month ago. Councilman DuPont said that was not the case according to communications received by the Council and, in his opinion, it was a bad location.

Councilwoman Lee said she felt the tree should be kept in the Broad and Monmouth street corridor to encourage people to walk around. She said she also thought that the park, while pretty, would not encourage people to stay in town. She said she thought between the train station and Broad Street would be ideal.

Mayor Menna said Councilwoman Lee's comments reminded him that 15 years ago there was a proposal to place the tree on Monmouth Street in the front of the town's most historic structure at 51 Monmouth Street. He asked it that had been discussed. Ms. Adams said it had not. Mayor Menna noted that the Borough retained ownership of the portion of the property with the monument where the tree could be placed and urged her to consider it.

Administrator Sickels reported that he had polled some of the other members of the Special Events Committee who reported that the meeting had actually adjourned when Ms. Adams brought it up to some of the members that were still present but it was decided to bring it up at the next meeting. Given the short notice and outstanding issues, he continued, he felt it was too late to consider the move for this year and said they could possibly entertain it for next year with the benefit of the Committee's input.

APPROVAL OF MINUTES – October 12, 2011 Special Meeting

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

ROLL CALL:

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

NAYS: None

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

APPROVAL OF MINUTES – October 12, 2011 Regular Meeting

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

ROLL CALL:

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

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy had no report.

Councilwoman Lee had no report.

Councilwoman Horgan reported that the Association of New Jersey Environmental Commissions had awarded the Red Bank Environmental Commission a grant to study anti-idling emissions. She said the kick off meeting had been held on October 13 and was attended by Councilman Zipprich, Police Chief McCarthy and herself as well as members of the Environmental Commission. She said there was a lively discussion about way to use the money to education the public. She said there would be a follow up meeting with the date to be announced.

Councilwoman Lewis reported that the Parks and Recreation Committee had met on the 20th and a large part of the meeting had been a discussion regarding the Count Basie Field Phase III improvements to the park as well as park maintenance and security.

She also reported that the Vision Committee had met the previous night with members of the community and they had come up with a concept they were calling the Count Basie Cultural Series which would promote art and music through various mediums and venues. She said they were kicking it off with the theme "Count Basie 365." She said more information would be available as they proceeded.

Councilman Zipprich reported that hydrant flushing would end on October 28. He also noted that the Department of Public Works was working on shared service agreements with neighboring municipalities with the objective of reducing expenses that affect the taxpayers such as fuel and energy costs while increasing productivity of the employees. He said the Department was also considering ways to reduce the Borough's carbon foot print and said Director Watson had been in communication with Directors of neighboring municipalities to come up with ways to benefit all of the towns.

He said, on behalf of the Historic Preservation Commission, that he would like to report that the Washington Street Historic District would be getting new street signs. He said he wanted to publicly thank Preservation Red Bank President Joel Iverson and George Bowden for their generous donation. He said the signs were paid for by Preservation Red Bank at no cost to the tax payers of Red Bank.

He said he also wanted to thank Memone Crystian and the Parks and Recreation staff for another successful Halloween Parade. He said he had also been proud to represent the Council at the Charter School's International Day the week before. As a member of the Education Technology Committee, he continued, he said he was very impressed by the students' presentations and said he felt they were well informed.

Councilman DuPont had no report.

Mayor Menna thanked Councilman Zipprich for mentioning the school children and said he wanted to report that the Acting Commissioner of Education was thoroughly impressed with all of the Red Bank School children from the Primary, Middle and Charter schools and the progress they had made. He also reported that Red Bank had made the international media the previous week in a very favorable manner when through the tremendous generosity and wisdom of Dorthea and Jon Bon Jovi. He said it showed a positive face on our community that was inclusive, diverse and accepting and also that it was a thriving, growing community. He said in the coming weeks there would be equally exciting news from the business community and employers in Red Bank which would put the Borough on a hallmark of the tri-state region in terms of growth and being business friendly.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from RiverCenter for free parking in the White Street, English Plaza and Eastside parking lots in the RiverCenter District from December 10, 2011 to December 25, 2011.

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna read a request from The Visiting Nurses Association of Central Jersey to hang a banner on Broad Street from November 1 to November 30, 2011 to advertise the Holiday House Tour.

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

ROLL CALL:

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

NAYS: None

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

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

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

No one appearing, Councilman Murphy offered a motion to close the public comment portion of the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading

2011-18 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-5.30, “HISTORIC DISTRICT REGULATIONS.”

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

Councilman Murphy asked if the owners of the homes included in the Ordinance had been notified. Engineer Ballard explained that the owners had been previously notified when the ordinance was originally adopted. She said she had reviewed the list after adoption and noticed several errors which was the reason for the amendment.

Councilman Zipprich added that when the list was compiled, there had been public hearings and members of the Historic Preservation Commission had gone door to door.

Councilman Murphy clarified the area that was included in the Ordinance with the Engineer and which properties were being added. He again asked for confirmation that everyone had been notified and expressed concern about the restrictions that would be applied to the properties.

Councilman Zipprich noted that the Historic Preservation Commission was only advisory in its capacity and said the restrictions were recommendations.

Councilman Murphy again expressed concern about how the restrictions might affect a homeowner’s ability to sell a property.

Councilman Zipprich said the list for the original ordinance had been compiled by volunteers and said the Engineer had gone through it and found errors. He said this amendment would correct the errors to the 2007 list.

Councilman Murphy asked if the amendment was adding properties to the district. Both Councilman Zipprich and Engineer Ballard said that it was not. Councilman Zipprich explained that the amendment was just correcting errors to the original list that was adopted by the Council in 2008. Engineer Ballard explained that there had been a highlighted map with the original ordinance that was adopted and that not all of the highlighted properties had been listed.

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 to be held November 9, 2011.

2011-19 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.16, “USE REGULATIONS CONTROLLING THE WATERFRONT DEVELOPMENT DISTRICT,” FOR PURPOSE OF CLARIFYING THOSE PROPERTIES TO BE INCLUDED WITHIN THE RECTOR PLACE RESIDENTIAL ZONE.”

Mayor Menna explained that the original ordinance had referred to all properties along Rector Place but did not list them by block and lot. He said there was one property that had only a minor frontage on Rector Place and the bulk of the property fronted on Highway 35. He said this Ordinance would clarify that it was not the intent of the original ordinance to include that property.

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 to be held November 22, 2011.

ORDINANCES – Public Hearing & Final Adoption

2011-16 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC” SECTION 7-3.4, “PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS”, SCHEDULE II, “OAKLAND STREET.”

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

Jennifer Barons—61 Oakland Street—said she wanted to clarify that the zone would not overlap any of the residences on Oakland Street.

Mayor Menna clarified the area specified in the Ordinance and said that it would overlap the first house on the corner but that the houses to the west of the school would not be affected.

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

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

2011-17 Mayor Menna read "ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY REQUIRING MORTGAGEE REGISTRATION RELATING TO REAL PROPERTY MORTGAGES IN DEFAULT, PROVIDING FOR REGISTRATION AND REQUIRING MAINTENANCE FOR CERTAIN REAL PROPERTY BY MORTGAGEES."

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

Vincent LaPore—80 North Broadway, Long Branch—questioned the public notice that stated the public hearing would be at 6:30 pm and asked if it had been renoticed for 5 pm.

Mayor Menna said in light of the fact that the hearing date was not published for 5 pm, he cautioned the Council not to act on the Ordinance.

Councilman DuPont noted that it was 6:15 pm and the Council could wait until 6:30 pm to act on the ordinance.

Mr. LaPore said he felt people familiar with the process may believe they could show up 20 to 30 minutes after the start time to be heard on the matter.

Mayor Menna agreed and recommended the public hearing be carried to November 9, 2011.

Councilman DuPont offered a motion to carry the public hearing and final adoption to November 9, 2011, seconded by Councilwoman Lee.

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the public hearing was declared carried.

RESOLUTIONS

By Consent Agenda:

11-211 A RESOLUTION AUTHORIZING TAX OVERPAYMENT TO BE APPLIED TO FEBRUARY 2012 QUARTER.

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

ROLL CALL:

AYES: DuPont, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Lewis, Zipprich

There being four ayes, no nays and two abstentions, the public hearing was declared carried.

11-212 A RESOLUTION AUTHORIZING TAX REFUNDS DUE TO TAX APPEAL JUDGMENTS.

11-213 A RESOLUTION TO AUTHORIZE INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF TINTON FALLS AND THE BOROUGH OF RED BANK FOR SHARED TRUCK WASH SERVICES.

11-214 A RESOLUTION IN SUPPORT OF THE RED BANK VOLUNTEER FIRE DEPARTMENT 9-11 MEMORIAL.

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

ROLL CALL:

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

NAYS: None

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

11-215 A RESOLUTION AUTHORIZING EXTENSION OF PARKING MORATORIUM UNTIL JUNE 30, 2012.

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

ROLL CALL:

AYES: DuPont, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Lewis, Zipprich

There being four ayes, no nays and two abstentions, the resolution was declared approved.

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming November 2011 as Pancreatic Cancer Awareness Month.

PAYMENT OF VOUCHERS

11-216 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$626,243.75."

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

ROLL CALL:

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

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Brian Blount said in September he had gotten into a verbal altercation with a Borough employee during Borough time. He said he had contacted DPW about an investigation and had been under the impression that he would be informed of any decisions that were made. He said he had reached out to Councilwoman Lewis and Councilman Zipprich and they had informed him that the investigation was complete but that they were not at liberty to tell him how it was concluded.

Mayor Menna said he was not personally familiar with the investigation as it had not been mentioned to him. He noted that if it was a personnel matter at Public Works and there had been an investigation, it would be confidential but that Mr. Blount should be privy to information as a victim or involved party. He said the Governing Body would not be able to discuss the matter in an open meeting without giving a Rice notice to the other person involved. He suggested Mr. Blount discuss the matter off the record with the Administrator or the Director of Public Works.

Councilman Murphy asked if the incident was a Police matter and asked if Mr. Blount had signed a complaint with the Police Department. Mr. Blount said he had.

Steven Mitchell—of the Environmental Commission—said the date for the meeting regarding emissions was scheduled for November 22. He said he noticed that one of the Public Hearings mentioned was set for the 22nd also. He said he understood the Environmental Commission meeting had been moved to a smaller meeting room to accommodate the Council and said it might be prudent to move the date for the emissions meeting. He said he would discuss it with the Environmental Commission.

Steven Hecht—135 Branch Avenue—noted it had been 17 months they had been waiting for the installation of benches in Marine Park. He urged the Council to do something.

David Prown—44 Hillside Place—said he was looking for advice regarding the Prown's calendar. He noted that this year's calendar had featured photos of the Westside of Red Bank and the proceeds had benefited the Parker Family Clinic. He said the theme for 2012 would be various storms and said he had a Red Bank

entity in his mind that he would like donate the proceeds to but was looking for other suggestions. He said he wanted it to be a Red Bank entity rather than something like the Red Cross.

Councilwoman Lewis suggested the Fire Department but Mr. Prown said he had planned on doing a calendar with a Fire Department theme and donating the money generate from that.

Councilwoman Lee suggested Emergency Management. Mr. Prown asked about the entity. Mayor Menna explained the organization and noted that it was headed by Tom Welsh. He said it included the Fire Department, First Aid, Police Department, SCUBA team and staff from Borough Hall. Mr. Prown said he thought it was a great suggestion and asked if there were any others.

Councilman Zipprich said he would also suggest the Department of Public Works since those were the people that were out before and after the storm doing the prep and clean up.

Councilman Murphy asked them not to forget the Police Department.

Councilman DuPont asked Clerk Borghi to update the Council on the status of the Mayor's Wellness Campaign. She said the organization had recently switched directors and that she had reached out to the new Director of the program to inform her that Red Bank had formed a committee and to give her contact information for Councilman DuPont. She said she believed the next step was that the Director would be contacting Councilman DuPont so she could set up a meeting with him to go over how the town should proceed. Councilman DuPont said he had not been contacted. Clerk Borghi said she would follow up with her.

Mayor Menna also reported that there was an exciting event the RiverCenter and the restaurant group was sponsoring for November 20 which would also be part of the wellness campaign. He asked RiverCenter Director Nancy Adams to come forward and explain the program. Ms. Adams said the program was called "Get Naked and Check Yourself." She said it was a fashion show at Teak with proceeds going to Red Bank area cancer awareness causes. Mayor Menna said the focus was to encourage people to get themselves checked regularly. Councilman Zipprich noted that there were a number of area businesses involved.

Councilman Zipprich said he felt it was appropriate to have the conversation at the end of yet another cancer awareness month. He said the event should be a lot of fun and he hoped it would raise a lot of money for cancer awareness. Director Adams offered information on purchasing tickets.

Mayor Menna noted that it was exactly 6:30 pm and, in light of the fact that there might be a question regarding the public notice, he asked the Council to reintroduce and vote on Ordinances read earlier in the meeting.

2011-18 Mayor Menna read "ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-5.30, "HISTORIC DISTRICT REGULATIONS."

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

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 to be held November 9, 2011.

2011-19 Mayor Menna read "ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.16, "USE REGULATIONS CONTROLLING THE WATERFRONT DEVELOPMENT DISTRICT," FOR PURPOSE OF CLARIFYING THOSE PROPERTIES TO BE INCLUDED WITHIN THE RECTOR PLACE RESIDENTIAL ZONE."

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 to be held November 22, 2011.

He also asked Council Members to reconsider the ordinance that had been voted on for Public Hearing and Final Adoption.

2011-16 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC” SECTION 7-3.4, “PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS”, SCHEDULE II, “OAKLAND STREET.”

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

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

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna also asked the Council to revoke on Resolutions that were on the agenda which were 11-211 through 11-215.

By Consent Agenda:

11-211 A RESOLUTION AUTHORIZING TAX OVERPAYMENT TO BE APPLIED TO FEBRUARY 2012 QUARTER.

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

ROLL CALL:

AYES: DuPont, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Lewis, Zipprich

There being four ayes, no nays and two abstentions, the public hearing was declared carried.

11-212 A RESOLUTION AUTHORIZING TAX REFUNDS DUE TO TAX APPEAL JUDGMENTS.

11-213 A RESOLUTION TO AUTHORIZE INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF TINTON FALLS AND THE BOROUGH OF RED BANK FOR SHARED TRUCK WASH SERVICES.

11-214 A RESOLUTION IN SUPPORT OF THE RED BANK VOLUNTEER FIRE DEPARTMENT 9-11 MEMORIAL.

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

ROLL CALL:

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

NAYS: None

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

11-215 A RESOLUTION AUTHORIZING EXTENSION OF PARKING MORATORIUM UNTIL JUNE 30, 2012.

Councilman DuPont offered a motion to approve the resolution, 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.

AUDIENCE

Mayor Menna asked if there were any additional members of the public that wished to comment. Seeing none, he closed the public portion.

EXECUTIVE SESSION

Mayor Menna stated there was no need for an Executive Session.

ADJOURNMENT

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

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi