

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
NOVEMBER 22, 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 and Attorney O'Hern.

ABSENT: Councilwoman Lewis, Chief Financial Officer Lapp and Engineer Ballard.

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.

Police Department Promotions/Appointments

Mayor Menna noted there was a special item on the agenda and asked Council President and Police Commissioner Murphy to introduce the business.

Commissioner Murphy said that the Council would be considering the promotions of some fine officers from the Red Bank Police Department and well as some new hires. He noted that over the past few years there had been budget cuts and furloughs as well as positions that had not been filled after officers retired leaving the Department below the normal number of officers required for operation. He said there were three officers of the agenda to be hired as well as the promotion of Wendy Samis, Juan Sardo and Robert Clayton. He spoke of the officers being promoted saying they were outstanding and worked above and beyond their capacities. He offered a short biography on each officer's career.

Mayor Menna swore in Wendy Samis, Juan Sardo and Robert Clayton.

Commissioner Murphy reviewed the credentials of each of the officers being hired.

Mayor Menna swore in the three probationary police officers Garrett A. Falco, Stanley D. Balmer and Jhonatan R. Quispe.

Commissioner Murphy thanked everyone for coming and said he wanted to especially thank the Red Bank Police Department for their support. He noted that there were almost 500 applications for the new hire positions and thanked Chief McCarthy and his staff for their efforts. He also noted that all of the new hires had already been to the Police Academy which would save the Borough quite a bit of money. He congratulated the officers being promoted and also the officers that were being hired.

Chief McCarthy thanked Commissioner Murphy and the other Council members for their support. He noted that he had worked with the officers being promoted and how they had grown through their careers. He said the greatest complement one could give to a police office was that one would be happy to have them investigate a crime against a family member and said he felt that about these officers with all of his heart. He also reviewed the lengthy process involved in choosing the new hire candidates. He noted that the individuals chosen came from a highly qualified group of candidates. He said they were all good people with outstanding character and had the skills to be outstanding police officers. He also noted they all came highly recommended by their previous Chiefs.

Mayor Menna said he wanted welcome the Law Enforcement Community and noted that it was a tight knit community. He said it was heartwarming to see so many friends from throughout the County attend whenever Red Bank had a promotion. He said he wanted to offer a special welcome to Retired Chief Clayton for a very personal return for a family member. In regard to the new hires, Mayor Menna noted the Commissioner and all of the members of the Council always had an open door for both them and their extended families. He asked them to consider themselves part of the Red Bank family from this night on. He commended each of the promoted officers individually. He said they looked forward to working with all of the officers.

Councilwoman Lee said she wanted to welcome each and everyone of the officers. She commended the new hires, those promoted and the existing police force saying they made Red Bank what it is. She said she wanted to thank them and their families for giving their family member to the Borough.

Councilwoman Horgan congratulated those promoted and welcomed the new hires. She said she was especially happy to see a woman promoted adding that she thought it was always harder for women. She clarified that she was happy for all of the officers. She said she was also happy that there would be two officers who would be able to interact with the Latino community. She said the Police Department was wonderful and was led by a great Chief.

Councilman Zipprich said the Council was proud of each of the officers being promoted and they welcomed the new probationary officers. He said he agreed that the Department was led by a great Chief who the Council had every confidence in. He thanked the men and women of the Department for putting themselves on the line everyday.

Councilman DuPont said he felt privileged and honored to serve on the Police Committee. He said the individuals being promoted epitomized diversity and represented three different areas of the community. In respect to the new hires, he continued, it was an honor to be chosen out of 500 applicants and said they should be honored to serve in Red Bank. He noted it was a special moment to see former Chief Clayton with his son as he was promoted. He said he also wanted to thank the Chief and said the fact that they were able to hire three new officers was a credit to his fiscal responsibility. He thanked all of the police officers present for their service.

Mayor Menna invited everyone to stay for a brief presentation by Red Bank Middle School student Elijah Grey noting that his presentation was related to police work.

Elijah Grey came forward and told the Council and audience that he was the founder of the Anti Bullying Squad and the President of the Student Council at Red Bank Middle School. He gave a brief summary of his program and explained how it came about. He said the program was 45 members strong and growing. He noted members were trained to intervene in bullying situations and said he hoped the program would continue after he graduated.

Mayor Menna commended him on his presentation.

Middle School Principal Maria Iozzi said Elijah had done a wonderful job and the school was very proud of him. She also said she was sure the program would carry on next year.

By Consent Agenda:

11-225 A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE
DEPARTMENT DETECTIVE ROBERT CLAYTON TO RANK OF SERGEANT.

11-226 A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE
DEPARTMENT INVESTIGATOR WENDY SAMIS TO RANK OF DETECTIVE.

11-227 A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE
DEPARTMENT INVESTIGATOR JUAN SARDO TO RANK OF DETECTIVE.

11-228 A RESOLUTION APPOINTING PROBATIONARY POLICE OFFICERS.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

Councilman DuPont offered the motion to resume 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.

WORKSHOP

No workshop items.

APPROVAL OF MINUTES – October 26, 2011

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy said he just wanted to thank the Council and the Police Committee for their support during the promotion process and the hiring process.

Councilwoman Lee noted there was extensive programming at the library and asked the reporters to pick up literature to help mark the events.

Councilwoman Horgan said the Environmental Commission would be meeting at 6:30 pm this evening in the third floor conference room. She noted they had received an award for Emissions Reduction and that this would be the second meeting on that issue and they would be brainstorming on ways to use the funding.

Councilman Zipprich said there would be a banner on the Borough website noting that curbside brush collection had ended and leaf collection was underway. He said leaves were being collected by zone and it would end in December. Also in December, he continued, an alert would be sent out regarding Christmas tree pick ups.

Councilman DuPont said, although Moody's had indicated the Borough had a negative outlook, it seemed to be disregarded because the Borough had a bond sale that resulted in an interest rate that was phenomenally low. He said he thought it was a result of the fiscal responsibility that the Council had taken.

Mayor Menna thanked Councilman DuPont, the Finance Committee and CFO Lapp as well as the entire Council noting they had lived through a difficult time. He said he knew when they had first gotten the word they were concerned about the Moody's rating. He said he had been critical of Moody's and had tried to explain that the Council had taken the steps that they had been asked to take by the Governor's Office to help tax payers. He added that that should not have been construed as a negative because they had been following the best practices indicated by the State.

Councilman DuPont said he felt the investors believed in the Borough because the Mayor and Council had reduced debt operating costs and that some employees were wearing a number of different hats.

Mayor Menna said he appreciated everything that everyone had done and continues to do.

Councilman Zipprich said he was glad the Mayor had brought the issue to the forefront and noted that everything the Council had tried to do to contain taxes and spending represented a lot of hard work. He said the fact that the Governor's instruction was to use the surplus to keep taxes down was not generally recognized.

Mayor Menna noted they had tried to be fiscally responsible and said it had been difficult to say “no.” He said they had had to learn to live within their means. He noted that the Public Works Department had been struck with historically unforeseen cataclysms such as storms, a hurricane and an earthquake.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from The Friends of Maple Cove to hold the 3rd Annual Paddle the Navesink Day on Saturday, September 8, 2012 from 10 a.m. to 4 p.m., approved by the Special Events Committee.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read requests from Karr Mullen for membership to the Independent Engine Company of the Red Bank Volunteer Fire Department and Jason Vennetilli, Michael Thormann and Christine Burke for membership to the Red Bank First Aid and Rescue Squad.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, 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.

Cindy Burnham—Harrison Avenue, Fair Haven—said she wanted to ask about resolution 11-221 regarding an application to the Monmouth County Board of Chosen Freeholders.

Mayor Menna noted that the resolution was not on this agenda. It was determined that it had been adopted at November 9th meeting.

Councilman DuPont offered a motion to close the public comment portion of the meeting, 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.

ORDINANCES – First Reading

2011-21 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AUTHORIZATION OF SANDWICH BOARD SIGNS.”

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Public hearing and final adoption to be held December 7, 2011.

ORDINANCES – Public Hearing & Final Adoption

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

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, 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 Zipprich.

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

2011-20 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 25-2.3, “DEFINITIONS” AND 25-10.9(a), “REGULATIONS CONTROLLING NEIGHBORHOOD BUSINESS DISTRICT (Permitted Uses).”

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

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

There being five 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 Murphy.

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

RESOLUTIONS

By Consent Agenda:

- 11-229 CDBG Block Grant Resolution Authorizing the Mayor and Clerk to Execute a Project Agreement with Monmouth County for Performance and Delivery of FY2010 Community Development Projects.
- 11-230 A Resolution Authorizing Release of Performance Guarantees and Acceptance of Maintenance Guarantee Regarding James Parker One, LLC & James Parker Two, LLC, 103, 109 Drs. James Parker Boulevard, Block 96, Lots 3, 4, 5, & 5.01 (Phase I).
- 11-231 A Resolution Authorizing Acceptance of the Historic Preservation Commission's 2010 Annual Report.
- 11-232 A Resolution Authorizing the Issuance and Sale of up to \$600,000 of Special Emergency Notes of the Borough of Red Bank; Making Certain Covenants to Maintain the Exemption of the Interest on Said Notes from Federal Income Taxation; and Authorizing Such Further Actions and Making Such Determination as May be Necessary or Appropriate to Effectuate the Issuance and Sale of the Notes.
- 11-234 A Resolution Authorizing the Red Bank RiverCenter to Provide Valet Parking Services on Broad Street on a Temporary Basis.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

- 11-233 A Resolution Authorizing Person-to-Person Transfer of Plenary Retail Consumption with Broad Package Privilege License No. 1340-32-003-009 (Teak).

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

- 11-235 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,787,040.44."

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

11-236 The Attorney read a resolution to adjourn to executive session to discuss contract negotiations and personnel.

Councilman Murphy offered a motion to adjourn to executive session to discuss contract negotiations and personnel, seconded by Councilman Zipprich. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Councilman DuPont offered a motion to close executive session and adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi