

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
DECEMBER 21, 2011  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Chief Financial Officer Lapp.

**SUNSHINE STATEMENT**

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on September 29, 2011.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

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

NAYS: None

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

**Holiday Home Decorating Contest Awards**

Councilwoman Lewis and Director Crystian presented certificates and prizes to the three winners of the Annual Holiday Home Decorating Contest sponsored by the Parks and Recreation Department. First prize went to the Malloy residence on West Westside Avenue, second prize went to the Hussey residence on Leighton Avenue and third prize went to the Midura resident on Peters Place.

Mayor Menna congratulated the winners and urged residents to participate in the contest next year.

**Presentation of Proclamation for World Hypnosis Day – January 4, 2012**

Mayor Menna commented on last year’s event and discussed the importance of the science of hypnosis. He noted James Guinta’s prominence in the field. He read the proclamation and presented to Mr. Guinta. Mr. Guinta said the proceeds for the upcoming event at the Two River Theater would benefit the Mental Health Association of Monmouth County.

**Civilian Heroism Awards**

Mayor Menna noted that two ordinary individuals performed an extraordinary act to help another. He spoke of the ties both men had to Red Bank. He recounted the events of a fire that occurred a couple of months previous and the fact that the gentlemen had assisted the resident without regard for their own personal safety. He said the victim would have been comforted by their actions and said he had spoken with family members who were grateful for their kindness.

He noted that one of the honorees had been delayed and that his presentation would be held until his arrival.

11-249        Mayor Menna read “A RESOLUTION COMMENDING ROBERT E. WOMBLE.”

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

ROLL CALL:

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

NAYS:        None

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

Mr. Womble thanked the Council and said God had put him in the right place at the right time. He said he had known the victim his whole life and didn't expect his actions to be rewarded.

Councilman Murphy said he had known Mr. Womble through sports and recognized his heroism. He also noted the Fire and Police Departments were appreciative of his efforts.

Attorney O'Hern said he also knew Mr. Womble through sports and said he had been an individual that "always had your back."

Councilwoman Lee said the story was what Red Bank was all about and said she saw examples of it everyday. She said she was honored to be able to thank him. She said she would miss Mrs. Rudrow but thanked Mr. Womble for being there.

Councilwoman Horgan said she was touched by Mr. Womble's humility and noted his actions were something that many would not have done.

Councilman DuPont said he thought courage was described as grace under pressure and said he felt Mr. Womble exhibited that. He said Mrs. Rudrow was probably comforted by seeing a familiar face among the flames.

Councilman Zipprich said he had met those involved while he was campaigning and agreed that it was what Red Bank was all about. He said Mr. Womble's act of heroism should be honored and recognized and that the Borough was grateful for his selflessness.

Councilwoman Lewis thanked Mr. Womble for putting someone else before himself and for being a part of the Red Bank community.

## **RESUME REGULAR ORDER OF BUSINESS**

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

## **WORKSHOP**

### **APPROVAL OF MINUTES – November 22, 2011**

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

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 encouraged citizens to use the Library and noted that program information was available on the website.

Councilwoman Horgan reported that the Boys and Girls Club Teen Center had had its grand opening. She said the students had painted, cleaned and decorated the space. She said she and Councilwoman Lewis had

attended their holiday party the previous night and noted that there would be a fundraiser for the organization on January 11 on the Asbury boardwalk.

Councilman Zipprich everyone a joyous holiday season and, on behalf of himself, Councilwoman Lewis and the rest of the Council, invited everyone to join them at the January 1 reorganization meeting. He said the Historic Preservation Committee would be meeting later that night and noted that signs were being installed to designate the Washington Street Historic District. He also pointed out that the signs had been donated. He reviewed the accomplishments of the Department of Public Works over the last year and said they continue to do more with less. He said they had enhanced the Borough's shared services agreements and said recycling containers were still available for free at the Public Works office. He urged everyone to be careful on the road and to think before they drink and drive. He also thanked Councilwoman Lewis, Administrator Sickels, Director Crystian and Engineer Ballard for their efforts to secure a grant to improve the Bellhaven property.

He also noted it was the end of an era as he had attended the funeral for Ralph Gatta. He said Mr. Gatta had been a wealth of information on Red Bank history and jazz. He spoke of the possibility of renaming a street in his honor.

Councilwoman Lewis wished everyone happy holidays. She said the Borough had made some great accomplishments and done a lot with a little. She said the next year will also be a difficult year. She agreed that it was sad to see Johnny Jazz, as Mr. Gatta was known, laid to rest. She said she had attended the Boys and Girls Club Holiday Party the previous night and described the event. She thanked the Police Department for their assistance with the event.

Councilman DuPont had no report.

## **RESOLUTIONS**

11-248        Mayor Menna read "A RESOLUTION COMMENDING KRISTOPHER L. PARKER."

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

### **ROLL CALL:**

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

NAYS:        None

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

Mayor Menna again noted that kind, gentle human presence that the men had provided to Mrs. Rudrow in her hour of need. He said the Council wanted to celebrate his life and his humanity to someone else. He said he hopes the efforts will be duplicated by someone who hears of the story and emulates his efforts.

Mr. Parker thanked the Mayor and Council for the honor and said he just wished he had arrived a couple of minutes earlier so that she might still be here.

Councilwoman Lee noted that the Council members had all spoken earlier. She said so often the news shows young men not making the right decisions and said Mr. Parker had stepped up without concern for consequence to himself.

Administrator Sickels said he had interviewed the Police Officers involved in the incident and they had noted that the men had never hesitated. He also noted that they had performed the act without helmet or protective gear.

Councilman Murphy noted that the Police and Fire Departments thanked the men for their efforts.

Councilman Zipprich noted Councilwoman Lee had expressed earlier in the meeting that the story was what Red Bank was all about. He called their actions a tremendous act of heroism.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from Brian Pohl for membership to the Independent Engine Company and Simmee Cyrstian for membership to the Westside 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, Lee, Murphy

NAYS: None

There being six 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—146 Harrison Avenue—asked if Resolution 11-250, regarding parking pay stations applied to Maple Cove. Mayor Menna said there were a number of different areas that may be included. Councilman Murphy confirmed that Maple Cove would be included. Councilman Zipprich said it would also include White Street and English Plaza.

Ms. Burnham questions whether the Borough could put the meters at a Green Acres-funded park. Mayor Menna noted that Marine Park was also funded by Green Acres and noted that there were meters there.

Ms. Burnham claimed no one used Marine Park and said a letter had been written to Administrator Sickels stating the lot could only be used for park use.

Mr. Sickels noted the reference letter stated someone's opinion. He also stated no Green Acres funds were used for the lot and that it had existed before Maple Cove was created. He also noted that the resolution on the agenda only authorized the purchase of the equipment and the ordinance to make it a pay station lot had not been done yet.

Mayor Menna said it was his recollection that the Borough had had a parking lot on that site and charged permits there before Maple Cove.

Mr. Sickels noted that the area had been put on the Borough's Recreational Open Space Inventory (ROSI) list because it had been intended as a boat ramp but the Borough had subsequently been told by the DEP that it could not be used for that purpose.

Mayor Menna noted the resolution only allowed the Borough to award the contract to the successful bidder and that placement had not been determined. He said the public would be notified when an ordinance on the matter was being considered.

Ms. Burnham asked how much the equipment would cost.

Engineer Ballard said the cost was \$12,000 per unit.

Ms. Burnham asked how many were being purchased.

Mr. Sickels said that had not been determined yet.

Mayor Menna noted the purchase was being made out of the Parking Fund and not the tax base.

Nancy Adams—Red Bank RiverCenter—wished everyone Happy Holidays and said RiverCenter was in support of the purchase of the pay stations that will offer more options for shoppers.

Councilman Murphy thanked the Parking Committee for their time to review the kiosks and participating in the bid process. He noted the new stations would offer more options to pay such as credit card, coins, bills and said it was definitely a move in the right direction.

Councilman Zipprich noted it was state of the art technology and would free the merchants up from the burden of making change.

Councilman Murphy said this was the first stage and was hopeful that, over the next few years, the stations would be installed throughout town.

Ms. Adams said RiverCenter would work to get the info out.

Councilman Zipprich noted that the Parking Smart Card was now available in a \$10 increment.

Ms. Adams also reported RiverCenter had changed from Gift Cheques to Gift Cards and had raised \$11,000 in December.

Councilman Murphy questioned the creation of the \$10 card and asked who had made the decision.

Councilman DuPont offered kudos to the Parking Committee for their efforts with the meters.

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

ROLL CALL:

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

NAYS: None

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

### **ORDINANCES – First Reading**

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

2011-22 Mayor Menna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER II, “ADMINISTRATION,” SECTION 2-37.1 “FIRE DEPARTMENT, OFFICERS”, Paragraphs d., e and f.”

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

No appearing, Councilman Murphy offered a motion to close the public hearing, 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 closed.

Councilman Murphy 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.

### **RESOLUTIONS**

#### **By Consent Agenda:**

- 11-244 A Resolution Releasing Performance Bond and Accepting Maintenance Guarantee Regarding Bank of America, 170 Broad Street, Block 104, Lots 14 & 15.
- 11-245 A Resolution Authorizing the Cancellation of Uncollectable Taxes.
- 11-246 A Resolution for Adopting Changes to an Existing Deferred Compensation Plan Pursuant to the Final Internal Revenue Code Section 415 Regulations, Pension Protection Act of 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the worker, Retiree and Employer Recovery Act of 2008.
- 11-247 A Resolution Authorizing Transfer of Funds.

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

ROLL CALL:

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

NAYS: None

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

11-250      Mayor Menna read "A RESOLUTION ACCEPTING BID FROM AND AWARDING CONTRACT TO INTEGRATED SYSTEMS FOR MULTI-SPACE PARKING PAY STATIONS."

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

ROLL CALL:

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

NAYS:      None

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

## **PROCLAMATIONS**

### **PAYMENT OF VOUCHERS**

11-251      Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$6,034,225.00."

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

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**

Councilman Zipprich reported that there would be public meetings for the New Jersey Water Supply Authority in 2012 on January 9, February 6, March 5, April 2, May 7, June 4, July 2, August 6, September 10, October 1, November 5 and December 3. He noted the Authority's website would have more information.

Mayor Menna wished everyone a happy holiday and health and happiness in the new year.

## **AUDIENCE**

### **EXECUTIVE SESSION**

### **ADJOURNMENT**

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

ROLL CALL:

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

NAYS:      None

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

Respectfully submitted,

Pamela Borghi