

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 24, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Mayor Menna, Councilwoman Lewis and Auditor Kaplan.

SUNSHINE STATEMENT

Council President Murphy requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 4, 2011.

APPROVAL OF MINUTES – December 8, 2010
December 22, 2010
January 1, 2011

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee

NAYS: None

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

MAYORAL APPOINTMENTS

Council President Murphy appointed Scott Heck, Esq. to the Rent Leveling Board as a full member for an unexpired 3-year term expiring 12/31/2011.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee

NAYS: None

There being four ayes and no nays, the appointment was declared approved.

WORKSHOP

Fireworks on the Navesink

Administrator Sickels said the Fireworks on the Navesink Task Force had submitted a report regarding the event with a couple of key recommendations. The first item, he continued, was on the recommendation of the Police Chief and was for additional police presence to improve the safety of the event. He said they also recommended that an admission be charged to the Borough parks to help cover costs. He said he had researched Green Acres regulations and restrictions and found that it was permissible to charge as long as everyone was charged equally and the fees were established by resolution. He said it was his belief, based on discussions he had had with Council members, that the recommendation was to go forward with the plan with those parameters. He said they would be working with the Special Events Committee and the Fireworks Task Force and/or the Kaboom Committee to make sure the improvements were put in place. He said they would be coming back with a more finalized plan for Council review prior to the requirement of the adoption of a resolution and authorizing the actual display.

Councilman DuPont said he wanted to add that they had discussed the possibility of having an ordinance similar to one in Hoboken that had increased certain fines during a St. Patrick's Day event held in their municipality. He said it would let people know that if they came into Red Bank and acted disorderly, were drunk in public or disregarded the instructions of a police officer, then tickets would be issued with fines that were quite substantial. He said he had done research and found the Borough was allowed to do that. He also noted that, in the deliberations with Kaboom, they had been asked to join in the Borough's efforts to curtail such problems and promote a family atmosphere.

Councilman Murphy said the Borough Attorney was looking into those fees and he had confirmed in discussions with the Chief of Police that manpower would be beefed up. He said other ideas were being brought to the table and noted they would all go through the Special Events Committee.

Councilwoman Lee asked if there would be flexibility with the fees that were presented. Administrator Sickels confirmed that any fees would be set by the Council.

COMMUNICATIONS AND PETITIONS

Council President Murphy read a request from Sandy Hookers Tri Club to hold the Red Bank "Fall Classic" Triathlon and for use of Marine Park from 5 p.m. on Friday, October 7, 2011 to 2 p.m. on Saturday, October 8, 2011, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Lee

NAYS: None

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

Council President Murphy read requests from James Hemphill, Chris Hemphill and Leonard Calabro for membership to the Relief Engine Company of the Red Bank Volunteer Fire Department.

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

There being four ayes and no nays, the requests were declared approved.

Council President Murphy read a request from RiverCenter for the Red Bank Wedding Walk, Saturday, March 12, 2011 and Saturday, November 19, 2011 from 10 a.m. to 4 p.m., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman DuPont read a letter presented by the owner of the Bistro along with some other Red Bank businesses that offered suggestions on ways to promote the business district as well as improve quality of life. Some of the issues addressed were parking, signage, lighting, street maintenance and trash collection. Several solutions were suggested.

Councilman DuPont said he would forward the letter to the rest of the Council. Councilman Zipprich thanked him for reading the letter.

Councilman DuPont also reported that the Finance Committee had met and they were working on the budget adding that the two percent cap would certainly affect the Borough. He said they had come up with some additional suggestions for revenue sources including consolidation of services.

Councilman Zipprich said he and Councilwomen Lewis and Lee had gotten together and discussed the Community Vision Plan and done some brain storming. He said Councilwoman Lewis would offer an update at the next Council meeting. He said the Historic Preservation Commission would meet the following Wednesday the 26th to set their agenda and review their accomplishments for their annual report. He noted that he and Councilwoman Lee were in transition regarding the Board of Health and that he and Mr. Sickels had met with Health Officer Van Sant. He also noted that the temperatures, salting and plowing had resulted in damage to the Borough's roadways. He noted that Public Works was working to make repairs and said anyone who wanted to report a pot hole could call a dedicated line at 732-530-2691 or report it through the Borough's website. He said the Department of Public Utilities newsletter had been mailed and said it contained information on recycling, trash pick up and seasonal pick ups. He noted there was one correction he wanted to note which was that trash collection dates east of Broad Street and west of Broad Street would not be changing for 2011.

Councilwoman Horgan reported on fundraiser that had been held at the Red Bank Charter School of Martin Luther King Jr. weekend which she said had been attended by Councilwoman Lewis, Councilman Zipprich and herself. She said several community service organizations were at the event distributing information. She said that same weekend there was an interfaith service at Pilgrim Baptist with ministers from various churches in the region that had been attended by the Mayor and three Councilwomen. She said the following Sunday, she had been invited to the United Methodist Church to look at solar panels that had been installed on the Church. She noted that they had formed an LLC with in the congregation and eight or ten parishioners had put up the money for the initial purchase. She said they had also told her they were thrilled the Borough's permit process had gone quickly.

Councilwoman Lee spoke of the transition between Councilman Zipprich and herself as the liaison to the Public Works Department and of the winter storms. She congratulated Councilman Zipprich on embracing the many facets of the Department with gusto. She said it had been a pleasure to work with Public Works Director Watson for the last six years.

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

No one appeared.

ORDINANCES – First Reading

2011-1 Council President Murphy read, "ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING TENURE OF OFFICE FOR GARY A. WATSON, SR. AS DIRECTOR OF PUBLIC UTILITIES."

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

Public hearing and final adoption scheduled to be held February 14, 2011.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

11-27 Council President Murphy read "A RESOLUTION THE BOROUGH OF RED BANK TO ENTER INTO A COOPERATIVE PRICING AGREEMENT."

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

11-28 Council President Murphy read “A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROGRAM.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

11-29 Council President Murphy read “A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

11-30 Council President Murphy read “A RESOLUTION ACCEPTING MUNICIPAL OPEN SPACE GRANT FOR IMPROVEMENTS TO COUNT BASIE PARK FROM THE COUNTY OF MONMOUTH.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

By Consent Agenda:

11-31 A RESOLUTION AUTHORIZING APPOINTMENT OF ZONING BOARD ATTORNEY.

11-32 A RESOLUTION AUTHORIZING APPOINTMENT OF ZONING BOARD SPECIAL COUNSEL.

11-33 A RESOLUTION AUTHORIZING APPOINTMENT OF PLANNING BOARD ATTORNEY.

11-34 A RESOLUTION AUTHORIZING APPOINTMENT OF PLANNING BOARD ENGINEER.

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

11-35 Council President Murphy read “A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO ADVERTISE FOR BIDS FOR THE REHABILITATION/REPAIR OF THE BODMNA PLACE GRAVITY SEWER.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

11-36 Council President Murphy read “A RESOLUTION RELEASING PERFORMANCE GUARANTEE POSTED BY CHARLES P. DOREMUS, 222 BROAD STREET, BLOCK 102, LOT 14.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

11-37 Council President Murphy read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$5,159,179.45.”

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

ROLL CALL:

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Frank Valentino—River Street—asked why the Red Bank Public Library was not open on Sundays noting that the Monmouth County Library was open. Council President Murphy explained that it was a budget issue to open the library another day and noted that the County Library was under control of the County and it was their decision to open on Sundays. Administrator Sickels said it was his recollection that, in the 31 years he had been with the Borough, it had never been open on Sundays and he thought that when it was originally established the decision was made in deference to the fact that nothing was open on Sundays. He also agreed that it was a budgetary issue.

Mr. Valentino asked if it was an issue the Council would consider. Councilwoman Lee said it would not be considered at this time. Mr. Sickels also noted that, while the Borough owns the facility, it is actually operated by the Library Board and again noted the budget constraints.

George Lyrstis—The Bistro, Broad Street—thanked Councilman DuPont for reading the letter from Red Bank Businesses talked about the length of time he had been in town and the changes he had seen. He said looking forward he would like to see more positive changes. He made several suggestions about improvements regarding quality of life, making the town more welcoming and increasing foot traffic. He said he had recently opening a shop in Little Silver and noted that many customers come to that location and cite reasons why they no longer come to Red Bank.

Councilman DuPont said the Council was working to make Red Bank customer friendly and to send the message that they were open for business. He said he also knew that Council President Murphy, who served as liaison to the Parking Utility was working to alleviate any problems in that area.

Council President Murphy thanked Mr. Lyristis for his comments and said he agreed with some of his points and would check into others. He added that the Council understood how hard it was for the businesses and were listening.

Mr. Lyristis said he was interested in a five year plan and wanted a time line. He said he wasn't necessarily interested in the big answers like a parking garage but would be satisfied to work on the littler issues such as pot holes and garbage pick up.

Councilman Zipprich said he appreciated Mr. Lyristis' comments and said he had spoken with a number of downtown businesses and RiverCenter about issues facing the business district and the entire community. He said he was grateful for the input.

Nancy Adams – RiverCenter – introduced the organization's new employee, James Scavone. The Council welcomed him.

There being no one else appearing, Councilman DuPont offered a motion, seconded by Councilman Zipprich to close the audience portion and to adjourn the meeting.

AYES: Zipprich, Horgan, DuPont, Lee

NAYS: None

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

Respectfully submitted,

Pamela Borghi