

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
FEBRUARY 14, 2011  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

**ABSENT:** Councilman DuPont.

**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 January 4, 2011.

**WORKSHOP**

**2011 Schedule of Meetings**

Mayor Menna said Councilman DuPont had requested that the Council discuss the possibility of changing Council meeting dates to Wednesdays. He reviewed the history of the changes to Council meeting dates. Councilwoman Horgan said she felt the Council needed time to discuss it before a resolution was passed and said she also needed to check with other committees she participated in that would be affected. Mayor Menna said that was why it was on for workshop. Councilman Zipprich agreed that there were a number of committees and commissions that may need to reschedule and he would also like more time to review. Councilwoman Lewis said she agreed. Councilman Murphy said he would be okay with the change. Councilwoman Lee said she also participated in a few committees that she had had to resign from when she became a member of the Council and said she felt that the other committees stem from the Council and they should be aware that it was the root organization. She said she felt flexibility was important. Mayor Menna said he thought it was important to discuss the possible changes at the request of any member of the Council because it had been done in the past. He also noted that he had no objection to the change. He noted that in the past it had been possible for the sub committees to be more flexible but that it was up to the individual committees. He agreed that the authority is with the Council but said they wanted to be collegiate. Councilwoman Horgan again noted there would be a domino effect with the other committee and she felt they needed to talk about it. Councilman Murphy said he wanted to note that the situation concerned Councilman DuPont's livelihood and said it was understood that family came first, job came second and Council came third. He also noted that many of the people on the committees were well educated in the areas of concern and could handle the meetings the majority of the time amongst themselves. He again noted that it was a matter of his livelihood, not something frivolous and asked the other Council members to explain that to the committees and encourage them to work it out.

Mayor Menna summarized that he was hearing that the Council members would like time to discuss the matter with their committees. Councilman Zipprich thanked Councilman Murphy for his input and said he comments were well taken.

**Zoning Change for Broad and Monmouth Street to Include Commercial Recreation Uses**

He said he has often referred to Red Bank as the "living room" of New Jersey and, since the turn around of several years ago, it had enjoyed a constantly changing street life. He noted that the town had experimented in several ways including the addition of office space in the core business district. He said he felt they needed to take a collective look at some of the still empty spaces to see if they could create a provision for a possible use that would include commercial recreation. He said the use was very popular in other settings and noted that it was allowed at the Galleria and on lower Monmouth Street. He said the biggest complaint he has gotten as Mayor was that there was no activity available after one had had dinner and drinks. He noted that the stores were closed and there were very few places that offered commercial entertainment and gave examples of the types of establishments that would be included. He said the idea had been well received by the business community, especially the bars and restaurants because it would keep people in town and encourage them to enjoy it. He added that since there were a number of empty spaces, it might make sense to consider some incentives that could be given to property owners by changing the definitions all in an effort to create an active street life. He said he remembered a

time when the Galleria was created and there were those that thought that entertainment at the location would mean its death but in truth it was a rebirth. He said they must change with the times and if the Council was on board, he would talk to the Borough Planner, the Borough Engineer and RiverCenter to develop criteria.

Engineer Ballard clarified that it would be a conditional use that would still require an appearance before the Planning Board and gave examples of the types of uses that would be included.

No Council members were opposed at looking into the idea.

#### **Clarification of WD Zone**

Mayor Menna noted that several years ago an overlay had been created in the waterfront district with a caption that stated it would restrict uses along Rector Place to detached single family dwellings and modified the set back requirements in respect to air conditioners. He said he was on the Council at the time the action was taken and said it had been done to preserve the unique, architecturally significant dwellings on Rector Place. The problem, he continued, was that they should have identified by block and lot rather street because there was one property that was never a single family home and had approximately 35 feet on Rector Place and about 400 feet on Highway 35. He noted that it was a former gas station and a contaminated site that had been cleaned. He said he didn't think anyone envisioned that the property would have been included in the Rector Place reference. He said he was recommending that the Planner and Engineer prepare a clarification that the property was never intended to be included and move to delete the reference Rector Place.

Engineer Ballard noted that the property, which was once a gas station, had underground tanks and there was continued monitoring of the site due to former contamination. She said, given the fact that the property was on a major intersection of Highway 35 and had several environmental restrictions on it, it would be more than a single family home owner would want to deal with and should remain a commercial use.

Mayor Menna again stressed that 90 percent of the property was Highway 35 and they should have more carefully looked at the overlay and should have included the lot with the rest of the commercial properties in the waterfront development district that were across the street. Councilman Zipprich confirmed that the property abuts the Route 35 Bridge. Councilwoman Horgan asked about the several multi family homes on Rector Place. Mayor Menna said they would not be affected as the only thing they would be doing was to take the reference to Rector Place off of the caption. He again noted that he was on the Council when the change was made and the intent was to protect those properties.

Administrator Sickels asked if the Ordinance should be added to the agenda since a draft had been prepared. Mayor Menna said that it could be added for introduction only but reconsidered and said he would like to make sure it was done properly and would consult with the Borough Attorney to have it for the next meeting.

Mayor Menna also reported that he and Councilwoman Lee had attended the Westside Community Group meeting and had heard from any parents. He said the Council would be receiving a report from Urban Planners regarding the Bicycle Pedestrian Study but thought there were steps that could be taken independent of that report to help facilitate crossing for students traveling to the Primary School. He suggested four way stops along River Street as it intersected with Bridge Avenue, Leighton Avenue and Tilton Avenue. He said the Chief of Police was not opposed to it. He noted that the Borough did not have jurisdiction over Shrewsbury Avenue because it was a county road. He said if the Council was on board he would tell the Chief and the Engineer to start working on it. He noted that it would be handled the same was the change was handled at Bridge Avenue and Chestnut Street.

Councilwoman Lee said the main concern of citizens she had spoken with was the fact that many Senior Citizens had to cross Shrewsbury Avenue and Catherine and River streets. She also noted that it was a County road the Borough had no control over but added that the Borough will do what it can. She said the Mayor had suggested that someone inside River Street could act as a crossing guard with training from the Borough Police Department.

Councilman Murphy spoke in favor of the stop signs to slow traffic down noting that both Leighton Avenue and Bridge Avenue were main cut through roads. He said the four way stop at Bridge Avenue and Chestnut Street had really worked out well. He said Police Chief McCarthy had been trying to work with River Street Commons to find someone to assist as a crossing guard.

Councilwoman Horgan and Zipprich said they were both in favor.

Mayor Menna said there had been ongoing talks with the County regarding Shrewsbury Avenue and they were very receptive but there were time constraints in regard to an upcoming bridge replacement project. He said the changes to River Street were something the Borough could do on their own right away.

Councilman Murphy noted some other County projects in town that had taken time to come about.

Councilman Zipprich said he had spoken to Freeholder Mallet regarding an update on the bridge project and he had been promised a report by the end of the week.

#### **APPROVAL OF MINUTES – January 10, 2011**

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

#### **ROLL CALL:**

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

#### **MAYORAL APPOINTMENTS**

Mayor Menna appointed Stephen Mitchell to the Environmental Commission for an unexpired 3-year term expiring 12/31/12.

Mayor Menna appointed Vanessa Banks to the Parks and Recreation Committee for an unexpired 3-year term expiring 12/31/12, Lisa Cureton to the Parks and Recreation Committee for an unexpired 3-year term expiring 12/31/12 and Brian Hanlon to the Parks and Recreation Committee as Alternate #1 for an unexpired 2 year term expiring 12/31/11.

Mayor Menna appointed David McGuiness to Zoning Board of Adjustment as Alternate #3 for an unexpired two year term expiring 12/31/12 and Edward Poplawski as Alternate #4 for an unexpired two year term expiring 12/31/11.

Mayor Menna appointed Adam Porter to the Human Relations Advisory Committee as Alternate #1 for an unexpired term expiring 12/31/12.

#### **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Murphy had no report.

Councilwoman Lee had no report.

Councilwoman Horgan reported that she had attended a conference in Trenton on January 29 regarding collaborating on real solutions to the two percent cap. She said the conference was a collaboration between the New Jersey School Boards Association and the New Jersey League of Municipalities. She said Red Bank Superintendent Morana and School Board Member Roseman also attended. She said shared services was one of the main issues that were discussed. She said the Borough would be working with the Red Bank School board to see how they can share services to keep costs down. She noted the school election date would be Wednesday, April 27.

Councilwoman Lewis said she wanted to remind everyone that they could register for recreation programs on line and urged residents to take advantage of it and get the younger residents involved in recreation.

Councilman Zipprich wished everyone a Happy Valentine's Day and said the Public Works Committee would be meeting that week to discuss spring cleaning of the Borough parks in coordination with the Parks and Recreation Department. He said he and Councilwoman Lewis would continue talks on how to best coordinate between the two departments. He also reported that there was 24 hour pothole hotline to enable residents to report any such problems they noticed. He reported that he and Mayor Menna had met to discuss where the Borough might install solar panels adding that the Energy Audit overseen by Councilwoman Horgan had identified one or two places. He said he would be continuing the discussions with the Mayor and the Borough Engineer. He spoke of the positive aspects of the project including the possibility of it being a revenue source. He also noted that it was African American Heritage Month and noted that Councilwoman Lewis' mother had a wall of fame she and the students had created at the Primary School. He also reported that Primary School students would be reading their Black History Month essays at the Senior Center on Friday, February 18. He also noted that there would be a Black History Month celebration at the Primary School on February 24<sup>th</sup> and at the Middle School on February 25<sup>th</sup>.

## COMMUNICATIONS AND PETITIONS

Mayor Menna requests from RiverCenter for the following:

1. Spring into Pink Bank, April 30, 2011 which includes outside display of merchandise and StreetLife performances;
2. Red Bank Farmers Market on Sundays from May 8 to Mid-November 2011 from 9 a.m. to 2 p.m. in the Galleria Parking Lot;
3. StreetLife program on Saturdays from June 4-August 27, 2011 from 6 p.m. to 9 p.m.;
4. LunchMusic at Riverside Gardens Park on June 1, June 8, June 15, June 22 and June 29, 2011 from 12:00 p.m. to 2:00 p.m.;
5. Red Bank Food & Wine Walk on June 12, July 10 and August 14, 2011 from 4 p.m. to 7 p.m.
6. The Annual Sidewalk Sale on Friday and Saturday, July 29 & 30, 2011 from 10 a.m. to 8 p.m. and Sunday, July 31, 2011 from 10 a.m. to 6 p.m. to include outside display of merchandise and StreetLife performances;
7. Nautical Themed Event on July 17, 2011 with a rain date of July 24, 2011;
8. Red Bank Guinness Oyster Festival on September 25, 2011 (with a rain date of October 2, 2011) in the White Street Parking Lot from 12 p.m. to 7 p.m., to close a portion of White Street from English Plaza to Maple Avenue from 8 a.m. to 7 p.m., to use the Gold Street lot as parking for their sponsors and for permission for the retail stores to have one table in front of their stores for sidewalk sales;
9. The Santa Express and parade down Monmouth Street to Broad Street to coordinate with the downtown tree lighting and concert on November 25, 2011;
10. Red Bank Gingerbread Walk from November 25, 2011 to December 21, 2011;
11. Holiday Horse & Carriage Rides through the business district on Saturdays from November 26, 2011 to December 24, 2011 from 1 p.m. to 5 p.m.; and
12. Holiday Harmonies on Saturdays from November 26-December 24, 2011 from 12 p.m. to 3 p.m.

All events subject to the approval of the Special Events Committee.

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

### ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read requests from Jersey Shore University Medical Center Foundation, Red Bank Charter School CCO, Inc. and Company of Dance Arts for raffle licenses.

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

### ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the Red Bank Charter School for use of Riverside Gardens Park, the concession building and lavatories for their eighth grade graduation ceremonies to be held on Wednesday, June 15, 2011 with a rain date of Thursday, June 16, 2011 from 9:00 a.m. to 8:00 p.m., pending approval of the Special Events Committee.

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

### ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the Red Bank Charter School to use the Senior Center for their Spring Dance on Friday, May 14, 2010, pending approval of the Special Events Committee and the Senior Center Director.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from The Leukemia & Lymphoma Society for use of Riverside Gardens Park on Saturday, October 22, 2011 from 1:00 to 10:00 p.m. for the 2011 Walk, Light The Night, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from The Dublin House to erect a temporary marquee in their courtyard on March 17, 2011.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the Diocese of Trenton to hold their annual march from St. Anthony's Church north on Bridge Avenue to Chestnut Street to Maple Avenue to Peters Place to Broad Street to Newman Springs Road on Saturday, March 12, 2011, pending approval of the Chief of Police.

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

Councilman Zipprich said he had some serious safety concerns about the event in light of what had occurred in Tucson, AZ with Congresswoman Giffords and also the fact that the House of Representatives was currently debating a redefinition of what rape was. He said he thought they should approach this matter carefully as it was a matter of public safety. He said he just wanted to call it to the Council's attention in light of the fact that there were crazy people out there.

Mayor Menna noted that the event had been taking place for 30 years and it had never been a problem. He also noted it was subject to the approval of the Chief of Police would look at any public safety issues. Councilman Murphy said the Police Department worked to make sure crossings were safe and agreed that the event had been occurring for years and that there had never been a problem.

Councilman Zipprich said he just brought it up as a matter of caution in light of the fact that many women's organizations across the country were sensitive to what was going on and he just wanted to make sure that the Borough's citizens and residents were protected.

Councilwoman Horgan thanked Councilman Zipprich and said she appreciated his comments because it was a different time that it was 30 years ago.

Mayor Menna asked if it wasn't freedom of expression.

Councilwoman Horgan said the event should be allowed but it was important for Councilman Zipprich to make the concerns of possible dangers known. She added that it was a very hot issue.

Councilman Zipprich noted that Congresswoman Giffords had been at a peaceful appearance at a shopping center and said the Council should just be conscious and take the safe of the Borough's residents seriously.

ROLL CALL:

AYES: Lewis, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Zipprich

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

Mayor Menna read a request from The Friends of Maple Cove to hold the 2<sup>nd</sup> Annual Paddle the Navesink Day on Saturday, September 17, 2011 and for use of Maple Cove, Riverside Gardens Park and Marine Park from 10 a.m. to 4 p.m., pending approval of the Special Events Committee.

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

Councilwoman Lewis expressed concern about the use of all three parks for most of the day. Councilwoman Lee noted that it would not be exclusive use. Mayor Menna said the group would have demonstrations at Marine Park and exhibits at Riverside Gardens Park. He also noted that it would be going before the Special Events Committee. Councilman Murphy said he was about to ask if it would be going before the Committee. Mayor Menna said all of the requests on the agenda would be going before the Committee. Councilman Zipprich asked if it would also go before the Parks and Recreation Committee. Councilwoman Lee discussed the overuse of the Borough parks and noted that people should not be able to have exclusive use of the parks.

Administrator Sickels said the event was held last year and involved limited use of the parks. He also noted that the Parks and Recreation Director sat on the Special Events Committee and would hear the place and would be able to make sure they were in accordance with the wishes of the Recreation Committee. Councilman Murphy questioned whether they would have been able to use Marine Park the previous year because it had been under construction. Councilwoman Lewis said she thought they had only used Maple Cove. Event Organizer Cindy Burnham said they had also used Riverside Gardens Park and had wanted to use Marine Park but the boat pilings weren't ready. Councilman Murphy confirmed that the group had not used Marine Park the previous year. Ms. Burnham said they were trying to pull people into Marine Park this year and were looking to get local vendors. Councilman Murphy had additional questions and Administrator Sickels again noted that the group would be going before the Special Events Committee. Councilwoman Lee again noted that the group may be granted use but not exclusive use. Councilman Murphy noted that if they were looking to add vendors to the event, there would have to be more discussion at Special Events. Councilman Zipprich asked if there would be food. She said it would be "grab and go." Councilman Zipprich explained that they would have to get a permit from the Board of Health. Mr. Sickels explained that there is a whole process that would have to be followed.

Mr. Sickels said he thought this was an appropriate time to bring up an issue to the Council that he been discussed at the Special Events Committee. He said the members had discussed the fact that the applications should probably go to the Special Events Committee first and then go to the Council. He said the Committee would get the plans and digest them and make a recommendation to Council. Mayor Menna said that would make more sense. Councilman Zipprich asked if it would go back to the respective Departments. Mr. Sickels said all of the Departments were represented at the meeting. Councilman Murphy clarified that the Committee was made up of members from each Department and had worked very well over the years. He also agreed that it made sense for the groups to go before Special Events before their requests came to the Council.

Councilwoman Lee said, while it may save some time, some people go before the Special Events Committee and feel they have been given the okay. Mr. Sickels said the biggest problem was that the requests come before Council first and people think they've been given the approval and when they come to Special Events they noted their prior approval. Councilman Murphy again said the process seems to work better when the requests go before the Special Events Committee first.

Mr. Sickels suggested that, since the event wasn't until September, they could table it until the group appeared before the Special Events Committee. Mayor Menna noted that any approval would be subject to the approval of the Special Events Committee.

Councilman Murphy said he was concerned because last year the event had been at Maple Cove and Riverside Gardens and was now asking to add Marine Park for a total of three parks. He said he thought the Parks and Recreation Department should have a voice in the matter through the Special Events Committee. Mayor Menna explained that it would be minimal use.

Linda Ensor—Navesink River Rowing—said they did not want to lock down the park or take use of it for the entire day. She said they wanted people to have some access to Red Bank and would like to use part of Marine Park to display boats on the water.

Councilman Murphy suggested the Council rely on the recommendation of the Special Events Committee because the Council could ask questions all night but that was what the Special Events Committee did. He noted that both he and the Administrator were on the Committee and suggested Councilwoman Lewis might want to participate. She said the Parks and Recreation Director would be involved in the decision making and agreed that it should go to Special Events. Councilman Zipprich confirmed that the Department of Public Works was also represented. Administrator Sickels confirmed that all Departments were represented.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from The Experiential Agency to film an episode of Bravo Network's Top Chef: The Tour in Marine Park on May 26, 2011 with setup taking place on May 25, 2011, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from K. Hovnanian Children's Hospital to hold the 3<sup>rd</sup> Annual "Runway on the River" at 110 West Front Street on Saturday, May 21, 2010 from 7 p.m. to 12 midnight, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Riverview Medical Center to hold the 5<sup>th</sup> Annual "Paint the Town Pink" Week from April 30-May 7, 2011, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Riverview Medical Center to hang banners on Broad Street and Shrewsbury Avenue from April 11-May 9, 2011 to advertise the 5<sup>th</sup> Annual "Paint the Town Pink" Week.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Riverview Medical Center for a temporary Pink Line on Broad Street for the 5<sup>th</sup> Annual "Paint the Town Pink" Week.

Mayor Menna noted that the line would be painted over after the event. Several Council members expressed concern about the fact that the line had remained from last year. Mr. Sickels said it would be painted over within two weeks after the event. Councilman Murphy stressed that the stipulation would be put in the approval from the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the Count Basie Theatre to hold their Annual Spring Benefit Concert & Gala on Friday, May 6, 2011 from 7:30 p.m. to 12 midnight and for use of the right side of Pearl Street between Monmouth Street and Oakland Street for valet parking beginning at 7:00 p.m., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Lewis, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Zipprich

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

Mayor Menna read a request from Pop Warner to hang a banner on Broad Street from February 28, 2011 to March 12, 2011 to advertise team signup.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Monmouth Rugby Football Club to use Count Basie Field on Tuesday and Thursday evenings from 7:30 pm to 9:00 pm from March 1, 2011 to June 1, 2011 and from August 1, 2011 to Thanksgiving 2011 for practice sessions.

Mayor Menna said the request had been reviewed by the Parks and Recreation Director, the Department of Public Works and the Borough Administrator as well as some insurance adjusters and he said he would respectfully recommend that the request be denied. Councilman Murphy noted that the recommendation



was based on the overuse of the already worn fields. Mayor Menna said it was a very high type of use and the field was heavily used by the Recreation Department. He also noted that the Borough had just spent a lot of money to upgrade the field. He again noted that it was a very rough sport.

Councilwoman Lee said, while the skill set they use is similar to soccer or football, she felt the fact that they play without helmets or protective gear led her to feel that they shouldn't encourage minor children in the sport at this time. Administrator Sickels said the sport involved very intense spot work in spot areas and would tear up the turf.

Councilwoman Horgan asked why they were choosing to come to Red Bank. Mr. Sickels said they used to be located in the Borough. Mayor Menna noted they also had a club house in the Borough.

Councilman Zipprich noted that the Public Works Department was still waiting for the snow and ice to disappear and had other concerns about the field.

Councilman Murphy offered a motion to deny the request, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

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

Steven Hecht—135 Branch Avenue—said he didn't understand the term Commercial Recreation. Mayor Menna said that topic wasn't on the agenda for this meeting. He added that they only discussed it in Workshop and don't have the design standards. He said once they have the standards, they can more intelligently discuss the matter.

#### **ORDINANCES – First Reading**

2011-2 Mayor Menna read "BOND ORDINANCE AUTHORIZING VARIOUS WATER/SEWER UTILITY IMPROVEMENTS IN AND FOR THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY; APPROPRIATING THE SUM OF \$1,846,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,846,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING."

Engineer Ballard explained that this was for three projects that were being put into on bond ordinance. She said the projects were repairs to the Bodman Force Main, replacement of the Pump Station that was currently under the intersection of Dr. Parker Boulevard and Tilton Avenue and replacing the undersized four inch water mains on Shrewsbury Avenue with eight inch ones.

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

ROLL CALL:

AYES: Lewis, Zipprich, 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 scheduled to be held February 28, 2011.

2011-3 Mayor Menna read “REFUNDING BOND ORDINANCE PROVIDING FOR THE RETIREMENT OF UNFUNDED ACCRUED LIABILITIES OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY, IN THE PUBLIC EMPLOYEES’ RETIREMENT SYSTEM UNDER AN EARLY RETIREMENT INCENTIVE PROGRAM PREVIOUSLY ADOPTED BY THE BOROUGH; AUTHORIZING THE ISSUANCE OF UP TO \$580,000 OF TAXABLE GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY, TO FINANCE THE COST THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.”

CFO Mason explained that it was a refunding ordinance and noted that the Borough was currently paying 8.25 percent and felt it could be refinanced at significant savings. He said there was also a resolution asking for approval to submit an application to the Local Finance Board.

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

ROLL CALL:

AYES: Lewis, Zipprich, 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 scheduled to be held March 14, 2011.

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

2011-1 Mayor Menna 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.”

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 Murphy.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

There being five 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 Zipprich.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Each member of the Council commended Mr. Watson for his efforts and congratulated him.

## RESOLUTIONS

### By Consent Agenda:

- 11-38 A RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY.
- 11-39 A RESOLUTION INCREASING THE DEFERRED SCHOOL TAX AMOUNT FOR THE RED BANK SCHOOL DISTRICT AND THE RED BANK REGIONAL HIGH SCHOOL DISTRICT.
- 11-40 A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES AND INSPECTION ESCROW REGARDING CEDAR CROSSING/RED BANK AFFORDABLE HOUSING CORPORATION, BLOCK 75.01, LOTS 83, 84 & 85; AND BLOCK 75.03, LOTS 50.01 & 69.
- 11-41 A RESOLUTION ACCEPTING MAINTENANCE GUARANTEES AND RELEASING PERFORMANCE GUARANTEES POSTED BY 120 MAPLE AVENUE, LLC, 120 MAPLE AVENUE, BLOCK 7.502, LOT 146.
- 11-42 A RESOLUTION AUTHORIZING TRANSFER OF CURRENT FUND APPROPRIATION RESERVE.
- 11-43 A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51, ET. SEQ.
- 11-44 A RESOLUTION AUTHORIZING RELEASE OF ORIGINAL PERFORMANCE GUARANTEES AND ACCEPTANCE OF NEW PERFORMANCE GUARANTEES REGARDING PRESBYTERIAN HOME AT RED BANK, INC., 40 RIVERSIDE AVENUE, BLOCK 7, LOTS 12.03 & 16.

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

### ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

- 11-45 Mayor Menna read "A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) IN THE BOROUGH OF RED BANK."

Mayor Menna explained that as a result of the change in the Emergency Management Office, Coordinator Tom Welsh had done an incredible job in just a month. He added that Mr. Welsh had gone through the procedures and manuals, established a headquarters, updated equipment mostly through donations and had been reaching out to people. He said this resolution would put the Borough where it needed to be and noted the Borough's acceptance of the best practices rules adopted by Homeland Security and the State Police. He noted that Mr. Welsh would soon be presenting to the Council the revised book of procedures which he and his team of volunteers had been working on. He said they would be astounded by what had been done. He noted they would also be presenting a proposal to adopt a citizen corps to assist them. In order to do that, he continued, they first had to pass the resolution adopting the procedures. He noted this action would put the Borough in the playing field with the big boys at the County and would put the Borough in the forefront for any aid requests or grants such as surplus property.

Councilman Murphy and Councilman Zipprich praised Mr. Welsh's efforts.

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

### ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

## PROCLAMATIONS

## **PAYMENT OF VOUCHERS**

11-46 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,422,548.05.”

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

### **ROLL CALL:**

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

## **OLD BUSINESS**

## **NEW BUSINESS**

## **AUDIENCE**

Cindy Burnham—Fair Haven—asked about the resolution authorizing the sale of personal property. Mayor Menna explained that over the course of the year certain items were recovered by the Police Department where the owners could not be identified. He said the Borough pools resources with other towns and holds a public auction of those items at the Tinton Falls Borough yard. He said the resolution would authorize that. Councilman Murphy noted that items were also auctioned on line.

Councilman Murphy offered a motion, seconded by Councilwoman Horgan to close the audience portion and to adjourn the meeting.

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi