

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 28, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Council Members Lewis and 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

Living Shoreline Presentation

Bill Shadel from the American Littoral Society appeared and said the project was regarding the deteriorating bulkhead at the Red Bank Public Library property. He said there was mutual interest in replacing it with something beneficial and explained the concept of a living shoreline. He said he was appearing before the Council for approval to develop conceptual plans, to contact the DEP regarding permits that might be needed and to look for funding opportunities. Mayor Menna explained that legally the Library was a separate entity and, while the Council was happy to listen to his presentation, follow up may be required with the Library Board of Directors for their approval. Mr. Shadel said they were appearing before the Council because they had already spoken with them and they had expressed their interest. He said he understood that the work would eventually require Council approval.

Engineer Ballard explained that the project would not be limited to the Library bulkhead, but would extend down a series of municipally owned lots to the area now known as Maple Cove. Mr. Shadel explained that the Living Shoreline idea promoted a softer solution to shoreline erosion while still protecting property. He said it was likely the bulkhead was put in more for backfill rather than protection as it is not an area with a lot of wave action. He said the idea was to create a natural shoreline that sloped gently down to the water and protected land from wave break. He outlined the benefits of such a project and how it would be applied to this specific area. He noted that they had received a commitment letter from the Stevens Institute of Technology to use the effort as a student project.

Mayor Menna referred the matter to the Environmental Commission. Councilwoman Horgan confirmed that the Commission would welcome Mr. Shadel to attend one of their meetings to discuss the project.

APPROVAL OF MINUTES – January 24, 2011

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

APPROVAL OF MINUTES – February 14, 2011

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

Mayor Menna appointed Kofi Frimpong to the Environmental Commission as an Alternate No. 1 for an unexpired 2-year term expiring 12/31/11.

Mayor Menna appointed Michael T. O'Donnell to the Parks and Recreation Committee as Alternate No. 2 for an unexpired 3-year term expiring 12/31/11.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy reported that retired Police Sergeant Peter DePonte Sr. had passed away that morning and gave an overview of Sgt. DePonte's career and noted family members that had followed him into the Department.

Councilwoman Lee had no report.

Councilwoman Horgan reported the Environmental Commission was looking to add members to its Green Team. She said the group was established to enable the Environmental Commission to participate in the Sustainable Jersey program which would help to make Red Bank green while also helping to keep operating costs down. She said they were looking for representation from all sectors of the community. She asked anyone interested in participating to contact her.

Councilman Zipprich reported that the Historic Preservation Commission would be meeting on the third Wednesday of the month beginning in April. He also reported that the Shade Tree Committee was seeking a new member and were getting ready for spring by working with Public Works Director Watson to prune trees and remove hazards. He said the Kaboom Committee was moving forward planning the festival for 2011. He thanked Wells Fargo Bank for committing to be a sponsor. He also thanked Tim Hogan of Riverview Medical Center for taking on the Chairmanship and wished him and the Committee luck. He also reported that he and Councilwoman Lewis, along with Congressman Frank Pallone, had attended the Red Bank Middle School's Black History Month production. He said he wanted to publicly thank the parents and teachers for supporting the students. He said he and Councilwoman Lee had also attended the Primary School Black History Month presentation. In regard to the Department of Public Works, he reported that the employees were still moving snow around and were working to get the fields open as soon as possible. He also reminded everyone of the 24-hour pothole hotline.

Councilwoman Horgan said she wanted to add that the Human Relations Advisory Committee would be moving its meeting to the fourth Monday of the month at 6:30 pm.

Councilman Murphy also noted that the Wedding Walk will occur on March 12. He noted that last year there had been a problem regarding outdoor tables and chairs. He said he wasn't sure if there had been an ordinance change regarding the fact that some restaurants pay for year round service and some pay for six months. He noted there had been some controversy over the issue at last year's wedding walk. He suggested a one time fee for a year round sidewalk café permit because the weather can be random. He also noted Councilman Zipprich had put out a notice about trash enforcement and wanted to alert downtown businesses that the ordinance will be enforced. He specifically cited the issue of upstairs tenants who dispose of trash in public receptacles instead of in trash bins designated for their building. He said they will also be enforcing the cleaning of sidewalks, especially outside the bars where there is a problem with cigarette butts. He noted that it was a tough winter and the snow was melting leaving a lot of trash. He said he did not think it was unfair for business owners to clean up in front of their stores. He again point out the issue with tenants using public receptacles and said it would be enforced, not for the revenue, but because it was a problem.

COMMUNICATIONS AND PETITIONS

Mayor Menna read requests from Red Bank Elks Lodge No. 233 and Monmouth Rugby Football Club, Inc. for raffle licenses.

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Liberty Hose to hang a banner on Shrewsbury Avenue from June 12, 2011 to July 11, 2011 to advertise their Annual Memorial Car Show.

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

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

No one appeared.

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

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.”

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: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

RESOLUTIONS

11-47 Mayor Menna read “A RESOLUTION COMMENDING THE MOST WORSHIPFUL HERBERT M. DOUGLAS.”

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-48 Mayor Menna read "A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 RELATED TO THE CONTRACT WITH BLACK ROCK ENTERPRISES FOR THE 2010 ROAD PROGRAM."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-49 Mayor Menna read "A RESOLUTION TO UTILIZE THE THREE YEAR AVERAGE METHOD IN COMPUTING THE RESERVE FOR UNCOLLECTED TAXES."

CFO Mason explained that this resolution would allow the town to use a three year average on the collection rate and it would help the 2011 budget and reduce the appropriation by \$180,000.

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-50 Mayor Menna read "A RESOLUTION AUTHORIZING RELEASE OF DEVELOPER'S AGREEMENT WITH CHELSEA PLACE @ RED BANK, LLC, 224 BRIDGE AVENUE, BLOCK 77, LOT 17.01."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-52 Mayor Menna read "A RESOLUTION ACCEPTING BID FROM AND AWARDING CONTRACT TO CARUSO EXCAVATING, INC. FOR THE BODMAN PLACE PUMP STATION FORCE MAIN AND TRUNK LINE REPAIR."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-53 Mayor Menna read "A RESOLUTION ACCEPTING BID FROM AND AWARDING CONTRACT TO B&B CONSTRUCTION, INC. FOR LOCUST AVENUE SEPTIC TANK ABANDONMENT AND PUMP STATION."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

11-54 Mayor Menna read "A RESOLUTION AMENDING TIME AND PLACE OF BOROUGH COUNCIL MEETINGS FOR 2011."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming March 2011 as Developmental Disabilities Awareness Month in the Borough of Red Bank.

PAYMENT OF VOUCHERS

11-55 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,486,322.91."

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

ROLL CALL:

AYES: Zipprich, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

Councilman Zipprich reported that the Dine Downtown program was getting a makeover and out now be known as the Dine and Shop Red Bank and would take place on Tuesday and Wednesday evenings. He said RiverCenter was working with business to get them to stay open later.

Menna Menna also noted that Red Bank would be spotlighted the following Friday at the New Jersey Futures Conference, a state wide future vision of New Jersey conference. He said both he and Mayor McKenna would be participating in panel discussions, McKenna as a representative of the State Planning Board and himself representing the Borough of Red Bank. He said there would be discussion with other municipalities about being proactive and engaging in inclusive development as a way to meet the court mandated legal mandates of the State of New Jersey instead of fighting them. He offered kudos to this Council and previous Councils for having done what the State Courts said they were supposed to do in regard to Cedar Crossing and affordable housing. He said Red Bank was being spotlighted as one of the model communities that did the right thing. He said the conference would be taking place all day Friday in New Brunswick and was being put on by the New Jersey Futures organization.

AUDIENCE

Councilwoman Lewis arrived at 7:15 p.m.

Carl Colmorgen—67 Oakland St.—asked about the ordinance governing “pods.” He told the Council there was still a pod container at 47 Oakland St. and he had not seen anyone around the property. He expressed concern that it was abandoned. Mayor Menna noted that even the owners of such storage containers that had obtained a permit were limited to a time limit of what he believed was 90 days. He asked Councilwoman Lee to have Code Enforcement look into the matter. Administrator Sickels said he would follow up. Councilman Murphy said he believed the container in question was one of the original three that prompted the ordinance and was the only one that had not obtained a permit.

Sarah Klempner—135 Shrewsbury Avenue—said she was speaking on behalf of the Community Garden Sub Committee of the Environmental Commission. She said she had thought the Mayor and Council were going to be considering the proposal for the garden at this meeting. Mayor Menna said a private individual had passed that information around but said the proper procedure was to submit all of the information to the Council and they would review it. He said they would be happy to consider the proposal but the Governing Body had not had the opportunity to review the material. He also said they would be happy to hear any presentation anyone wanted to make but it would not be on the agenda for action at this meeting. Ms. Klempner asked when it would be on the agenda. Mayor Menna said he was aware a package of information had been delivered to Council members and said it was very educational. He also said they would be discussing it in the near future. Councilwoman Horgan noted that the Environmental Commission was looking into issues with the Department of Environmental Protection and they needed to wait until that information was received. Ms. Klempner asked if it would be useful for the people present to talk about the project. Mayor Menna said they were welcome to speak but the Council would still have to review the information that was submitted and discuss it with their professionals. Ms. Klempner said she would hold her remarks. Mayor Menna said the Council members needed time to read through the information and then it could be put on an agenda as a workshop item. Ms. Klempner said they were anxious to move forward as planting season was coming. Administrator Sickels said the normal procedure was to work through a Council person or Council Committee and they would recommend it for placement on the agenda. Councilwoman Horgan noted that the Environmental Commission had been working on the project. Mr. Sickels said he understood that and noted there had been no recommendation from the Commission. Councilwoman Horgan confirmed that they were still reviewing the project.

Tony Sloan—154 Bay Avenue, Highlands—said he was from the group Master Gardens and would be doing the design on the garden. He said he had a specific question that he needed to know which was regarding a post on the property. He said, if it was a survey marker, he could remove it and cast concrete in the hole. If it was not an active marker, he said he would just remove it. Mayor Menna said they would look into it.

Cindy Burnham—71 Wallace Street—said she was also on the Community Garden Committee and reported that at the last meeting, the Environmental Commission had voted to support the Community Garden. She said six Red Bank residents had been working on the project for six months. She said she called the day after they had been given the okay from the Environmental Commission and asked to be placed on the agenda. She said she had given packets to the Clerk on Tuesday. She said the team had done a lot of work looking for the proper site. She said they had gotten assistance from Master Gardeners and noted that they were very hard to get. She said a member of the Red Bank Regional High School Environmental Club was in attendance along with other students because they wanted to use the garden and donate the food to Lunch Break. She said she had also spoken with Director at the Senior Center and she was excited about leasing a plot in the garden as an activity for seniors. Administrator Sickels asked her what she meant by the term “lease.” Ms. Burnham said it was explained in the packet. Mr. Sickels said he had just seen the packet that day and noted that nothing had been received from the Environmental Commission. Ms. Burnham admitted she was not an expert but said she had spoken with someone at the DEP who assured her no permits were needed. She said all the Borough had to do was touch base with the Engineers and she was sure they would tell the Council the same thing. She said they wanted to keep the ball rolling because it had momentum. She noted a lot of people had come out regarding the garden and asked Council members if they had any questions. Mayor Menna said Ms. Burnham had asked the right questions and the Borough would contact the people to get the answers. Ms. Burnham asked who that would be. Mayor Menna said it was the DEP and pointed out that he didn’t know who Ms. Burnham had spoken with, but the Borough needed to make sure they spoke with someone who had authority. Ms. Burnham asked why adding that it was very basic. Mayor Menna said a lot of things are basic but the DEP has a lot of regulations. Ms. Burnham told Mayor Menna she knew he was a Land Use Attorney and he knew the law. Mayor Menna said he had been frustrated with the DEP. He again said they would look into it. Ms. Burnham wanted to know how to get the item on the agenda. He explained that Councilwoman Horgan was working on the project with the Environmental Commission and the Council would be discussing it under Workshop. Ms. Burnham asked if it would be on the agenda for the next meeting. Councilwoman Horgan said the Council needed to take an in depth look at it and she also wanted to discuss it again with the Environmental Commission. She asked Ms. Burnham to understand that there were other items they were dealing with but that it was an important item and they would look at it. Councilman Murphy asked Ms. Burnham if she was stating that she was part of a sub-committee of the Environmental Commission and that she had gotten their approval to go ahead. She said she was.

Councilman Murphy noted that Councilwoman Horgan, who serves as the liaison to the Committee, was saying that there was not an approval. Ms. Burnham asked Councilman Murphy if he was calling her a liar and he said he wasn't calling her anything he just asked her to explain.

Kathleen Gasienica—110 Locust Avenue—said she was also on the Committee for the Community Garden. She explained that the Committee had been working with the Environmental Commission including giving them a map of all of the vacant public properties in town. She said her group surveyed 21 different properties and presented that information to the Commission. She said they had had two questions after the presentation. First, she said, they wanted a definitive answer from the DEP that permits would not be needed. She said, even though they had received word verbally, she understood that the borough would need written notice. She said Laura Bagwell had written a letter to the appropriate person at the DEP and they had not responded. Ms. Gasienica said she would be sending a letter to that person's boss and he had promised an immediate response. She noted that only a town representative, which in this case was Ms. Bagwell of the Environmental Commission, can request this information in writing from the DEP. She said the other question that needed to be verified with the Department of Public Works was where the water source would come from. She said, other than that, the Environmental Commission was very supportive of the project.

Ms. Gasienica said she was excited that the town would be enforcing the garbage laws because she said it was not only residents that were using the pedestrian cans but businesses were using them as well. She asked what the ordinance stated regarding who was responsible for keeping the sidewalks in front of businesses clean. Mayor Menna said store owners were supposed to maintain the area just as any other property owner would. He added that it had been a bone of contention between RiverCenter Executives and the Council for the last 12 years. He said the Council has been telling them for years to put more money in the budget to hire someone to sweep all of the sidewalks instead of having each individual store owner do their own. He said the Borough would then pick it up from the street. He said the Borough offered to do the same thing with the snow plowing. RiverCenter Director Nancy Adams said they currently pay someone to work 20 hours a week to clean up what wasn't cleaned up by the store owners or picked up by the street sweeper. Councilman Murphy noted that every year, the Borough needs to remind both residents and store owners of their responsibilities. He said he had also seen store owners place bags of trash in the pedestrian receptacles. Ms. Gasienica said another problem was that many of the cans were not in appropriate spots and cited areas in town where there were markets but no cans or cans across the street. She said in order for people to be environmentally conscious, it had to be simple. She said the Environmental Commission had been looking at the issue and wanted to team with the high school Environmental Club to survey the business areas for the appropriate placement of receptacles. He said they would determine how many recycling containers were needed and would also work on funding. She said RiverCenter was probably spending enough money but couldn't handle the huge problem in getting the receptacles where they belong and in highlighting education. She recyclable bottles were also a big problem. Councilman Murphy said he would be interested in seeing the results of the survey. Ms. Gasienica noted that the students were required to perform community service hours and this would be a worthwhile project for them. She added that they would also identify the storm drains most subject to litter. She said there were grants available for purchasing recyclable containers.

Councilman Zipprich asked, in regard to the Community Garden project near the water front, if Ms. Gasienica was aware if CAFRA approval was needed. She said it was not adding that it would only be required if one moved earth from the area, put in a permanent foundation or disturbed the waterline. She said the garden would be well beyond the waterline. She said that was why it was a no-brainer that no permit was needed but said she realized the Borough needed to hear that from the DEP. She also noted that while the Living Shoreline Project was underway, which could be a two year project, that group would need access for their heavy equipment through the Maple Cove area because of the steep hill behind the library. She noted that the area was wide enough for the equipment to go through without disturbing the proposed garden. She said in the event the garden was needed for extra space, which she said was highly unlikely, they could remove the non-permanent split rail fence and drive through and they could shorten the garden season if necessary. She said the master gardens and the engineers that would be designing the garden had said that the project would not interfere with the Community Garden. Councilman Zipprich asked if the group had consulted with the Audubon Society regarding birding. Ms. Gasienica said they had not because it was outside of that area and it wasn't permanent. Councilman Murphy asked if a letter would be received from the DEP. Ms. Gasienica said they had the area on a map that they could review and they would send someone out to look at the site. Councilman Murphy asked if that had been done. She said they had not, unless that was why they had not responded to her letter. Administrator Sickels asked if a letter had actually been sent. She said it had been sent by the Laura Bagwell of the Environmental Commission about two week prior. Mr. Sickels said it would help if the Borough, who was the owner of the property, knew about such things in advance. Councilman Murphy said the Administration should have been copied. Mr. Sickels said the contact should have been on Borough stationery and the response should be back to the Borough so they could be part of the process. Ms. Gasienica said she understood. Councilman Murphy said her explanation clarified that there were some things in process and the Environmental Commission was on board with the idea. He added that they needed to receive the paperwork and reiterated that the Borough needed to be involved. Ms. Gasienica

apologized for the oversight in not copying the Borough, but she thought the intention was for the Environmental Commission to have all of the answers before presenting the project to the Borough.

Laura Bagwell—19 Leroy Place—said she had received a response from the DEP the previous week that she had forwarded to the DEP. She apologized for the oversight in not copying the Administration but said she felt the need to do some research before burdening the Council with presumptive ideas. She thanked Ms. Gasienica for supplying information and said she had gotten a response from someone at the DEP who was a freshwater wetlands representative and he had said it was fine since it was not in a wetlands area. She said she had heard from a second gentleman from the Land Use Department and he said he would get back to them in a few days. She said at this point she was not comfortable that they had received everything they needed but felt they were well on their way. She said the wetlands person said the garden would be a minimal disturbance because it was replacing one type of vegetation with another type of vegetation.

Dave Hussey—no address given—said he was a teacher at Red Bank Regional High School and the Environmental Club advisor. He said the students at the high school were very interested in participating in the garden and were at the meeting to offer support.

Mayor Menna thanked him for his comments and thanked the students for coming to the meeting.

Mayor Menna asked if any one else wanted to speak. No one came forward. Mayor Menna said the Council had received the reports and heard the comments offered. He said they had to do some homework but the matter would be placed on a workshop agenda as early as the next Council meeting. He said the Borough would seek its own information regarding any necessary permits.

Councilman Murphy noted that everyone was anxious to get started on the project but noted that the correspondence had to come to the Borough of Red Bank. He compared it to getting a permit to build on someone else's property. He said there had been similar issues at Maple Cove and again stressed the need for correspondence to be addressed to the Borough.

Cindy Burnham—said she wanted to note that the Environmental Commission was an advisory board and they had listened to the garden organizers and they were advising the Council that they were for it. She said that was the mission of an advisory board. Administrator Sickels noted that nothing had been received from the Environmental Commission. Ms. Burnham said she didn't know if they thought they had to submit anything. Mayor Menna noted that Laura Bagwell had spoken very eloquently on behalf of the Environmental Commission. Ms. Burnham said Andres Simonson was supposed to attend and he was the Chairman. Councilwoman Horgan told her that Laura Bagwell was the Chairman. Ms. Burnham asked when she had become the Chairman. Councilwoman Horgan said it was in January.

Mr. Sickels said one question that needed to be addressed was that Ms. Burnham had said there were 22 plots and there would be a lease agreement. He asked her to explain what that meant. She said it would be on a first come, first served basis and plots would be rented for \$25. She said there would be rules that participants had to abide by. Mr. Sickels asked where the money would go. Ms. Burnham said it would go into the garden.

Annie Jones—62 --said a lot of people had been coming to meetings for the past five months working with the Environmental Commission. She said they answered every question asked and felt they had done a lot of work. She said if the Borough didn't have some information she would get it. She noted that other community gardens had become so popular that there were waiting lists. Councilman Murphy asked where he could go look at one. Councilwoman Horgan told him there was one in Tinton Falls. Councilwoman Lee noted that six people had already signed up before it went public so it was likely there would be a waiting list. She asked if the group had thought about a lottery. Ms. Jones spoke of the many benefits including Sustainable Jersey points.

Laura Doherty—63 Oakland Street—said she wanted to find out how she could join the Environmental Commission. Councilwoman Horgan suggested she contact Laura Bagwell.

EXECUTIVE SESSION

11-56 The Attorney read a resolution to adjourn to executive session to discuss personnel and possible litigation; may take action on personnel matter.

Councilman Murphy offered a motion to adjourn to executive session to discuss personnel and possible litigation; may take action on personnel matter, seconded by Councilman Zipprich. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

Councilwoman Lewis offered a motion to adjourn from executive session, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

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

RESOLUTIONS

11-51 Mayor Menna read "A RESOLUTION APPOINTING EVA BIVIANO AS HUMAN RESOURCE MANAGER."

Councilman Murphy 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.

ADJOURNMENT

Councilman Murphy offered a motion, seconded by Councilman Zipprich 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