

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
NOVEMBER 22, 2010  
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, Assistant Attorney Hall, Engineer Ballard and Chief Financial Officer Mason.

ABSENT: Attorney Pringle and Auditor Kaplan.

**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 3, 2010.

**SUSPEND REGULAR ORDER OF BUSINESS**

Councilwoman Lee offered a 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.

**Boys and Girls Club Presentation**

No one appeared to make the presentation.

**Count Basie Cup Awards Presentation**

David Prown and thanked the members of the Council for providing time on the agenda to make the presentation to the winners of the first Count Basie Cup soccer tournament. He introduced the coaches and explained that the event had been modeled after the Red Kettle Classic basketball tournament. He reviewed the games that were played and brought forward the members of the winning teams. He presented the Mayor with a collage of photos from the event.

Councilwoman Horgan noted that the event had also collected non-perishable food for LunchBreak.

Mayor Menna and Recreation Director Memone Crystian congratulated the winning teams and presented them with the winning trophy. Director Crystian encouraged the children to continue their participation in sports. A spokesperson from each team spoke of the positive experience they received from participating in the event.

**RESUME REGULAR ORDER OF BUSINESS**

Councilman Zipprich offered a motion to resume 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.

**WORKSHOP**

### **Eastside Park**

Councilman Murphy noted that Harrison Avenue resident Jim Willis was present along with some other residents of the street to discuss an episode that happened over the previous weekend at Eastside Park. Councilman Murphy explained the Mr. Willis and the others had been asked to leave the park when they were using it Sunday morning. He questioned what was in the Ordinance regarding use of the field for something such as an informal game of touch football especially in regard to the definition of an organized sport and permit and insurance requirements.

Mayor Menna asked Administrator Sickels to provide some background on the issue. Mr. Sickels said the Public Works Department had nothing on their schedule showing use of the field and they had seeded and fertilized the field for the season. He said there was a permit requirement on the books which was mostly for the purpose of scheduling. He said there was a policy that an organized team event not sponsored by the Borough's Parks and Recreation Department would have to provide proof of insurance. He also noted that the Parks and Recreation Committee is reviewing and gathering information to create some amendments to clarify some of the procedures in regard to permits and insurance but the recommendations have not been finalized. He said when the Public Works Director heard the field was being used, he sent an employee over to inform them that it was not permitted without a permit. He said the decision was based mostly on the fact that it had just been fertilized and they didn't want people playing on the field.

Councilman Murphy noted that last year Public Works had put up a temporary fence after fertilizing but said that wasn't done this year. He also asked if the ordinance stipulated that the parks were closed for part of the year. It was determined that there was not. He also noted there was no signage on the field restricting play. Mr. Sickels agreed that a fence is normally installed across the field to prevent use when it has been fertilized and also noted that the signage is something that has yet to be finalized. Councilman Murphy said he felt if a permit was required, the information should be posted and asked about what was specifically in the ordinance on the issue adding that people use the basketball courts without issue. Mr. Sickels said, while he didn't have the ordinance in front of him, he believed a permit was required to use the playing fields which was different from the basketball courts. Councilman Murphy said Mr. Willis and his friends understood the need for a permit but the issue that presented problems was the insurance requirement.

Councilman DuPont said the problem with the ordinance was that it prevented pick up games and noted that there had also been complaints regarding Count Basie Field being locked up. Administrator Sickels noted that the Borough had received complaints from Harrison Avenue residents regarding cars being parked in their neighborhood with New York plates that were conducting soccer games in the park. He added that they had to have scheduling of events because they have had fights occur over who could use the field. He said the other issue was the maintenance and resting of the grass fields. He said Public Works had to fertilize the field but acknowledged they should have posted signs.

Councilman Murphy said he understood the permit process to coordinate a schedule but questioned the need for insurance. He again asked if there was an ordinance stating that the fields were closed for part of the year. Councilwoman Lee said there were no plans to close the parks seasonally. She also suggested that participants in pick up games that were not part of an organized sport could sign a waiver.

Councilman Murphy said he checked with surrounding towns also have a permit process and cite the same reasons. Councilwoman Lewis said that there had been problems in the past and that was why they were working on revising the ordinance. Councilman Murphy suggested the ordinance should be drafted to make the permit process and insurance requirement clearer. Councilwoman Lewis suggested the matter should be dealt with by the Parks and Recreation Committee. Councilman Murphy said the matter had been going on for a couple of months. Councilwoman Lewis agreed and said it was time to get it done and the matter should be moved to the Parks and Recreation Committee.

Jim Willis—Harrison Avenue—said there were a couple of items he would like to clarify before it went to committee. First, he said, was the insurance issue and cited the example of school kids playing a game of touch football after school. He said the second issue was scheduling whether by different user or to allow for maintenance of the field. He said his group had a vested interest in the park and when they saw it being seeded, they didn't play there for awhile. He said when they saw organized soccer games being played, they thought it was okay to use the field. He asked for more transparency regarding the turf management plan for the park. He also said the field only got watered when he emailed the Public Works Director especially in July and August when it was hot.

Craig Dolan—John Street—said a search of the public record revealed there was no ordinance requiring a permit except for public assembly by a team or league which they were not. He also said they had respect for the field and took a break when it had been seeded. He said they would be more than happy to fill out an application for a permit but even that says no insurance is required unless one is in a league. He said the thing that really irked him was that they were forced to leave the park without an ordinance. He said the Public Works employee that asked them to leave was not putting the fence up that day so he questioned why he was working on a Sunday.

Jeff Senkeleski—John Street—said he wanted to echo the sentiments about clarifying the rules and

questioned the need to obtain a permit when he might want to use the park with his kids spontaneously on a sunny day. He also asked if the fence that had since been installed would be up all winter. Public Works Director Watson said they leave it up to give the field a chance to rest. Councilman Murphy said he believed they did the same thing at County Basie to keep people off the field. Mr. Senkeleski said last year was the first year he had seen the fence at Eastside Park and said for the last 24 years his family had played a touch football game on Thanksgiving Day. He said if this was a new practice, he asked that it be clarified and the information be posted.

Brian Donnelly —Bank Street—said he wanted to emphasize that the game they have is not an organized event and felt that a requirement for a permit would be arduous. He also noted that, while he didn't want to be overly dramatic, he said the episode was very upsetting to be asked to leave the field without a clear reason. He said he felt they still weren't getting a clear reason being told it was the grass or the permit.

Mayor Menna said he understood it was because of the seeding of the field. He said he wasn't sure the town had a permitting process for the type of activity they were taking about. He noted the Councilwoman Lewis would be looking into the issue.

Councilwoman Lee said the Department of Public Works would work out a schedule for maintenance and service to determine when they would have to limit use of the fields. She said she wanted Red Bank residents to be able to use Red Bank facilities. She noted that there had been ongoing problems with people coming from out of town to use the fields.

Councilman Ziprich suggested that scheduled maintenance of the fields be posted on the Borough website.

Councilman Murphy said signage was also needed and pointed out that Mr. Watson was working on that issue.

Mayor Menna said that the matter would be referred to the Parks and Recreation Committee who would coordinate with the Public Works Committee to get the information posted to the website.

Councilman Murphy asked if something could be done for the annual Thanksgiving Day game they played. Public Works Director Watson said they could take the fence down. Councilwoman Lee said she was fine if they took the fence down and then put it back up. Councilwoman Lewis asked everyone to remember that they had been working on the maintenance of the parks because of the overuse and demand. She said it was important that once they start the maintenance process, they need to continue it. She suggested the matter go back to the Committee to work out the issues because the parks were in bad shape.

Councilman Murphy noted that the men had said they played in the park with the fence up and asked if they could play in that same area if they didn't take the fence down. Councilwoman Lee said she would discuss the matter with Director Watson and asked Mr. Donnelly to give her a call.

Councilman Murphy and Administrator Sickels noted that the purpose of the fences at Eastside Park and Count Basie Park were to prevent team play.

#### **RiverCenter Free Parking**

Councilman Murphy noted that RiverCenter had made a request for free parking in December that was denied. He said the matter was supposed to go back to the RiverCenter Board to see if a compromise could be reached and asked about the status. Mayor Menna said there had been some frank discussions with RiverCenter and they were asking the Council to reconsider their request. He said the matter would be presented under Communications and Petitions.

#### **APPROVAL OF MINUTES – November 8, 2010**

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

#### **ROLL CALL:**

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

NAYS: None

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

#### **MAYORAL APPOINTMENTS**

None.

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

Councilman Murphy reported that Ex-Fire Chief Calvin Carhart had passed away. He noted that Chief Carhart had served in the Department for 64 years as a member of Independent Engine Company. He noted that a memorial service would be held after the Thanksgiving Holiday. He also asked everyone to be careful over the holidays and take time to notice what was going on around them.

Councilwoman Lee said she had no report but asked everyone to give to the food banks over the holiday.

Councilwoman Horgan reported that the Red Bank Wedding Walk had taken place on Saturday, November 13 and was very successful with about 300 brides and their fiancés and families participating. She reviewed details of the event and said it was good for Red Bank businesses. She also reported that the previous week, the Steering Committee of the Red Bank Bicycle Pedestrian Project held a workshop. She said the project was funded through a State grant and provided for the use of a State Planner to review roadway and pedestrian improvements at no cost to the Borough. She said representative of several different entities attended and presented data they had gathered at a workshop held on October 14 regarding ways to slow down traffic. She said the next meeting would be a public workshop from 4 to 8pm on November 30 and a final steering committee meeting on December 8 to finalize the plan. She also reported that she had attended the New Jersey League of Municipalities Convention and reviewed some of the workshops she had attended including one on pedestrian safety and a training session hosted by the Municipal Excess Liability Joint Insurance Fund that offered a \$250 insurance credit for each elected official that attended. She also noted that the Borough's Engineer, Christine Ballard, had been honored at a luncheon hosted by the New Jersey Society of Municipal Engineers where she was awarded first prize for her leadership in the Borough's Water Treatment Plant improvements project.

Mayor Menna suggested the Pedestrian Safety Committee should pay particular attention to bicycle safety issues and reviewed several of the problems associated with the issue including riding on the sidewalks. Councilwoman Horgan said they were looking at those issues.

Councilwoman Horgan also reported that she and Councilwoman Lewis had dined at the Soul Kitchen the previous day. She explained the project that served nutritious dinners in a warm and welcoming environment where families and neighbors could meet. She said the suggested donation was \$10 and those that could pay could do volunteer work instead. She said the project would continue on Sundays in December. She gave contact information for those who wish to participate.

Councilwoman Lewis said the November Parks and Recreation meeting had been rescheduled and said she had an update from the Director. She said the past Friday, the Senior Center and Parks and Recreation had hosted a Senior Prom with 25 Red Bank seniors in attendance. She also noted that registration is ongoing for winter sports and there would be the addition of an indoor soccer program for three to five year olds. She said there was a new committee being formed to review baseball in Red Bank and said there was a need for volunteers. She noted that, since the permit issue was ongoing, they may call a special meeting before the regular December meeting of the Committee.

Councilman Zipprich wish everyone a Happy Thanksgiving and also reported on the League of Municipalities Convention. He noted that he and Councilwoman Horgan had also attended a Sustainable New Jersey seminar which gave them a better focus on how they can enhance the Borough in the future and reduce the carbon footprint. He also congratulated Engineer Ballard and noted she was only female engineer to receive the award. He reported that the Code Enforcement had met and discussed overcrowding issues and continued enforcement as well as the interlocal agreement with Little Silver. He said the Construction Department had reported an increase in revenue. He said the Historic Preservation Committee would be meeting the following Wednesday. He thanked Councilwoman Horgan for attending the Safe Routes to School Steering Committee meeting and noted he had been unable to attend. He reported that the Shade Tree Committee was finalizing their forestry management plan and tying up loose ends on the BSF grant. He also thanked Gary Watson for stepping up and becoming core trained so the Borough would have someone on staff to help with the forestry management plan. He also reported that the previous week he and Councilman Murphy had attended Foundation Day at the Primary School. He said it was nice to see the third grade classes involved in the dedication of a sculpture collection that had been donated to the Education Foundation by the family of former Councilwoman Florence Thompson.

Councilman DuPont reported that the Finance Committee had not met the previous week due to the fact that CFO Mason was attending the League of Municipalities Convention. Councilman DuPont asked if there would be a Holiday Home Decorating contest this year. Mayor Menna noted that Borough Clerk Borghi and Recreation Director Crystian had already begun preliminary work on the event. Councilman DuPont also asked about the status of the Mayor's wellness campaign. Mayor Menna said a ten point program would be presented at the next Council meeting. Councilman DuPont reported that he had attended the Men's Breakfast at Pilgrim Baptist Church and said the service was very humbling.

Mayor Menna said he wanted to remind everyone that the Borough's annual tree lighting and holiday concert would be the following Friday at dusk.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from Red Bank Charter School Foundation, Red Bank Elks Lodge No. 233 and Shrewsbury Parent Teacher Group, Inc. for raffle licenses.

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.

Mayor Menna read a request from RiverCenter for free holiday parking at the meters in the White Street, English Plaza and Eastside Parking Lots in the RiverCenter district from December 14, 2010 through December 28, 2010.

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

Councilman DuPont noted that a letter had been presented that day by RiverCenter Director Nancy Adams and said he had been upset by the fact that the request had been presented at the meeting with no discussion. He said it was his understanding that the matter was going to be brought back to the RiverCenter Board for consideration. He said the downtown was an important asset and RiverCenter did a wonderful job. He lamented the impending loss of a long time jewelry store and noted there were currently empty stores. He said the Borough had done everything possible to promote the stores and reviewed some of those actions. He said in light of some of these circumstances, he felt he needed to support RiverCenter's request.

ROLL CALL:

AYES: DuPont, Horgan, Lee, Murphy

NAYS: Lewis, Zipprich

There being four ayes and two nays, the request was declared approved.

Councilwoman Horgan said she wanted to point out that it only affected meters in the municipal lots.

#### **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.

Steven Hecht—Branch Avenue—questioned what had changed from RiverCenter's original request two weeks ago. A discussion followed regarding the details of the request. Mayor Menna noted that Councilman DuPont had expressed his reason for his change of heart. Mr. Hecht asked if the request had changed. Mayor Menna understood that the previous request included the street and plan to bag the meters. Mr. Hecht said he felt it wasn't clear and he hoped the Council would not vote if it wasn't clear.

Val DeFazio—56 Tower Hill Drive—asked how much revenue would be lost by the free parking. Mayor Menna said the estimate was \$13,000 per week for two weeks. Councilman DuPont said that estimate would include everything and he thought it would be \$5,000 to \$10,000 per week. Mr. DeFazio also asked if RiverCenter paid for everything in regard to the holiday lights. Mayor Menna said they pay for installation and maintenance. Mr. DeFazio asked what costs were not being paid by RiverCenter. Mayor Menna said the Borough pays for the electricity. Mr. DeFazio asked how much that was. CFO Mason said he did not have the information at hand. Mr. DeFazio said, while he supported the holiday lights, he felt in light of the fact that employees were taking furloughs, RiverCenter should underwrite all of the costs.

Councilman Murphy said they were very grateful that RiverCenter chips in to maintain and refurbish the decorations. He also noted that, while the businesses pay 42 percent of the taxes, the town does not pick up any of their garbage or cardboard. Councilman DuPont said they had had discussions to let RiverCenter know that they are expecting more of them next year. Mayor Menna confirmed Councilman DuPont's statement and said, while he couldn't reveal details, RiverCenter had been told they needed to include it in their budget next year. Councilman Zipprich also noted that some downtown businesses contribute to the event by supplying electricity.

Mr. DeFazio asked what percentage of businesses contributed. Councilman Zipprich and Director Adams said they didn't have the figures. CFO Mason said he thought the bill was less than \$2,000. Mr. DeFazio compared the event to the Fireworks on the Navesink event.

Councilwoman Lee spoke of the benefits of the holiday lighting and concert.

David Prown—44 Hillside Place—asked about resolution 10-247 and wanted to know if it was in regard to the current turf project or a future project. Administrator Sickels said it was the current project.

Councilman Murphy offered a motion to close the public comment portion of 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 public comment portion of the meeting was declared closed.

### **ORDINANCES – First Reading**

2010-38 Mayor Menna read, “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XX, “WATER AND SEWER,” SECTION 20-5, “PENALTIES.”

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption scheduled for December 8, 2010.

2010-39 Mayor Menna read, “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING SPECIAL ASSESSMENTS FOR SEPTIC TANK REMOVAL AND SEWER IMPROVEMENTS FOR CERTAIN BENEFITTED PROPERTIES ON LOCUST AVENUE.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: Lee

There being five ayes and one nay, the ordinance was declared adopted on first reading.

Public hearing and final adoption scheduled for December 8, 2010.

Mayor Menna asked why the December meetings were scheduled on Tuesdays. Borough Clerk Borghi and Administrator Sickels noted that the dates had been set at the organization meeting and the December meetings were traditionally moved away from the holiday week and could not be held on Mondays due to a conflict with the Planning Board. Mayor Menna said he would not be available on either Tuesday and suggested they move it back to the Mondays.

Councilman Murphy made a motion to move the meeting scheduled for Tuesday, December 7 to Monday, December 6. Councilman DuPont seconded.

ROLL CALL:

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

NAYS: None

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

Mayor Menna noted that the Public Hearing would be held on December 7, 2010.

Councilman Murphy made a motion to move the meeting scheduled for Tuesday, December 21 to Monday, December 20. Councilman DuPont seconded.

ROLL CALL:

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

NAYS: None

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

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

2010-37 Mayor Menna read, “ORDINANCE OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”) PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$750,000 TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE RETIREMENT OF BOROUGH EMPLOYEES.”

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

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

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 DuPont offered a motion to adopt the ordinance on final reading, seconded by Councilwoman Lewis.

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.

### **ORDINANCES – Final Adoption**

2010-22 Mayor Menna read, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-5.32, “TRAIN STATION DESIGN DISTRICT REGULATIONS,” SECTION 10.14, “REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-1 DISTRICT,” SECTION 10.19, “REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-2 DISTRICT,” SECTION 10.22, “REGULATIONS CONTROLLING THE TRAIN STATION OVERLAY DISTRICT.”

Mayor Menna said the ordinance was being tabled as the Planning Board had not met on the issue yet.

Councilman DuPont offered a motion to table the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the ordinance was declared tabled.

2010-34 Mayor Menna read, “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS NEW

SECTION 25-8.40, "OUTDOOR STORAGE OF MATERIALS, PERMANENT AND TEMPORARY."

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

Carl Colmorgen—67 Oakland Street—said he wanted to commend the Council on the ordinance and said he looked forward to its adoption. He asked what would happen to those already in place. Assistant Attorney Hall said the time would start upon the effective date of the ordinance.

Councilman DuPont offered a motion to close the public hearing, seconded by Councilman Zipprich.

**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 DuPont offered a motion to adopt the ordinance on final reading, seconded by Councilwoman Lewis.

**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**

10-247 Mayor Menna read "RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 RELATED TO THE CONTRACT WITH PRECISE CONSTRUCTION, INC. FOR THE COUNT BASIE PARK SYNTHETIC TURF FIELD PROJECT."

Councilman DuPont 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.

10-248 Mayor Menna read "A RESOLUTION AMENDING THE 2010 CAPITAL BUDGET OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY."

Councilwoman Lewis 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.

10-249 Mayor Menna read "RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOARD OF EDUCATION OF THE BOROUGH OF RED BANK TO PROVIDE SNOW PLOWING, SNOW REMOVAL, STREET SWEEPING AND VEHICLE MAINTENANCE SERVICES."

Councilman DuPont 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.

10-250 Mayor Menna read “A RESOLUTION AUTHORIZING TRANSFER OF 2010 CURRENT FUND APPROPRIATIONS.”

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

ROLL CALL:

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

NAYS: None

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

## PROCLAMATIONS

## PAYMENT OF VOUCHERS

10-251 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$906,244.64.”

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

ROLL CALL:

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

NAYS: None

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

## OLD BUSINESS

## NEW BUSINESS

### AUDIENCE

Val DeFazio—56 Tower Hill Avenue—said he saw garbage being picked up on Monmouth and Broad streets seven days a week and asked if it was necessary. Public Works Director Watson said the pick up was for litter lockers and said they were not picked up on Tuesday and Friday. He said they pick up on the regular zone days and on Saturday and Sunday. Mr. DeFazio questioned the need to pick up on Saturdays and Sundays. Mr. Watson said it was necessary after Friday and Saturday nights. Mr. DeFazio suggested larger cans or recycling cans.

Mayor Menna said the suggestions made a lot of sense, but even with recycling bins, Saturday and Sunday was necessary because of the overflow. Mr. DeFazio encouraged the Borough to give recycling a try. Mayor Menna said his point was well taken but scheduling was an issue. Administrator Sickels said they have looked at containers and compactors but the cost of the containers outweighed the savings. Mr. DeFazio questioned why residents had to recycle but the downtown did not. Mr. Sickels said the problem was scheduling not that Public Works would have to do the trash pick up they were already doing and add the recycling that they were not doing now.

Cindy Burnham—Harrison Avenue—asked about a grant to purchase recycling cans. Mr. Watson said they had applied and received a grant for \$17,000 but the Borough had to match it and it was for residential collection.

Steven Hecht—Branch Avenue—asked how the changes to the calendar for Council meetings would be published. Mayor Menna said it would be on the website, in the press and announcement at this meeting. He added that State law required notification to the press.

Jean Clem—26 Pinckney, Warwick Gardens—said her community was for those 55 and older and described the size of the facility. She noted their board meets once a month and that is when the bills are paid. She noted that the Red Bank water bill arrived the day after their October meeting and it was much higher than previous bills. She said they conducted an investigation and found and repaired a leak. Once she confirmed the bill was accurate, she continued, she paid it. She was subsequently charged a \$112.40 late fee for paying three days late and asked for consideration. Mayor Menna said he believed the Statute had parameters and the only way the interest could be backed out was by action of the Governing Body.

CFO Mason noted that Red Bank offers a 30 day grace period while most towns only offer ten. Councilman Murphy clarified that Red Bank offers its customers 20 days more than most towns.

Administrator Sickels noted that there were instances where bills were high and they have checked for meter problems and compensated the accounts if a problem was found, but the bills were paid on time.

Ms. Clem reiterated the timeline and asked the Council to consider waiving the fine. Mayor Menna said it wasn't a fine, it was interest. She spoke of Warwick Gardens' reputation and solvency and asked the Council to consider the organization's embarrassment. Councilman Murphy noted if they make an exception for one customer, they have to do it for all.

Councilman DuPont offered to pay the bill out of his Council salary. Mayor Menna asked Ms. Clem to make the payment on behalf of the organization and pledge the Council would reimburse her. She presented a check to the Mayor.

Ben Forrest—Locust Avenue—asked about the negotiations regarding the property at 51 Monmouth Street. Mayor Menna noted that the matter would be on the next Council agenda with a public hearing. He added that they could not discuss it, but that there would be time to review it between the two December meetings.

Steven Hecht—Branch Avenue—asked about the policy to not place resolutions on the website until they were approved. Administrator Sickels explained that resolutions were done in a single action and were often subject to change.

Mayor Menna clarified that resolutions should be available before the meeting and said the Borough would post them. Mr. Sickels noted that resolution don't always make it to the final agenda so the policy was made not to post them. He said ordinances were published to advertise a public hearing but if resolutions were posted too much time would be spent making changes. Mayor Menna said, in the spirit of transparency, they should be on.

Councilman Murphy noted that the posting of resolutions was not required.

Cindy Burnham—Harrison Avenue—asked about the lottery for boat slips at Marine Park. Administrator Sickels said he wasn't sure if the work was complete. Engineer Ballard said it was just about done. Ms. Burnham asked who to contact regarding applying. Mr. Sickels said he would have to review the ordinance. Ms. Burnham asked if it would be advertised. Mr. Sickels said it absolutely would.

David Prown—44 Hillside Place—said the sound quality of the Council Chambers was poor in certain areas and suggested the microphone be moved to the side of the room. He also thanked the Council for having the participants in the soccer tournament at the meeting and said they were happy to be here adding that they were curious about the process. He said the tournament was wonderful and said everyone was very helpful. He said the kids were very excited to play on the turf.

Mr. Prown said the job of crossing guard was not easy and spoke of specific incidents. He also noted the importance of bicycle safety but questioned how solutions could be achieved without funding. Councilwoman Horgan noted the issue was discussed at the Pedestrian Safety meeting and she would provide him with the information. He suggested crossings at intersections with traffic lights would be less problematic. He said they might have to walk a little farther but it would be safer. He also noted that Red Bank Regional would be hosting a dinner for football alumnus the next night. He said it was free and would begin at 5:30 pm. He also reported that the Red Kettle Classic would be held on December 3<sup>rd</sup> at 5:30 pm and, in lieu of a fee, the Salvation Army was asking participants to man a kettle for three hours.

## **ADJOURNMENT**

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

## **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