

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
DECEMBER 22, 2010  
6:30 P.M.**

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

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

ABSENT: Assistant Attorney Hall 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**

Councilman DuPont offered a motion to suspend the regular order of business, seconded by Councilwoman Lee.

ROLL CALL:

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

NAYS: None

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

**Presentation of Awards to Home Decorating Contest Winners**

Councilwoman Lewis and Parks and Recreation Director Crystian presented prizes and certificates to the winners of the Borough's 3<sup>rd</sup> Annual Home Decorating Contest. Councilwoman Lewis thanked David Prown for organizing the judging committee and noted that they were given addresses only. First Place went to Patrick and Jennifer Hussey at 14 Catherine Street. They received a \$100 gift certificate to Foodtown, a \$100 gift certificate to Prown's Home Improvement and a half gallon of Prown's Made Vermont Maple Syrup. Second Place went to Christopher and Jane Hussey at 60 Leighton Avenue. They received a \$75 gift certificate to Foodtown, a \$75 gift certificate to Prown's Home Improvement and a half gallon of Prown's Made Vermont Maple Syrup. Third Place went to Timothy and Audrey Blankley at 56 South Street. They received a \$50 gift certificate to Foodtown, a \$50 gift certificate to Prown's Home Improvement and a half gallon of Prown's Made Vermont Maple Syrup. Ms. Crystian thanked the participants for brightening up the Borough's neighborhoods.

**Report from Fireworks on the Navesink Task Force Committee**

Charles Moran appeared on behalf of the Committee to report on their findings. He noted that the Committee was charged with determining if the event should continue and, if so, how it should be funded. He said the Committee felt the event should continue as it was an important part of the fabric of the town and was a major identifier of the town. The general consensus of the Committee, he continued, was that the revenue model used in the past of relying on donations, sponsorships and fund raising events would not be enough to cover the current economic environment. He said the Task Force was concerned that the Kaboom Fireworks Committee would not be able to raise the significant funds needed to cover the cost of the event for 2011. He reported that they were recommended that the Borough grant permission to the Kaboom Fireworks Committee to charge a modest fee for entrance into Marine Park, Riverside Gardens Park and the area behind the Borough library. He added that a study by T&M Associates determined that area to be 164,000 square feet which the Committee conservatively estimated would hold about 15,000 people. He estimated this would raise between \$50,000 and \$75,000 based on a fee structure where children would be free. He said the plan would call for a discount on tickets purchased before June 15 which would protect the Committee from a loss of revenue in the event of inclement weather. Unless a major sponsor that could underwrite all of the costs of the event, he said the admission fee model would be the best alternative to fulfill the funding shortfalls. He said the balance could be made up by general donations, business sponsorships and fund raising events. He said the Task Force also expressed concern about the number of people coming into town for the event, particularly those underage, which they felt had grown to the point that it distracted from the positive aspects. He said the Chief of Police was confident that the issue could be handled sufficiently. He asked the Council to take the Committee's report under advisement.

Mayor Menna thanked the current Chairman of the Fireworks on the Navesink Committee, Peter Reinhart, as well as Mr. Moran as the Associate Chairman, and all of the members of the Committee and hundreds of volunteers who have put in an enormous amount of time and effort. He said the Mayor and Council were grateful for the contribution they made. In addition, he continued, they were also grateful to all of the members of the Task Force who participated to come up with creative analysis of some of the issues and for

their report. He said the Governing Body would have to take it under advisement and seek advice on a number of aspects. He said he accepted their comments with appreciation and that the Governing Body would consider them and report back to the public at large and the committee. He said he understood there was some urgency and it was his suggestion to the Council that they review the report and those of the professionals that the Committee considered and offer a formal reply and possible action at the next regular Council meeting scheduled for January 10.

Councilman DuPont said he agreed and wanted to thank Mr. Moran and the rest of the Committee for thinking outside of the box for some of the ideas. He said he loved the fireworks and felt the Borough needed to do everything it could to keep them in town. He spoke of the benefits of the event especially to the businesses. He asked Mr. Moran if he knew of any other municipalities that charged in a manner similar to the one proposed.

Mr. Moran said a number did including Maplewood and Perth Amboy. Councilman DuPont said he was looking forward to discussing the matter.

Councilman Zipprich said he wanted to echo Councilman DuPont's sentiments and thanked Mr. Moran for doing his due diligence. He said he thought the fireworks were an important asset and it wouldn't get done without the Committee's able assistance.

Councilwoman Horgan noted that all of the members of the Committee were volunteer and they put together a great show.

Councilwoman Lee thanked Mr. Moran and the rest of the Committee for their work and their interest in continuing the event. She said she looked forward to reading the report and hoped they could come to an agreement.

Councilman Murphy said he agreed with the Mayor and that the Borough needed to look at it financially. He commended the Committee's efforts over the years and spoke of the hardship imposed on the Committee, the members of the Volunteer Fire Department and the Police Department. He said it was an exciting day for Red Bank and they would like to continue it but they would have to review the financial plan.

Councilwoman Lewis said she wanted to echo the sentiments of the rest of the Council and thanked the Committee for their efforts noting the number of events they organized to benefit the Fireworks. She said it was an important event for the town and she hoped they could review the information and come to a great decision on behalf of everybody.

### **World Hypnotism Day**

Mayor Menna said he wanted to recognize a professional who was in the audience who was having a wonderful event on January 4, 2011 from 4 to 8 pm. He said James Giunta was a professional in a field of science that was gaining recognition in both medical and social circles and he would be hosting the first World Hypnotism Day at the Downtown Cafe. He welcomed Mr. Giunta to Red Bank on behalf of the Council and noted that the event will raise funds for a local charity. Mayor Menna said the Borough would be presenting a proclamation at the event.

Mr. Giunta came forward and thanked the Mayor and Council for their consideration and invited everyone to the event. He described the events of the day that would promote hypnotism including ways it can be used for health issues.

Councilman DuPont suggested it could be part of the Mayor's Wellness Campaign.

### **RESUME REGULAR ORDER OF BUSINESS**

Councilman Zipprich offered a motion to resume the regular order of business, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

### **WORKSHOP**

No workshop items.

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

Some Council Members said the minutes were not received in their packets. Mayor Menna suggested the approval be carried to the next regular meeting.

## **MAYORAL APPOINTMENTS**

None.

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

Councilman Murphy reported that the Red Bank Volunteer Fire Department Ladies Auxiliary was considering helping a family over the holidays but, after the two devastating house fires that occurred recently, the group decided to split the assistance between those two home owners. He said the Ladies Auxiliary recently donated a \$125 gift card to Target to each of the families to help them through the difficult time. He said, even though Emergency Management Coordinator Peter DeFazio had coordinated housing for the families, the Ladies Auxiliary wanted to donate something extra.

Councilwoman Horgan asked how others could donate. Councilman Murphy said they could get in touch with the Ladies Auxiliary.

Councilwoman Lee noted there was an item on the agenda that had been long awaited which was the purchase of two garbage trucks. She said she was looking forward to seeing them on the road.

Councilwoman Horgan said the Steering Committee for the Bicycle and Pedestrian Safety Committee had met and they would be working with the planners assisting with the project to put together a report that will be delivered after the first of the year. She said they had some very good ideas to ensure that pedestrians and bicyclists would be safe.

Councilwoman Lewis said she wanted to remind everyone that winter sports registration was underway. She noted that indoor soccer was growing. She also reported that Red Bank had been awarded \$250,000 from the Monmouth County Open Space Program for construction of a multi-purpose artificial turf field at Count Basie Park.

Councilman Zipprich said the Board of Health reminded those with compromised immune systems to get a pneumonia shot and, in light of the cold and flu season, reminded everyone to wash their hands frequently. He said the Historic Preservation Committee would be meeting later that evening. He also reported that the previous week he had been proud to represent the Mayor and Council at the holiday concert at the Middle School. At that concern, he continued, the Red Bank Borough Education Foundation held a drawing for a piece of sculpture that had been donated by the family of former Councilwoman Florence Thompson. He congratulated Barbara Boas and Stephen Hecht who were the winners. He wished everyone happy holidays and thanked the staff at Borough Hall, Department Heads and Committee/Commission volunteers for all of their efforts and the amount of time they had given over the last year.

Councilman DuPont said there had been reports in the media about the doom and gloom of municipal governments throughout the country especially in regard to municipal bonds. He said he was very proud of Red Bank's ability to reduce its debt and operating expenses and the selling of municipal bonds. He said that could only be achieved with the assistance of the Borough's employees, both union and non union. He said the Borough was financial stable and received good ratings because of their efforts. He said he just wanted to make sure to give a big kudos to the Borough's employees who pitched in during this very difficult year. He also thanked his fellow Council members and the Mayor for providing leadership and incite in a difficult budget year. He wished everyone a happy holiday and said he was looking forward to the Mayor's wellness campaign in 2011.

Mayor Menna said, on behalf of the Borough residents, he wanted to thank the Council members and the professionals for making the Borough look good and to all of the Municipal workers for their loyalty and dedication. He also thanked the volunteers that serve on the Borough's Boards and Committees. He praised the amount of dedication and time put in by the members of Council and thanked them for their efforts. He wished everyone a happy and grace filled holiday.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from Cancer Institute of New Jersey Foundation, St. James Grammar School PTA and Red Bank Catholic High School PTA for raffle licenses.

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

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

Mayor Menna read a request from VNA of Central to hang a banner on to hang a banner on Broad Street from May 3, 2011 to June 12, 2011 to advertise their Stately Homes By-The-Sea Show House.

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

ROLL CALL:

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

NAYS: None

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

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

No one appeared.

**ORDINANCES – First Reading**

None.

**ORDINANCES – Public Hearing & Final Adoption**

2010-40 Mayor Menna read, “AN ORDINANCE AMENDING THE AUTHORIZATION OF SANDWICH BOARD SIGNS.”

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

No one appearing, Councilman Murphy 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 Zipprich offered a motion to adopt the ordinance on final reading, seconded by Councilman DuPont.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: Lee

There being five ayes and one nays, the ordinance was declared adopted on final reading.

**RESOLUTIONS**

**By Consent Agenda:**

- 10-266 Mayor Menna read, “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED BY GUY JOHNSON, 218 WEST FRONT STREET, BLOCK 4, LOT 16.”
- 10-267 Mayor Menna read, “A RESOLUTION RELEASING MAINTENANCE GUARANTEES POSTED BY K. HOVNANIAN PROPERTIES OF RED BANK, INC., RIVERSIDE AND MAPLE AVENUES, BLOCK 7, LOTS 2 AND 17.02.”
- 10-268 Mayor Menna read, “A RESOLUTION ACCEPTING MAINTENANCE GUARANTEES AND RELEASING PERFORMANCE GUARANTEES POSTED BY RED BANK CATHOLIC HIGH SCHOOL, 112 BROAD STREET, BLOCK 46, LOTS 12 AND 33.”

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

ROLL CALL:

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

NAYS: None

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

10-264 Mayor Menna read, “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 RELATED TO THE CONTRACT WITH BLACK ROCK ENTERPRISES FOR THE 2010 ROAD PROGRAM.”

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

ROLL CALL:

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

NAYS: None

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

10-265 Mayor Menna read, “A RESOLUTION AUTHORIZING TRANSFER OF 2010 CURRENT FUND AND WATER/SEWER UTILITY APPROPRIATIONS.”

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

ROLL CALL:

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

NAYS: None

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

10-269 Mayor Menna read, “A RESOLUTION AUTHORIZING APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE BOROUGH OF RED BANK AND THE CWA LOCAL 1038, AFL-CIO.”

Mayor Menna explained that the agreement would eliminate the unfair labor practice that had been filed by the CWA and commits the Borough to an agreement on the 2010 contract that would include a retroactive one percent increase back to January 2010. He said it also call for a two percent pay raise for CWA employees for 2011. He also noted that the increases were within the cap.

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

ROLL CALL:

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

NAYS: None

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

10-270 Mayor Menna read, “A RESOLUTION REGARDING 2011 REORGANIZATION MEETING OF THE GOVERNING BODY.”

Mayor Menna noted the meeting was scheduled for January 1, 2011 at 3 pm.

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

ROLL CALL:

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

NAYS: None

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

10-271 Mayor Menna read, “A RESOLUTION ACCEPTING BIDS FOR SUPPLY AND DELIVERY OF CERTAIN WATER PURIFICATION CHEMICALS.”

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

ROLL CALL:

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

NAYS: None

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

10-272 Mayor Menna, “A RESOLUTION ACCEPTING BID FROM AND AWARDDING CONTRACT TO DETCON CORPORATION FOR TWO SANITATION COLLECTION TRUCKS.”

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

ROLL CALL:

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

NAYS: None

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

### **PROCLAMATIONS**

None.

### **PAYMENT OF VOUCHERS**

10-273 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,042,281.96.”

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

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

### **AUDIENCE**

No one appeared.

### **EXECUTIVE SESSION**

None.

### **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