

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JANUARY 11, 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, Deputy Borough 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.

Mayor Menna welcomed everyone to the meeting and said it was heartwarming to welcome so many members of law enforcement from throughout the State.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

NAYS: None

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

Councilman and Police Commissioner Murphy thanked the Police Committee, Mayor and Council for their support in selecting Police Captain Stephen McCarthy as the new Chief of Police. He said he and the Police Committee interviewed the four Captains that had expressed an interest in the position. After a review of each candidate's resume, personnel file and completion of individual interviews, he continued, the members of the Police Committee were impressed with all four candidates for their service to the community and their professionalism. He thanked them for their time and patience during the process. He said the Borough was fortunate to have these exceptional officers in our Department. He said Capt. Steve McCarthy had served the Department for 23 years, had a Bachelor's Degree in Administration of Justice from Rutgers University and a Masters Degree in Public Administration from Kean University. He added that he had served for years in the Patrol Division as a Patrol Supervisor, in the Records Division as a Records Supervisor and in the Detective Investigation Division as an Investigator and Supervisor. He added the Capt. McCarthy had served as the Department's Public Information Officer, had attended the FBI Academy in Quantico, VA, and had completed West Point Command and Leadership Training. Commissioner Murphy also noted that, during the course of his career, Capt. McCarthy had received over official commendations and said that, on behalf of the Mayor and Council, he would like to congratulate Capt. Steve McCarthy, his wife and his children on his promotion to Chief of Police of the Borough of Red Bank.

10-10            Mayor Menna read "A RESOLUTION APPOINTING STEPHEN G. MCCARTHY AS CHIEF OF POLICE."

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

Councilwoman Horgan offered her congratulations and said she was looking forward to working with Chief McCarthy.

**ROLL CALL:**

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

NAYS: None

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

Mayor Menna welcomed Chief McCarthy on board and said he knew that he had had a wonderful rapport with all of the men and women of the Department and with his colleagues throughout the County and the State. He added that, though he knew Chief McCarthy wasn't born in the Borough, he knew his roots were here. He told him that he had the support, dedication and respect of the residents of Red Bank, the admiration of the Municipal Court staff and the glowing support of out-going Chief Fitzgerald. He recognized Chief McCarthy's family members in the audience.

Superior Court Judge Anthony Mellacci issued the Oath of Office to Chief McCarthy.

Judge Mellacci offered remarks on his relationship with Chief McCarthy which he said dated back to 1986 and commended his work ethic and attention to detail. He added that Chief McCarthy joined a long list of exemplary Police Chiefs in the Borough of Red Bank.

Chief McCarthy thanked everyone for coming and thanked the Mayor and Council for the honor that had been given him. He said that during the process he had been thinking back on his career and the five Chiefs he had worked under. He said he thought about their different styles, their strengths and the lessons that they learned and the things that occurred while they were Chief. He said he felt that experience was good for him. He spoke of the importance of family in his life and the support of his wife throughout his career. He noted that his father had been a Police Officer in Jersey City for thirty years and had taught him about honor, integrity and helping the people that really need to be helped. He also spoke of the support he had received from his mother.

Chief McCarthy said he thought of the Police Department as his extended family. He said he was amazed by their ability to work through tremendous tragedies with professionalism and was honored to be counted among them. He said he felt one couldn't accomplish anything by one's self and felt that is was by their efforts that he was where he was today.

Mayor Menna asked Peter Warshaw of the Monmouth County Prosecutor's Office to make a few remarks. Mr. Warshaw spoke of Chief McCarthy's intelligence and his caring, saying that his heart separated him from the others and was what made him special. He commended his commitment, integrity and honesty as well as his ability to put family first.

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

NAYS: None

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

**WORKSHOP**

**Pedestrian Safety**

Councilman DuPont asked if the Borough had applied for any grants on the issue of pedestrian safety. Administrator Sickels confirmed that they had applied for such grants. Councilman DuPont said he was commenting about recent articles that had focused on fatalities on New Jersey's streets and highways.

Mayor Menna said that while the Borough has applied for such grants, he also noted that there was a bill pending that would mandate any striped crosswalk be a stop for all traffic. Attorney Pringle clarified that it would mandate that all vehicles stop for pedestrians in that crosswalk rather than yield.

Councilman DuPont asked that a resolution be prepared to encourage that and noted that newspaper articles had brought the issue to the forefront. He also noted that one of the Borough's crossing guards was recently injured and said it would be good opportunity to not only pass the resolution but apply for any additional grants that may be available.

Mayor Menna said the Administrator, Engineer and himself, as well as others, had met with the County Engineer in terms of traffic calming on Shrewsbury Avenue, the new bridge access on Front Street as well as in front of Riverview Medical Center. He said they had also had discussions with some of the stakeholders at Riverview, as well as some of the residents. He said he may be able to offer details of some of the discussions at the next Council meeting.

### **Zoning in Westside Business District**

Councilwoman Lee reported that a discussion had come up at the Planning Board regarding minimum square footage for businesses on the Westside. Administrator Sickels elaborated that the ordinance limits businesses in that zone to no more than 2,000 square feet and that there was a case where a retail establishment wanted to go into a place that was more than that. Mr. Sickels said the Planning Board had proposed that the ordinance be changed to mirror the Central Business District or to remove the limit. He said the question had also arisen as to why that restriction had been put in place. He said they thought it was to prevent a large scale megastore from coming in. He added that they thought 2,000 square feet seemed rather small given that many of the stores downtown were more in the 3,000 square foot range.

Councilwoman Lee said the Planning Board was not aware of the type of store being considered but just that there was an application pending. She said she had asked what would be the overall benefit of making the change and they referred it to the Council level for further guidance as to why it was established as less than 2,000 square feet. She said she wanted to take any guidance back to the Planning Board as they had not finished their discussion of the matter.

Mayor Menna said he thought it was probably done a long time ago and retail was ever changing. He said, as far as he was concerned, the Council should introduce an ordinance that would make it consistent with what is in the Central Business Zone. Councilwoman Lee said, before that action was taken, she would like to take it back to the Planning Board for further discussion. Mayor Menna said they could introduce it and send it back to the Board for review which was the way it was supposed to be done. He said he thought they should try to encourage people to develop retail in a retail area such as Shrewsbury Avenue and that it should be consistent with Broad Street.

Councilwoman Lee said there was concern over the size as the Westside was experiencing a revitalization with small stores which helps the small owners and noted that it faced the same issue as downtown in regard to parking without the luxury of parking lots. She said they didn't want to infringe on the neighborhoods.

Mayor Menna asked what the recommendation was.

Councilwoman Lee said she wasn't sure what the ordinance read but she thought it was that it had to be no more than 2,000 square feet. Mayor Menna acknowledged that that was not a lot. Councilman Murphy agreed that they needed to encourage businesses to come into town to make it more reasonable for them to do so.

Councilwoman Lee suggested the Planning Board deal with the issue on a case by case basis particularly because of the parking issue. Mayor Menna said he would not recommend doing it that way because it would open the Borough up to a challenge for spot zoning. He said either something was good for the whole neighborhood or it wasn't. He suggested they try it and see if it works. If it didn't work, he continued, they could always change the ordinance again.

Councilman Zipprich asked Councilwoman Lee to confirm that she would take the matter back to the Planning Board for further discussion. She confirmed that she would. Mayor Menna said he felt the Council could introduce the Ordinance as early as the next Council meeting but noted that it would then have to go back to the Planning Board for discussion.

Councilwoman Lee said the Planning and Zoning Director was also researching the issue of clothing bins and temporary storage units. Mayor Menna said he thought the Borough should look at that issue as there was a big problem with fraud in that area. He suggested that neighboring towns be contacted for sample ordinances. Administrator Sickels said the Planning Board had already asked Planning and Zoning Director Barr to do that and added that the Board had discussed setting up some parameters. He noted that there were some existing bins that had been in the Borough for quite some time and were located on the property of the organizations that they benefit. He said the Board thought that they would consider allowing the bins when they were on the property of the charitable organization as opposed to spot drop off locations.

Councilwoman Lee said she felt the bins looked like garbage bins and asked if any other towns had ordinances where the bins had to be enclosed. Engineer Ballard said the Borough could include whatever restrictions they wanted but noted that most of the ordinances she had seen were moving toward banning the structures. She also noted that the bins should be reviewed as accessory structures due to possible issues such as parking and drainage.

Mayor Menna said he had just been advised that there were bins that had recently appeared at a property across the street from the Municipal Building. He noted that the property had not been approved for anything other than a temporary parking lot and asked the Administrator to take appropriate action as soon as possible because it was a violation of their original approvals. Administrator Sickels said it had already been done.

Councilman Zipprich noted that the issue is happening all over the State. Councilwoman Lee said it was due to the fact that there was a large market for used clothing. Mayor Menna questioned how much of the profit was actually going to not-for-profits.

### **Board of Health**

Councilman Zipprich said one of the members of the Board of Health had done an analysis which had been distributed to the Mayor and Council. He asked Council members to review it for discussion at a later date.

Mayor Menna said he hoped to discuss it at the next Council meeting which would give everyone an opportunity to review it and noted that he had deliberately held off on appointments to the Board of Health pending a discussion of the review by the Council.

### **APPROVAL OF MINUTES – December 22, 2009**

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

#### **ROLL CALL:**

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: Zipprich

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

### **APPROVAL OF MINUTES – January 3, 2010**

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

#### **ROLL CALL:**

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

NAYS: None

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

### **MAYORAL APPOINTMENTS**

Mayor Menna appointed Memone Crystian to the Parks & Recreation Committee as an Alternate No. 1 Member for a 2-year term expiring 12/31/11.

Mayor Menna noted that Ms. Crystian was a Westside resident, had been a volunteer for a number of years and had children in the system.

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

Councilman Murphy had no report.

Councilwoman Lee reported that Public Works Division had done an exceptional job with the recent snow storm and recent sewer/water main breaks in the business district.

Councilwoman Horgan reported that the Environmental Commission had passed a resolution opposing Liquefied Natural Gas Terminals off of the New Jersey coast. She noted that she had forwarded it to all of the Council members and the Mayor. She asked that it be placed on the agenda for the next Council meeting and urged the Council to pass it. She explained that Clean Ocean Action had come to the Environmental Commission to give a presentation on the problems of the LNG terminals.

Councilwoman Lewis had no report.

Councilman Zipprich thanked Administrator Sickels for looking into opportunities for shared services in the area of Construction/Code Enforcement as well as other departments. He also reported the Shade Tree Committee's Arborist had retired and noted that the Committee had started receiving phone calls about hazards and pruning needs. He said he planned to meet with Administrator Sickels, Assistant Administrator Watson and Committee Vice Chair Kauffmann to discuss procedural changes before spring. He also reported that the Historic Preservation Commission would be holding a special meeting this week to address design guidelines for the Train Station Overlay District. He said Director Smith-Barr and Engineer Ballard had provided the Historic Preservation Commission with copies of Historic District Regulations, a copy of the ordinance and the RiverCenter guidelines. He said the Commission members were very excited and pleased to share their expertise on this exciting new development project. He said he had also been talking to Administrator Sickels and the Chief of Police about establishing an intern program that would benefit college students, Borough employees and Borough citizens.

Council DuPont reported that the Finance Committee had met and he was aware of a request for a summit where alternate budget proposals could be discussed. He told Kim Senkeleski, who had suggested the summit, that while he appreciated her energy, the existing budget hearings were transparent and public. He said the Committee would like to see more participation and encouraged Ms. Senkeleski to come to the hearings and bring her ideas. He said after discussing the matter with the Finance Committee, he felt that was the best format and that was what it was there for. He noted that the public is invited and the hearings were advertised and notices were placed on the internet. He again urged Ms. Senkeleski to come to the hearing and participate. He said the date would be announced shortly. He said he had received her email and would be sending a response. Councilman DuPont also reported that in 2009 the Borough had generated over \$200,000 in shared services and said there were ideas on the table that would generate even more. He said they were discussing the various proposals with other towns and they were hoping to increase revenue without raising taxes. He said they have also asked the Directors of each department to come up with a reduction in their budgets of 15 percent. He noted that the Governor-elect was proposing to seriously cut State aid which would have some very serious consequences for municipal budgets. He said they have asked the Chief Financial Officer to take into consideration a five to ten percent reduction in State aid and what that would do to Borough services and the operation of the budget.

Mayor Menna said references were made on New Year's Day regarding the Borough's competitiveness in the area and said he was happy to report that there would be two new businesses opening in Red Bank this week. He said one was Deutsche Bank, a financial institution that would bring about 30 employees to Red Bank. He said it was a great addition to our community and offered tremendous visibility for the Borough. He also noted that Tommy's would be opening in the Galleria and added that there was a lot of excitement in the Arts and Theater District and the Galleria area. He said he had been having a number of meetings with the restaurateurs and they are in the process of preparing plans in conjunction with RiverCenter and he believed they would soon be approaching the Council with a truly different type of event that would be community-based for the Westside. He noted that it would include merchants from the Shrewsbury Avenue and Train Station areas and would show the Borough's diversity.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from St. James Grammar School PTA and Two River Theatre for raffle licenses.

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

### **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 Rug Décor to extend their Going Out of Business License for an additional 90-day period.

Councilman Murphy offered a motion to deny 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 request was declared denied.

Mayor Menna read a request from St. Nicholas Russian Orthodox Church for procession from their church on Pearl Street to the Navesink River at the end of Maple Avenue on January 19, 2010 at 1 p.m. to bless waters for Russian Orthodox Epiphany.

Mayor Menna said he was pleased to note that, this year, the head of the Russian Orthodox Church outside of Russia would be in Red Bank that morning to bless the waters.

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna read a request from Alonzo L. Copeland for membership to Westside Hose Company of the Red Bank Volunteer Fire Department.

Councilman Murphy 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 request was declared approved.

#### **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.

No one appearing, Councilman Murphy offered a motion to close the public comment portion of the meeting, 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.

#### **ORDINANCES – First Reading**

2010-1 Mayor Menna read “AN ORDINANCE AMENDING CHAPTER II, “ADMINISTRATION,” SUBSECTION 2-53, “HISTORIC PRESERVATION COMMISSION” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK TO PROVIDE FOR UP TO TWO ALTERNATE MEMBERS.”

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

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 January 25, 2010.

2010-2      Mayor Menna read “AN ORDINANCE AMENDING CHAPTER III, POLICE REGULATIONS, SECTION 3-15, “FEES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY.”

Mayor Menna noted that since the adoption of the Open Public Records Act (OPRA), a number of established fees for discovery had to be revised. He said this would reduce the fees for copies of certain Police records and would bring the Borough in compliance with OPRA.

Councilman DuPont noted that it was a significant reduction. Mayor Menna explained that it was according to State statute and was a result of court challenges to the fees charged by various municipalities. Administrator Sickels noted that technology had also changed and cost to convert was more costly when the fees were initially adopted.

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

**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 January 25, 2010.

2010-3      Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XVIII, SECTION NINE, “PARKS AND RECREATION” AMENDING SECTION 18-6, “FEES AND CHARGES.”

Councilwoman Lewis 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 January 25, 2010.

**ORDINANCES – Public Hearing & Final Adoption**

None.

**RESOLUTIONS**

10-11      Mayor Menna read “A RESOLUTION DESIGNATING THE BOROUGH TREASURER AS THE CERTIFYING AGENT IN CONNECTION WITH THE PUBLIC RETIREMENT SYSTEM.”

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.

10-12      Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT IN TD BANK N.A. AND TO SIGN ALL PAYROLL CHECKS.”

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

ROLL CALL:

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

NAYS: None

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

10-13 Mayor Menna read “A RESOLUTION AUTHORIZING CREATION OF CHANGE FUNDS.”

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.

10-14 Mayor Menna read “A RESOLUTION DESIGNATING DEPOSITORYES FOR THE BOROUGH OF RED BANK.”

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

ROLL CALL:

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

NAYS: None

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

10-15 Mayor Menna read “A RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES OF ASSESSMENTS.”

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

ROLL CALL:

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

NAYS: None

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

10-16 Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT FOR MAKING PAYMENTS IN CONNECTION WITH THE REDEMPTION OF TAX TITLE LIENS.”

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.

10-17 Mayor Menna read “A RESOLUTION APPOINTING FRANK MASON AS FUND COMMISSIONER AND VALERIE FERBER AS ALTERNATE FUND COMMISSIONER TO CENTRAL JERSEY HEALTH INSURANCE FUND.”

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

ROLL CALL:

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

NAYS: None

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

10-18 Mayor Menna read “A RESOLUTION APPOINTING FRANK MASON AS FUND COMMISSIONER AND GARY WATSON AS ALTERNATE FUND COMMISSIONER TO MONMOUTH COUNTY JOINT INSURANCE FUND.”

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.

10-19 Mayor Menna read “A RESOLUTION APPROVING CASH MANAGEMENT PLAN.”

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

ROLL CALL:

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

NAYS: None

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

10-20 Mayor Menna read “A RESOLUTION AUTHORIZING AGREEMENT WITH INTERFAITH NEIGHBORS, INC. FOR 2010 NUTRITION PROGRAM FOR RED BANK SENIOR CENTER.”

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.

10-21 Mayor Menna read “A RESOLUTION AUTHORIZING AN AGREEMENT WITH DR. MICHAEL KAHN OF EMPLOYEE CONSULTING ASSOCIATES.”

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.

10-22 Mayor Menna read “A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL 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.

10-23 Mayor Menna read “A RESOLUTION APPOINTING BOND COUNSEL FOR THE BOROUGH OF RED BANK.”

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.

10-24 Mayor Menna read “A RESOLUTION AUTHORIZING A CONTRACT WITH VFIS BENEFITS DIVISION OF THE AIG LIFE INSURANCE COMPANY TO PROVIDE GROUP TERM LIFE INSURANCE AND ACCIDENT AND SICKNESS BENEFITS FOR MEMBERS OF THE RED BANK FIRE DEPARTMENT AND FIRST AID SQUAD.”

Councilman Murphy 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.

10-25 Mayor Menna read “A RESOLUTION AUTHORIZING APPOINTMENT OF PLANNING BOARD ATTORNEY.”

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.

10-26 Mayor Menna read “A RESOLUTION AUTHORIZING APPOINTMENT OF PLANNING BOARD ENGINEER.”

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

ROLL CALL:

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

NAYS: None

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

10-27 Mayor Menna read “A RESOLUTION AUTHORIZING APPOINTMENT OF ZONING BOARD ATTORNEY.”

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

ROLL CALL:

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

NAYS: None

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

10-28 Mayor Menna read “A RESOLUTION AUTHORIZING APPOINTMENT OF ZONING BOARD ENGINEER.”

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.

10-29 Mayor Menna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTING A MAINTENANCE GUARANTEE REGARDING UNION STREET VILLAGE, L.L.C., UNION STREET AND WHARF AVENUE, BLOCK 9.01, LOT 24.”

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

Councilman Zipprich noted that the resolution did not list the members of the LLC. Mayor Menna said he did not think it that applicable because he thought it was owned by a bank.

ROLL CALL:

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

NAYS: None

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

10-30 Mayor Menna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTING A MAINTENANCE GUARANTEE REGARDING HEYER GREL & ASSOCIATES, INC., 236 BROAD STREET, BLOCK 101, LOTS 15.01 AND 16.”

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

ROLL CALL:

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

NAYS: None

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

10-31 Mayor Menna read “A RESOLUTION CONSENTING TO AN ASSIGNMENT OF A LEASE OF PARKING SPACES IN THE MECHANIC STREET TO WALLACE STREET PARKING LOT.”

Councilman DuPont offered a motion to table 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 tabled.

10-32      Mayor Menna read “A RESOLUTION AUTHORIZING REJECTION AND READVERTISEMENT OF REQUEST FOR QUALIFICATIONS FOR LABOR COUNSEL.”

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

**ROLL CALL:**

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

NAYS:      None

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

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

10-33      Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,758,698.31.”

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

**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**

Kim Senkeleski, 49 John Street, said she had sent a letter to Mayor Menna and asked if everyone had received a copy. Mayor Menna said he thought that the Council members had received it by email. Ms. Senkeleski said she believed there was a benefit to being proactive rather than reactive. She said this would be the third year in a row that she had attended the budget meeting that no one seems to care about. She said she had taken it upon herself to do something this year to get more people involved. She said there were things that people in town see that the Council members did not, adding that it was not big things but little things that Department Heads may not see. She said she saw no harm in creating a forum to let people express their ideas. She said her idea was that she would be the liaison and she would funnel and consolidate all of the ideas to come up with 10 to 20 ideas that the Finance Committee could consider. She said her idea was proactive and should be done before the Department Heads submit budget requests.

Councilman DuPont said the purpose of the Budget Hearing was not that it was the final budget but was an interactive meeting and offered the public a chance to ask questions of the Directors. He again noted that it was advertised and had been done for the past two years. He said he did not agree with Ms. Senkeleski's assessment that it was not productive or reactive, quite the contrary. He said the public forum was not just for the Finance Committee to quiz the Directors, but for the public to ask questions and hold them accountable. Councilman DuPont said that, while Ms. Senkeleski talked about herself being the liaison, he said he felt it was the residents as a whole who should be the liaison. He added that the budget process is very fluid and said the Committee does their best to entertain all of the ideas. He said the Directors are asked make a presentation regarding their budget and he said he felt Ms. Senkeleski demeaned the budget process by calling it reactive. He said he felt it was proactive and noted that this year the Committee was asking for a 15 percent reduction and preparing a doomsday budget in case Governor-elect Christie cuts State aid substantially. He said they invited all residents to come to the meeting and go over budgets line by line with the Directors. He noted that the budget was not set in stone when the presentation was made. He said the hearing was an opportunity for Department Heads to explain and justify their proposed budgets. He encouraged her to attend and invite as many people as possible.

She said she understood but wanted the opportunity to make suggestions to Department Heads before they drafted their budgets so they could take into consideration what other people were thinking. Mayor Menna said he heard what she was saying and completely and totally agreed with her. He said he didn't think it mattered what it was called, he envisioned it as an opportunity for residents to present cost saving ideas before the budget was put together and didn't see how that idea was inconsistent with what Councilman DuPont had said. Ms. Senkeleski said she felt the Budget Hearing was dry. Councilman DuPont said it may be dry but it was probably the most important thing that they do because it affects everyone. He said he realized that she may think Finance is dry but it had an emotional and monitoring impact on everyone's wallet. She said she was not saying Finance was dry but that is was hard to get people excited about these meetings so why not propose another forum.

Administrator Sickels questioned the need for another forum when one existed that had every Department Head there. He said if they considered her idea where people would come to express their ideas, then he would have to bring the Department Heads and asked why it couldn't be done in the forum that was already there. Councilman DuPont added that if a need for a larger room arose, the Borough could ask for the use of a room at the Middle School, the Two River Theater or the Count Basie Theatre. He also stressed that this would be a very important year noting that the Governor-elect was already saying he was cutting State aid and that the economy was still fragile. Ms. Senkeleski agreed that there were a lot of people out of work and losing their homes. Council DuPont said that, even though she may think these meetings are boring, they are extreme important because they affect everyone's lives. She clarified that she thought if they separated it, more people would be drawn to it. He said the bottom line was they had to deal with the dollars and cents of finances. Councilman Zipprich added that if the Borough had to bring employees in for another function, they may have to pay them which is another expense and by doing it within the confines of the regular schedule it would be a win-win where the residents could come and have their input as well as a chance to share information with the Governing Body and Department Heads.

She said she was only looking for the Finance Committee and never suggested that they pay people to come in to answer questions. She said the letter was to let the Council know that this was on its way and she had people interested and submitting ideas. Councilman DuPont said he thought it was great and asked her to bring the ideas, comments and criticisms so they could possibly incorporate some of them. She asked when the meeting was scheduled for. Councilman DuPont said it had not yet been set but that last year it was in March. She said she would submit ideas in February. Mayor Menna asked her to get them in as early as she could and noted that the Council was already planning for a difficult financial year. Councilman DuPont said there were ideas to cut and there were also ideas for revenue other than from taxes such as more shared services. He said recurring revenue was something they must keep in mind and asked her to encourage those ideas as well as cost cutting ones.

Councilman Zipprich told Ms. Senkeleski that they were all in this together and that the next two years would be difficult. He also noted that they didn't know what to expect with the new administration coming in at the State level.

Ms. Senkeleski asked for the name of the meeting. Councilman DuPont said it would be called the Budget Workshop.

Ben Forrest—16 Locust Avenue—said he wanted to talk about the pedestrian issues discussed during the Workshop portion of the meeting. He said this was something that had been of interest to him for many years. He said he thought they should also look at issues such as bicycle riding on sidewalks and others as they relate to pedestrian safety. He said Shrewsbury Avenue remains exceptionally dangerous and asked an educational enforcement campaign. He said the additions to Leighton Avenue have been very effective. Mayor Menna said the reason they were having meetings with the County about places like Shrewsbury Avenue was because the Borough's hands were tied in regard to what the Municipality can do on a County road like Shrewsbury Avenue. He said he could represent that the discussion between the County Engineer and the Borough had been immensely helpful and that they understood the issues faced by the Borough. He added that they realized that the traffic counts were high and were talking about concrete ways to make the area safer.

Councilman DuPont offered a motion to close the public comment portion of the meeting, 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.

Mayor Menna noted that there was the need for an added resolution.

10-32        Mayor Menna read “A RESOLUTION AUTHORIZING REJECTION AND READVERTISEMENT OF REQUEST FOR QUALIFICATIONS FOR LABOR COUNSEL.”

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

**ROLL CALL:**

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

NAYS:        None

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

Councilman DuPont said he would like to see a resolution sent to the State representatives about the hardship faced by the Borough in having so many not-for-profits and getting some sort of relief from Trenton. Mayor Menna said he was working on it and had talked to some North Jersey Mayors who were faced with a similar situation and they were getting the language together.

**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