

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JUNE 22, 2009
7:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Deputy Borough Clerk Borghi, Attorney Pringle, Assistant Attorney Hall, Engineer Ballard and Chief Financial Officer Mason.

ABSENT: Councilwoman Lee, Borough Clerk Vivona and Engineer Kosenski.

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 Courier, 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 1, 2009.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Marine Park Bulkhead Project Presentation

Brett Bailey, Project Engineer, and Dan Delello, Environmental Specialist, from the Bureau of Coastal Engineering of the New Jersey Department of Environmental Protection offered a video presentation outlining the planned Marine Park Bulkhead upgrades. Mr. Bailey explained the purpose of their office and reviewed where they received their funding from and how it was distributed. He noted what the Bureau would provide for the project and what the Borough would be required to provide. Mr. Bailey discussed the scope of the project including work to be done, financial requirements and the contract schedule. He said the work to be done included 1050 linear feet of 24 foot minimum length PZ-22 steel bulkhead, new sidewalk, re-decking the pier, new mooring system, floating docks and marina upgrades including water and electric. He said the total cost of the project would be \$3,361,170 and the construction was slated to begin at the end of July with a target end date of February 2010. He added that during construction the waterfront and the parking lot will be fenced off to provide for public safety and an adequate staging area. He noted that there would be continuous State inspections and that there would be a trailer on site with an inspector during work hours. He said there will also be structure monitoring to ensure that there is no damage to surrounding structures.

Mayor Menna thanked them for the presentation and asked if any Council members had any questions. Engineer Ballard said they had been great to work with and that she was excited to get this project going. She said she wanted to note, once again, that 10 percent of the 25 percent of the funding that the Borough is responsible for will be coming from Monmouth County so the Borough will actually only be responsible for 15 percent.

Councilman Zipprich asked Ms. Ballard if there would be a pump out station in the new marina design. She said there would not be a new one. Councilman Zipprich asked if there was one there now that was currently operating. She confirmed that they would be replacing the one that was already there.

Mayor Menna thanked them again for their presentation and said they were doing good work. He added that they would like to see the project finished in a relatively quick fashion and said he knew they were doing their best.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

WORKSHOP

Fireman's Fund Grant Check Presentation

Administrator Sickels noted that there would be check presentation at 10 am the next day to the Red Bank Fire Department from the Fireman's Fund Insurance Company for a \$25,000 grant. He said it was a program where they provided either equipment or funds for much needed equipment. He noted that they have a purchase agreement with the manufacturer of thermal imaging cameras where they were able to get two thermal imaging cameras, normally costing \$15,000 each, with the \$25,000 as well as a rescue strut system that assists with overturned vehicles in car accidents.

APPROVAL OF MINUTES – June 9, 2009

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy had no report.

Councilwoman Horgan had no report.

Councilman DuPont had no report.

Councilman Zipprich reported that there had been a cherry tree planted in honor of Christine McKenna. He said it was planted outside of Borough Hall and was donated by Borough Arborist Mike Olimpi. He said he also wanted to congratulate the class of 2009 on their commencement and wished them the best of luck on their future endeavors.

Councilwoman Lewis reported that the Parks and Recreation Committee had met with Bob Taylor of the Boys and Girls Club and two members of his Board on the 15th to discuss the next steps in getting the Boys and Girls Club open and said they anticipate a September opening. She also reported that summer camp started today at the Red Bank Middle School. She said there would be a lot of great things going on for the kids and she was looking forward to seeing how things progressed. She also noted that on Saturday, June 27th, the 12th Legislative District legislators and the Red Bank Borough Council would be doing a clean up of the gully next to Welsh Farms near Spring and West Front streets. She said this would be their first activity in relation to the National Night Out. She said there would be more activities in July and the final event would be the actual National Night Out on August 4. She said she was asking the Community to come out and support that event.

Mayor Menna said, as part of the project, they will also be targeting some other properties that will be cleaned of graffiti. He said the actual properties would be announced later on and noted that it was a joint endeavor with the 12th District legislators.

Mayor Menna said he wanted to take a moment for all of the Council to pay tribute to an enormously talented woman and a great public servant who sat at this dais for many years as the Clerk and that was Ruth Eschelbach. He said she had passed away after a long and happy life and was always a resident of Red Bank. He commended her life long dedication to the Borough and said they would miss her.

He also commended the Kaboom Fireworks Committee for all of their work on the event and also for their sensitivity on another issue which was their decision to dedicate the show to the late Christine McKenna who he said was still the first lady of Red Bank. He said the show will be dedicated to her memory for all of the work she did for so many years and he wanted to pay special tribute to that.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Count Basie Theatre for use of the northbound side parking on Pearl Street from the intersection of Monmouth Street and Oakland Street on Wednesday, August 26, 2009 for valet parking from 6:30 p.m. to 11:00 p.m., pending approval of the Chief of Police.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Mayor Menna read a request from Lunch Break to waive fire permit fee for a picnic to be held in their parking lot on August 14, 2009.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five 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 asked if anyone from the audience wished to address the Council on any resolutions or ordinances on the agenda first reading.

Amy Goldsmith—16 Locust Avenue – said she had questions about the Ordinance on for first reading regarding the proposed name change of Locust Avenue and wanted more information. She said she understood the desire to memorialize someone who is very important to the town, but she wanted to know if it was just going to be a plaque underneath the street sign or a total change of name like the one done for Drs. James Parker Blvd. Mayor Menna said it was a desire to effectuate a legal name change, however, he noted people would still be able to use the name Locust Avenue much like they still use West Bergen Place.

Ms. Goldsmith said she thought that was confusing. She said she wanted to honor the person who was important to the town but said there had been no communication to people in the neighborhood and that she thought it would be valuable to talk to people in the neighborhood. She also said she would rather see a plaque than have the two names in use.

Councilman DuPont suggested that the town send a letter to the residents of the street. Mayor Menna said that would be done once the Ordinance was introduced noting that that is what was done when Drs. James Parker Blvd. was named.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

ORDINANCES – First Reading

2009-23 Mayor Menna read, “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY CHANGING THE NAME OF LOCUST AVENUE TO JUSTICE O’HERN AVENUE.”

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

Councilman DuPont confirmed that neighbors would be notified by letter that the change would be occurring. Mayor Menna confirmed that that would be done and was the proper procedure. Councilman DuPont said he had envisioned the naming as an addition such as was done on Wallace Street for Dorn Way and confirmed that Deputy Clerk Borghi would send a letter to the residents.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Public hearing and final adoption scheduled for July 13, 2009.

2009-24 Mayor Menna read, “BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2008-24 HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON OCTOBER 13, 2008 ENTITLED, “BOND ORDINANCE PROVIDING FOR VARIOUS 2008 CAPITAL IMPROVEMENTS BY THE WATER/SEWER UTILITY OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 BONDS OR NOTES TO FINANCE THE COST THEREOF,” AS PREVIOUSLY AMENDED AND SUPPLEMENTED BY BODN ORDINANCE NUMBER

2009-4 FINALLY ADOPTED ON FEBRUARY 23, 2009, TO INCREASE THE APPROPRIATION THEREIN BY \$206,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$195,500 TO FINANCE PART OF THE ADDITIONAL COST THEREOF.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Public hearing and final adoption scheduled for July 13, 2009.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

09-169 Mayor Menna read “A RESOLUTION DESIGNATING THE BOROUGH’S MEDIATION TEAM FOR RESOLUTION OF OBJECTIONS TO THE BOROUGH’S THIRD ROUND PLAN.”

Mayor Menna noted that this was mandated by COAH and that the Mediation Team would consist of himself, the Borough Administrator, the Borough Attorney and the Borough Planner.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-170 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES 2009-2010.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-171 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES 2009-2010.”

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

ROLL CALL:

AYES: Lewis, Zipprich, Horgan, Murphy

NAYS: None

ABSTAIN: DuPont

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

09-172 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF CLUB LICENSES 2009-2010.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-173 Mayor Menna noted that this resolution had been pulled from the agenda for redrafting.

09-174 Mayor Menna read “A RESOLUTION TO BECOME A MEMBER IN THE NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING.”

Mayor Menna said that municipalities and government entities had the opportunity to participate in a cooperative formation to be able to purchase utility services as a block. He said in order to participate, the Borough has to join. He added that the purchase would be at an anticipated substantial savings and he hopes that the school boards would also participate.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-175 Mayor Menna read “A RESOLUTION AUTHORIZING APPROVAL OF SIDEWALK CAFÉ FOR BAGEL STATION.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-176 Mayor Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING CERTAIN MATTERS IN CONNECTION WITH THE BOROUGH’S PARTICIPATION IN THE YEAR 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM TO FINANCE THE COSTS TO WATER UTILITY IMPROVEMENTS IN AND FOR THE BOROUGH.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-177 Mayor Menna read “A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE ASSISTANCE TO FIRE STATION CONSTRUCTION GRANT PROJECT.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

09-179 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$688,341.64.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

OLD BUSINESS

Councilman Zipprich said he wanted to thank RiverCenter for all of their hard work in putting last week's luau together and added that it was a fundraiser for special events in town. He also thanked the Atrium at Navesink Harbor for opening their doors and offering their hospitality. He said it was a fun night and RiverCenter raised some great funds.

NEW BUSINESS

AUDIENCE

Tara Forest – 16 Locust Avenue – said she was attending the meeting to talk about the difficulty in crossing Shrewsbury Avenue due to the heavy traffic. She suggested traffic lights that don't use a lot of energy as a way to help reduce traffic.

Jim Willis – Harrison Avenue – said he had three questions that he had emailed the Mayor, Administrator Sickels and Public Works Director Gary Watson about. The first issue, he said, was regarding getting crosswalks repainted in the area of Eastside Park. He said the Mayor had emailed back that it would be done and he asked for an update. Mr. Watson said the work had not been done due to weather issues and noted that the fireworks event was coming up. The Mayor said the work would probably be done after the 4th of July.

Mr. Willis asked about a reported condemned property on Harrison Avenue that has a car in the back yard that is an eyesore and neighbors wanted to know how to get it taken care of. He said he understood that the property had been condemned by the Borough a year ago. Councilmembers said they did not believe that the property had been condemned. Mayor Menna asked Mr. Willis to remain after the meeting and asked Mr. Watson to meet with him to get the information so they can see what can be done to resolve the issue.

Mr. Willis said the third item was regarding the sewer system along Harrison Avenue. He said a number of residents had had to do work to keep the sewer from backing up into their basement. He asked if there were any long term plans other than the current procedure where public works employees come out and check it regularly. Mr. Watson said that employees currently check the system every day as part of the maintenance of the system. Councilman Murphy asked Mr. Watson about the issue of residents having the sewer backing up into their basements. Mr. Willis said he knew of three houses that had had problems. Councilman DuPont asked if there was anything the Borough could do to stop the problem. Administrator Sickels noted that it was not known if it was a Borough problem or residential problem and asked Mr. Willis to give specific addresses so they could check work orders to see if the Borough was notified of any problems. He added that the problem could be tree roots or the residential line. Mr. Willis asked who the best person would be for the residents to contact with these types of questions. Mayor Menna said it would be Mr. Watson.

Mr. Willis said he would also like to second the suggestion made by Ms. Forest regarding the traffic issue on Shrewsbury Avenue. He noted that his children will be starting school at the Primary School in the fall and expressed how difficult he felt it was to cross that street. Mayor Menna noted that changes had been made by the State Department of Transportation that makes it easier for municipalities to change their internal configurations and traffic flow. He noted that the four way stop on Chestnut Street is working and noted that he suggested when it went up that a second four way stop be put in on Bridge Avenue and River Street. He said he had also made inquiries with the County Engineer because Shrewsbury Avenue is a County Road. He said he felt it would be exceedingly difficult, if not impossible, to put traffic signals on Shrewsbury Avenue because the State said no for so long regarding Bridge Avenue. He suggested one way it could be done, if the County gives approval, would be to initiate traffic calming such as designated crosswalks, slowing lights and four way stops to give people a breather in areas such as the Senior Center. He said they were also thinking of doing the same thing in Mr. Willis' neighborhood specifically Harrison Avenue, Eastside Park and Mechanic Street. He said the difficulty lies with areas such as Shrewsbury Avenue and River Road because of County involvement.

Mr. Sickels also noted there was free busing from Mr. Willis' area to the Primary School. Mr. Willis said his children liked to ride on the bike.

Raymond Lee Jr. – 162 Catherine Street – said he had issues with the owner of the former Best Liquors, Leighton Avenue, regarding parking. He said the owner had cleaned up the issues with the liquor business but when he had asked the business owner to park his personal truck next to his store, he had refused. Mr. Lee said he had brought it up to the Police Department but was told that as long as the vehicle was registered and insured, he could park it anywhere on the street. He also questioned the out of state registration. He said he was concerned with safety issues and also said it was obstructing traffic in the neighborhood and that it was there seven days a week.

Mr. Lee said he also had issues with taxi drivers that drive too fast or honk their horns outside of people's homes. He added that he was also concerned about unsafe vehicles being used as gypsy cabs.

Mayor Menna said he would ask Police Commissioner Murphy to follow up on his concerns.

Charles Ladoulis – Navesink River Maritime Association – said his organization had scheduled with the Parks and Recreation Department to have about 100 children per week on the river for the last two weeks in the July. He said

he was concerned about the demolition in Marine Park and having a place to get canoes in and out of the water each day. He said they would like to use the area at the foot of Maple Avenue from July 20 to July 31.

Mayor Menna said the Council would take the request under advisement and check with their professionals.

Jerry Bennett – 134 Lexington Avenue, Fair Haven – said he had been at a Council meeting a couple of weeks ago and was back to talk about Maple Avenue. He said he thought it was a great idea for the canoes to launch there. He also said he had written a letter to Mayor and Council.

Mayor Menna said they had just received it that night and said his response to the questions in it were that Red Bank is not considering an offer to sell the Maple Avenue property and Red Bank is considering retaining the property as open space.

Mr. Bennett said he want to read the last sentence of his letter which said “the Littoral Society stands ready to support the preservation of the Maple Avenue property as a valuable public access to the Navesink River.”

Mayor Menna thanked Mr. Bennett and said they would keep his comments under advisement.

Freddie Boynton – 365 Shrewsbury Avenue – said he was speaking on behalf of Richard Simms of 40 Bank Street who had said he had reached out to the Borough regarding a lot across the street that is overgrown. Mr. Boynton said he had contacted the Public Works Office and George Lynch called him back and told him they know who the owner is and they are trying to get him to clean it up. Mr. Boynton said the property had been like that for quite a while and asked if the Borough could clean the lot up and put a lien on the property. Mayor Menna said they could but said they would need to find out what efforts had been made. He added that he will ask Gary Watson to look into it and they will let Mr. Boynton know. Mr. Boynton asked if members of the Council and Administrator Sickels could meet him and Mr. Simms at the property. Mayor Menna said they will find out what has been done and, as a last resort, they can clean it up and assess it.

Mr. Boynton also suggested that yellow curbs be painted at the intersection of Bridge Avenue and Dr. Parker Boulevard to make it easier to see oncoming traffic as drivers approach the intersection. Mayor Menna said when the rain stops, they will look into it.

Jamie Thomas – West Street – said he has been a citizen of Red Bank since the early 80s and said he attended a Council meeting about a year ago when the property at the foot of Maple Avenue was discussed. He asked why there wasn't a sign to let people know that that was a place where people could launch kayaks or go swimming. Mayor Menna said he wasn't sure people could swim there. Mr. Thomas asked why they wouldn't be able to. The Mayor said he didn't know and added that he wasn't sure what they would be allowed to do there. He said the Council has designated a name and as soon as they figure out what can be done there they will let people know. He noted that they were concerned about liability issues.

Administrator Sickels noted that there aren't signs like that anywhere in Red Bank. Mr. Thomas asked why there wasn't a sign with the name of the property. Mayor Menna said they would get to it. Mr. Thomas asked about the property being used for swimming. Mayor Menna said neither he, nor anyone around the Council table, said it would be used for swimming. He said they had had requests for using the property to launch kayaks and, when it gets it that, maybe they will do that. He said, right now, there were no public monies to do the studies to see what can be done. He added that they don't have the application fee for NJDEP permits and they are not going to make those applications right now. He said the only commitment they ever made from day one was that that lot was going to be maintained in perpetuity for open space and when they get around to a master plan to doing the right thing for it then they'll do it when the money is available. He noted that the Borough is facing layoffs and furloughs and a lot of people aren't getting raises so they don't have that kind of money to spend.

Mr. Thomas asked what the time frame was that they could expect it. Mayor Menna said it would be when they got around to it but stressed that the property would be open space and possibly more when they figure out where they are going to get the money to do some improvements. He added that they aren't going to do it haphazardly and do something wrong. He said they are going to do it right if they do it. Mr. Thomas pointed out that the master plans of recent years had all pointed out a lack of access to the river. Mayor Menna agreed and added that there will be a long range solution but said getting there isn't going to be simple in this particular economy.

Mr. Thomas also expressed his concerns about pedestrian safety on West Front Street. Mayor Menna agreed and said the problem could be solved through education and enforcement. He said he would ask Police Commissioner Murphy and the Police Chief to put foot patrols in place to start issuing summonses for failure to yield to pedestrians.

Carl Alderson – National Oceanic and Atmospheric Administration, 174 Magruder Road, Highlands – said that this past weekend he had led a group of kayakers on a trip through the area. He said he does it with a group of colleagues that are professionals from Army Corps of Engineers, the EPA and DEP and who serve as ecologists and work in land planning, coastal engineering and architecture. He said they are coastal resource specialists and they make the trip to enlighten themselves about the rivers and coastal areas that they work on and have to do regional planning for. He added that they come into contact with a lot of residents who have issues and actually go out of their way to meet people who want to speak to them about three key issues which are water quality, habitat and public access. He said when they landed at the area known as Maple Cove, they met people who were interested in paddling and accessing Red Bank. As a result, he said, he thought he would offer some potential services for the town's consideration. He said his office specializes in restoration and draft engineering plans. He said his organization is giving away \$180 to \$190 million this year through the Federal Government. He said they also have a grant program with the partner ALS to restore America's estuaries.

Mayor Menna said he heartily welcomed Mr. Alderson and looked forward to discussing the matter. Mr. Alderson asked what the best way was to get that dialogue going. Mayor Menna said he had started it that night and said Mr. Alderson would be hearing from him in the next week or so and then from some of the town's professionals.

Kathleen Gasienica – Locust Avenue – said she would like to receive a notice regarding the name change of her street but that she was actually attending the meeting regarding the Maple Cove issue. She said she was on the Board of Trustees for the American Littoral Society, does work for Clean Ocean Action and is an avid kayaker. She said she has had the pleasure of launching her kayak at Maple Cove many times and said it is amazing what one can see from the river that you don't see from land. She said she was also working with the Borough Education Foundation and the Primary School who is trying to restore their 14 acres. She said they are putting an osprey nest platform across from the Primary School. She said she didn't know if everyone was aware that there is a nesting pair of bald eagles that nest in the Swimming River Reservoir that forages two times a day. She spoke of various things she has seen on the river and said Maple Cove is one of the few spaces that wasn't bulkheaded and talked about the importance of the food chain.

Susan Hill – 26 Garfield Place – discussed parking problems on her street. She asked about the residential parking permit program and asked if it could be put in place in her neighborhood. Mayor Menna said he was pleased to announce that a recent challenge by some postal workers to the Borough's residential sticker program was defeated in Superior Court. He added that as long as the program was implemented in an orderly fashion, including a public hearing and the installation of the proper signs, they will be legitimately enforced. He said he would ask the Police Department's Traffic Safety Unit to make an inquiry of the neighbors to see what they think about it.

Greg Held – 31 Spring Street – said he was commenting on the newly paved street and noted that the last time the traffic lines were painted they were in the center of the street. Mayor Menna acknowledged that they cannot be in the center because there is no parking on one side of the street. He also noted that once a street is newly paved, drivers tend to be heavy on the pedal so they would have to start enforcement.

Mr. Held also thanked the Red Bank Police Department for enforcing parking regulations over the Jazz and Blues Festival weekend. Mayor Menna noted that the enforcement was a result of safety issues including access to the hospital. Mr. Held also requested some worn out signs be replaced. Mayor Menna agreed and said the signs would be replaced. Mr. Held also requested that curbs in no parking areas be painted yellow.

Mr. Held also thanked the Council for keeping the Maple Avenue property and said it was a great asset for Red Bank.

Doreen Illis – 28 Riverside Avenue – said she was also an avid kayaker and participated in Mr. Alderson's trip. She added that she thought open access was an important issue to discuss and thanked the Council for moving forward with that.

Cindy Burnham – 146 Harrison Avenue, Fair Haven – said she had a group called Friends of Maple Avenue that have gotten an estimate on a sign that says "Maple Cove, River Access" and they would like to offer to pay for the sign. She explained why she thought there was a need for a sign at the property. Mayor Menna noted that there were legal distinctions regarding language on the sign. He said he didn't have a problem with the name Maple Cove, but was concerned about the exposure to residents from possible law suits from other language on the sign. Ms. Burnham asked about liability at all of the other Borough Parks. He noted that the other parks don't say "riverfront access." She noted that both Marine Park and Riverside Gardens are on the river. Mayor Menna again noted that they have no signs saying "riverfront access." He added that he wasn't going to play with the hard earned money from taxpayers in defending lawsuits by people who may get injured because something was not done up to legal standards for public access.

Councilman DuPont suggested a compromise where a sign was installed to reflect the name, which has been decided, and, once the other issues are resolved, they can add a hanging sign to state authorized activities.

Ms. Burnham asked if there was signage when the Borough owned a public boat ramp. Mayor Menna said he didn't recall but he didn't think there were any signs because there was an insurance issue with that also which is why the Borough doesn't have it anymore.

Mayor Menna said he didn't have a problem with the sign itself. Ms. Burnham asked if her group could put up the sign. Councilman DuPont said there were concerns about the location of the sign. Administrator Sickels said he thought it was an issue of scheduling and noted that the parking lot is currently being used as a staging area for the installation of a traffic light that the Borough has been waiting for 15 years to get. He said the plan was for the lot to be used as a staging area and in return get the lot fixed up and the curbs repaired. Ms. Burnham asked about putting up a temporary sign for the summer until a permanent sign can be installed. Mr. Sickels said the thought was that they didn't want to draw people there when there is a contractor at the site. He said they would open the Borough up for liability if they draw people there while there is a contractor working there. Councilman DuPont said he felt the sign would simply designate the name and wouldn't be in place to draw people down or to identify it as a riverfront access. He said he understood there were insurance questions, but thought they could at least identify the property.

A discussion followed regarding use of the term "park" with Ms. Burnham stating that she had spoken with the DEP and was told anything on the ROSI was a park. Mayor Menna held that it was an "open space." Councilman DuPont suggested getting the sign in place. Ms. Burnham said there was a lot of confusion regarding whose property it was.

Steven Hecht – 135 Branch Avenue – said he never thought he would consider himself a part of the silent majority, but added that he felt there were a lot of people that agreed with the Mayor that we had to set priorities. He noted issues such as sewers backing up, storm sewers overflowing, infrastructure that is falling apart and taxes that are in danger of becoming out of control, are, in fact, more important than access to this river in that place at this time. He

said he thought there were a number of people who would agree. He said he thought the Mayor made an important point and he wanted him to know that one of them had heard him.

Raymond Lee – 162 Catherine Street – spoke of his childhood memories on the river including the Swimming River Reservoir and other possible river access points in the Borough such as Locust Avenue and River Street.

Gail Horvath – 163A Maple Avenue – said that a lot had been discussed about the use of the Maple Cove area by kayaks, but she was approaching the issue in terms of education. She noted that the Navesink Maritime Heritage Association had been running a River Rangers program with the Charter School for the last five years. She added that they have been working with the Parks and Recreation Department for the last three years. She said this year, Tinton Falls, Red Bank, Middletown and Highlands will be running the River Rangers program and one of the challenges has always been to find a convenient put in and take out place for the children so they can explore the river. She noted that Red Bank was a challenge because the Marine Park area was bulkheaded and not convenient to children. She added that the Maple Avenue area is very convenient and said the Charter School had been using it since the first year because it was easy to get into without going over a bulkhead. She said the shallow water gave them a comfort zone while they got used to using the canoe. She said she understood the desire for a sign to identify the area, but she was more concerned with educating children with the environment of the river, the history of the river and of the town. She said she encouraged whatever resolution needed to be done to formalize the area to make it available to children and their parents as well as people from other towns.

Councilman DuPont offered a motion to close the audience portion of the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

EXECUTIVE SESSION

09-180 The Attorney read a resolution to adjourn to executive session to discuss personnel and contract negotiations.

Councilman Murphy offered a motion to adjourn to executive session to discuss personnel and contract negotiations, seconded by Councilman DuPont. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Councilman Zipprich offered a motion to reconvene the public portion of the meeting, seconded by Councilwoman Lewis.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

RESOLUTIONS

09-178 Mayor Menna read “A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIDEBAR AGREEMENT WITH CWA LOCAL 1034, BRANCH 4.”

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi