

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
AUGUST 24, 2009  
7:30 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, Assistant Attorney Hall, Engineer Kosenki and Chief Financial Officer Mason.

ABSENT: Borough Clerk Vivona, Attorney Pringle and Engineer Ballard.

**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 Murphy offered a motion to suspend 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.

**2009 Municipal Budget Amendment No. 2 Public Hearing**

Mayor Menna noted that CFO Mason was available to answer questions about the amendment. Councilman DuPont said the budget was going to be reduced by \$350,000. He also noted that the mandated CAP levy was four percent and the State had said last week that the Borough could not include the Extraordinary Aid received last year in that CAP. CFO Mason confirmed that that was correct and noted that that was purpose of Amendment No. 3. Mr. Mason added that Amendment No. 2 covered four grants received by the Borough as well as addressing the fact that an anticipated change in Health Service providers had not occurred. He said it also contained an additional \$40,000 from the Riverview PILOT and a change to the PERS pension from inside the CAP to outside the CAP. He also noted that there was an additional \$19,000 for a recycling grant.

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

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

ROLL CALL:

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

NAYS: None

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

09-209        Mayor Menna read "A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 3."

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 motion was declared approved.

**RESUME REGULAR ORDER OF BUSINESS**

Councilwoman Lewis 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.

**WORKSHOP**

**Council Meeting Times**

Councilwoman Horgan asked her fellow Council members to reconsider the times of the Council meetings noting that work commitments made it difficult for her to make 5:30 pm meetings. She said she felt that may be a difficult time for some residents also. She suggested all meetings be held at 6:30pm and said this would also avoid confusion regarding meeting times. She asked what other Council members thought of the idea. Councilwoman Lee said she was in support of the change and noted that she had always been in support of the single meeting time. Councilwoman Lewis said she was also in favor. Councilman Zipprich agreed it would be easier for many people. Councilman Murphy and DuPont said they had no problem with the change. Mayor Menna asked Attorney Hall to check and see if the change had to be made by resolution or ordinance for placement on the next agenda.

Councilman DuPont asked for clarification on the action taken in regard to the budget amendments. Mayor Menna said the Council had held the Public Hearing on 2009 Municipal Budget Amendment No. 2 and introduced Resolution 09-209 to Authorize Amendment No. 3.

**PBA Contract**

Councilman Murphy asked if the PBA Contract was on the agenda. Mayor Menna said it was not and noted that the Labor Attorney had indicated he did not have the finished contract. Councilman Murphy said the Attorney could contact either himself or the Chief of Police to get the finished contract. He said he would like to have the contract on the agenda for the next meeting.

**Special Meeting**

Administrator Sickels asked if the Council wanted to have a Special Meeting to adopt the budget. CFO Mason said a date needed to be set for the Public Hearing on the resolution for Amendment No. 3. He noted that the next Council Meeting would be until September 14 and he was hoping to have a Special Meeting to hold the Public Hearing for that amendment and to adopt the budget.

Councilman DuPont noted that the Borough would be reducing the levy CAP by \$340,000 through the use of surplus as well as a reduction of some capital expenditures. He also noted again that the State had informed the Borough that it could not include the aid received last year so, rather than seek a petition for a waiver, they decided to make further amendments. He said the changes would take the tax increase from a 3 cent increase to a 1.7 cent increase for an average \$67 per residence. Councilman Murphy asked for clarification on where the cuts had been made. Councilman DuPont said the Borough was reducing capital expenditures, using surplus and making a \$60,000 cut in landfill costs. CFO Mason confirmed. Council Murphy asked how they were able to cut landfill costs. Mr. Mason said they were able to lower the appropriation because landfill costs had gone down due to the fact that the amount of waste being picked up had gone down. Councilman Murphy also asked where the additional surplus had come from. Mr. Mason said they were using \$100,000 from the current fund surplus and \$170,000 from the water utility surplus. Councilman Murphy asked what the surplus was normally used for. Mr. Mason said it could be used to offset taxes and noted that it is done annually. Councilman Murphy questioned why the surplus was suddenly being used after they had worked so hard on the budget. Mayor Menna noted that the surplus was always available but they had to use it because the State had changed accounting practices and informed the Borough that it had to cut an additional \$350,000.

### **Boys and Girls Club Lease**

Councilwoman Lewis noted that the Parks and Recreation Committee had discussed the Boys and Girls Club lease at their last meeting and asked what the status of the lease was. Attorney Hall said he had sent the lease to them and it hadn't come back yet.

Mayor Menna noted that Councilman DuPont had been in the middle of a discussion regarding the budget amendments and the Council had to decide on a date for a Special Meeting. The Council members agreed on Tuesday, September 8 at 6:30 for the public hearing on Resolution 09-209 for budget amendment No. 3. Mayor Menna said all business scheduled for the meeting on the 14th could be moved to the 8<sup>th</sup> and that meeting could be cancelled.

### **APPROVAL OF MINUTES – August 10, 2009**

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

#### **ROLL CALL:**

AYES: Lewis, Zipprich, DuPont, Lee, Murphy

NAYS: None

ABSTAIN: Horgan

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

### **MAYORAL APPOINTMENTS**

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

Councilman Murphy had no report.

Councilwoman Lee said Public Works was preparing for the Town Wide Yard Sale. She said the Department had recently posted the bulk pick ups with a pick up on the west side of town the week before the event and a pick on the east side after the event. She said they were trying to arrange additional dates to get rid of items that weren't sold.

Councilwoman Horgan reported that the new website was up and said she hoped everyone had had a chance to register.

Councilwoman Lewis said the Parks and Recreation Committee had met earlier that day and the discussion was about the next steps for the Sunset Avenue property. She said they continue to discuss ideas and how they can move forward with that. She said she also wanted to talk about the Community Day held the previous Saturday and the 2009 Red Bank Hometown Hero celebration for Dr. Donald Warner. She said it was a wonderful opportunity for the community to come together and celebrate someone who gave a lot to the community.

Councilman Zipprich said he wanted to echo Councilwoman Lewis' sentiments and noted that he had attended the Friday night celebration for Dr. Warner and said it was a delightful program. He also thanked George Bowden and Gilda Rogers for their contribution to the discussion on the Thomas Fortune legacy and the hidden African American history in Red Bank. He also commended Sarah Klempner for doing all of the research. He noted that the exhibit would be at the library until the middle of September and invited everyone to go see it.

Councilman DuPont said he no additional report.

Mayor Menna reported that the Monmouth County Planning Board has chosen the Borough of Red Bank's Historic Preservation Committee and its members for the Public Service Award recipient for Best Planning Concept for the County this year for all of the work done for the Washington Street Historic Designation. Mayor Menna noted that because of their work, they had been able to create a wonderful community in the Washington Street area for future generations at very low cost to the Borough when it could have cost planners, architects and engineers anywhere from \$50,000 to \$70,000 at today's rates. He said they would be honored at the annual Monmouth County Planning Board dinner on September 16<sup>th</sup>. Mayor Menna thanked the members on behalf of the Council and the municipality.

Councilman Zipprich said it was a privilege to work with a talented group of people who made so many contributions in a very short time frame to turn things around and congratulated all of the members of the commission.

## COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from the Navesink Maritime Heritage Association to hold the “Canoes on Parade” event from October 5-25, 2009 in various locations throughout Red Bank, pending approval of the Special Events Committee.

Councilman Zipprich 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 request was declared approved.

Mayor Menna read a request from the Red Bank Elks Lodge No. 233 to hold the 1<sup>st</sup> Annual James “Jimbo” Campbell Memorial Poker Run on Sunday, September 20, 2009 from 9 a.m. to 6 p.m. and to block off parking spaces on West Front Street for motorcycle parking between the lodge and TD Bank, pending approval of Special Events.

Mayor Menna said he wanted to express his concern. He said they all appreciate what the Elks do on a regular basis but noted that he had received numerous complaints about the frequency and the type of motorcycle rallies that they have there as well as the noise they create especially for those who live by the facility. More importantly, he continued, if this request is entertained he would not recommend that the request to block off motorcycle parking across from the Elks be granted since there is a Church there that has been there for over 100 years. He noted that the Church has services for its parishioners at that particular hour and he didn’t feel it made sense to have 50 or 60 motorcycles revving up their engines during Church services.

Councilman Murphy noted that they have two runs a year and they had always parked on the Elks side of the street. Councilman Murphy noted that he participated in the Special Events Committee and the matter could be addressed there. He asked the Mayor to clarify that he was opposed to parking on the Church side of the street. Mayor Menna said he felt it showed disrespect for the Church. Councilman DuPont also suggested they be asked to shorten the hours. He said he had never heard any complaints before and questioned whether or not it had been on a Sunday before. He asked if Councilmembers were opposed to a Sunday. The consensus was Sunday was okay but the hours and parking needed to be addressed noting that it should not start until at least noon to all for the Church services at 9 and 10:30 am.

Councilman Murphy offered a motion to approve the request subject to the items discussed, 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.

Mayor Menna read a request from Ashes to offer patrons valet parking services on Thursdays, Fridays and Saturdays, pending approval of the Chief of Police.

Councilman DuPont asked if there had been anymore complaints about Ashes and its business practices. Mayor Menna noted that there had been one complaint about signage and they are getting it taken care of. He also noted it was under new management. Attorney Hall said they were under receivership. Councilman Murphy said he wanted to set the record straight noting that there had never been any kind of problem at Ashes as far as Police arrests. He said the problem was that there have been three incidents in two years that they haven’t paid their tobacco and liquor taxes and Borough is forced to shut them down. He added that they have also had some building issues with the prior owners regarding obtaining permits up to three times and there had been a littering issue. He said the only time the Police Department had to get involved was when they were required to shut them down for not paying their taxes for liquor and tobacco. Administrator Sickels said they have addressed the outstanding code issues. Councilman Zipprich also noted that there had been a previous problem with them leaving out tables with liquor and glasses. Mayor Menna said that the matter had been taken care of. Mr. Sickels said the new management had addressed any problems right away.

Mayor Menna asked what hours they had requested the valet service for. Mr. Sickels said the Council would probably have to ask for more information since the request was vague. Mayor Menna said he thought the valet service made sense but he thought it should be for a set time. Councilman Murphy asked if they could amend the approval to be pending approval of Special Events as well as the Chief of

Police because he was concerned about where they would pull over for the valet service. He agreed that more information was needed. Mr. Sickels said if the request was amended to require that they get approval from Special Events, the owners would be directed to come before the Committee and address the issues with Capt. McConnell. Mayor Menna said he wanted to make sure that it wouldn't impact regular patrons parking for other business during regular business hours.

Councilman DuPont offered a motion to approve the request as amended, seconded by Councilman Murphy.

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 Two River Theatre Company to hang banners on Broad Street from October 9-November 9, 2009 and May 7-June 7, 2010 to promote productions taking place at the theater.

Councilman Zipprich 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 requests for block parties from the residents of John Street for Saturday, October 3, 2009 and the residents of South Street for Saturday, September 5, 2009 with a rain date of Sunday, September 6, 2009, pending approval of the Special Events Committee.

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

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

Kim Senkeleski—49 John Street—she had questions about Ordinance 2009-39 regarding the regulations controlling the train station overlay. She said Section 25-10.22 showed a line stricken that read “to increase the use of rail station and mass transit ridership” and asked why that line was stricken. Councilman Zipprich said there was some concern about the way the ordinance was written and they didn’t want it to appear as though they were favoring the MOM line so they struck the reference to extra use of the train station so it couldn’t be construed as support for the line. Ms. Senkeleski said she new that several members had stated publicly that they were opposed to additional lines being added through Red Bank. Councilman DuPont said he thought that all of the members of the Council had taken that position and noted that they had prepared a resolution opposing the MOM line. He added that he had personally written letters to press outlets opposing the MOM line.

Mayor Menna said he was the de facto head of all of the regional Mayors who were opposed to the MOM line and shortly there will be a cross section of elected officials in Monmouth County from Freeholders and Assemblypeople to State Senators and locally Mayors and elected officials. He said they are actively opposing and will continue to oppose, even by legal means, any further activity that NJTransit may oppose. Ms. Senkeleski asked if that meant they were opposed to more trains coming through the Borough. The Mayor said it meant they were opposed to more disruption by more trains which would cause interference to quality of life. He noted that the MOM proposal would also impact many of the Borough’s neighboring towns along the line.

Ms. Senkeleski said she saw that the ordinance would call for an increase to the density and height of buildings by the train station and asked if due diligence had been done to ensure that all of the people moving in would not force NJTransit to add trains. Mayor Menna said this wasn't the type of density that would cause that to happen. He clarified that it was an increase in the existing density and noted that it was the only way that some of the properties would be recycled but was not huge in terms of scale. He said the Planning Board had considered it thoroughly and some properties in the area that didn't want to be included were taken out. He also noted that the overlay area zone only encompassed a couple of blocks and that whole idea was to link the area of the train station to other properties on Monmouth Street so there would be a cohesive link between the train station and Broad Street so that some of our businesses can thrive. He added that the age where someone could buy and accumulate property in that area and build single family homes has past and that this was the only way they will see recycling of those properties.

Ms. Senkeleski said she was still concerned with the amount of people that would be in the area. Councilman DuPont noted that projects had already been approved in the area and he would like to encourage them because right now there wasn't a lot happening in the area. He noted that there were not a lot of rateables in that area, the Borough was not reducing its carbon footprint and not encouraging the use of trains and that this was what those projects were for. He said he also agreed with RiverCenter's goal of having retail all the way down Monmouth Street to make it more of a walking community.

Ms. Senkeleski compared the proposed projects to the Metropolitan which she said "smacks her in face" and that she felt the town was changing. Councilman DuPont responded that it wasn't changing right now because there were three projects that were unbuilt and hoped that the transit overlay would promote some of the building. Ms. Senkeleski said she felt there had to be a balance between developers making money and the scale of building. Councilman DuPont told her she was taking a position against the three approved projects that he felt were important to the train station. She denied taking she was taking such a position. Mr. DuPont said the Planning Board had taken a lot of months trying to ensure that there was a proper balance. Ms. Senkeleski said she felt there were treating different areas of town with different densities and wanted to know why there weren't being treated the same. She again stated that she understood developers had to make money. Mayor Menna said it was not about making money and added he heard her say she didn't want to see the town changing, but told her everything changes in life including municipalities. He said this was an effort to try to change some particular areas around the train station that wouldn't change otherwise and he said he felt the majority of residents didn't want to see the status quo there and felt something had to happen. He also noted that the Planning Board spent a great deal of hours balancing those issues. He said one would never see a comprehensive streetscape plan if everything was homogeneous and that he thought diversity was good. He added that one area would have a fifty foot height requirement while a block later it would be reduced to forty. He said there would also be a residential area. He also said uniformity was not the best thing for a town like Red Bank.

Administrator Sickels said that the example Ms. Senkeleski gave regarding going down Wallace Street and seeing something that was out of place was exactly what the Planning Board was trying to correct. He added that the height restrictions in that area were dropped down and the height and density were encouraged near the train station which was a mass transit center. He said it made sense to make that area denser to discourage builders from going on the periphery and to build near mass transit so people would use fewer vehicles. Ms. Senkeleski questioned the plan to focus on mass transit when the Council was against increasing trains. Mr. Sickels said the plan called for making use of existing services. He said the intent was to make it more attractive to build in the underdeveloped former industrial area around the train station, than on the borders of the business district. He said he felt everyone on the Planning Board agreed that they didn't want to see a transition like the one on Wallace Street saying it was too stark a contrast. Mayor Menna said that area was discussed quite often and a lot of Board members agreed that the Wallace Street building was out of character for the block and was one reason they decided to take a look at all of the planning considerations and they reduced it.

Councilman Zipprich noted that he had sat on that subcommittee of the Planning Board and said the Dorn Property/Metropolitan was the subject of many spirited discussions about making sure that the commercial historic district didn't get overshadowed by taller buildings. Ms. Senkeleski asked Councilman Zipprich if he thought that the Metropolitan was too big. He said, in his opinion, he felt it was. Engineer Kosenksi said the ordinance was being changed to address that issue as a result of that project. Councilman Murphy reviewed what the new height restrictions would be in various areas along Monmouth Street.

Ms. Senkeleski suggested that Council host an open session with residents other than the Planning and Zoning Board. She said she realized that the Council was also an open forum and also said she would recommend a 7:30 pm start time for Council meetings because she felt 6:30 pm was difficult. She then urged them again to host an open session to find out what people were thinking. Both Engineer Kosenksi and Mayor Menna noted that three publicly advertised open sessions were held and that the majority of people who showed up were individuals who had properties in the area or in the RiverCenter district. Ms. Senkeleski asked if the public session were part of Planning or Zoning meetings. Administrator Sickels said they were held at Council meetings. Mayor Menna noted that there would be another hearing on some of the ordinances because they were only on for introduction. She said she would like to see a meeting outside of a Council, Planning or Zoning meeting. Mayor Menna said people have had the

opportunity to comment and that if they went back to the well, they would still be dealing with the issue six months from now. He added that the economy is stuck in neutral right now and added that anything they can do to get something going would be positive. Councilman Murphy noted that the agendas for the meetings were available on the web site.

Ms. Senkeleski said she wondered if people in town would understand that the train station area could look like the Metropolitan if they let developers go in and do what the ordinances say they can do. Mayor Menna asked her to look at what the train station looks like now and asked if she would rather keep it that way. He said he would love to see it preserved as open space but that was not the reality. He said they have empty lots and, abandoned boarding houses replete with vandalism and spillage. He said he wanted to give the plan a try and see if they can get something better than is there now. Ms. Senkeleski said she understood progress had to take place but she didn't like to see Red Bank changing the way it looked. Mayor Menna said the plan was a compromise and not everyone would be happy with it. He added that very intelligent people fought them on it and they agreed to disagree and they thought that the plan should be given a chance to succeed.

Ned Gaunt—RiverCenter member and resident—appeared with RiverCenter director Nancy Adams and architect Steve Raciti and said they wanted to thank members the Council and members of the Planning Board for taking time to talk to them about some of their concerns and said, for the most part, the ordinances that have been passed were a positive change. He said they still had a couple of issues and noted that at the last Planning Board meeting Christine Ballard had indicated that the new parking calculations would be based on gross square footage rather than number of seats to simplify the process to determine how many parking spaces would be required for a particular application. He said she also indicated that it was the objective of the Planning Board that the number of spaces would not be increased. He noted that Ms. Ballard had put together a chart showing approximately 14 different restaurants throughout town, what the seating arrangements were and what the gross square footage was, etc. He said the only issue they had with it was that the rated occupancy was what was being used to calculate the number of spaces. He said they had been under the impression that it was the number of seats, not the rated occupancy that would be used and they also understood that, in same cases, the rated occupancy that was being used was for the whole building rather than just the patron area.

Mayor Menna said he thought Mr. Gaunt was addressing Ordinance 2009-30 and told him that the proper thing to do was to come to the governing body and express his concerns but also noted that the Ordinance was only on for introduction at this meeting and that this was not the Public Hearing. He said the Council could opt not to introduce the Ordinance. If introduced, he continued, the Public Hearing would be at the next Council meeting and hopefully some of those things may be resolved as other issues have been resolved between introduction and final hearing. He acknowledged that there were concerns about the calculation noting the both RiverCenter and the Planning Department was aware that there had to be a methodology that was fair and simple and understandable to the average person on the street to determine if they can open a business in Red Bank based on the parking calculations.

Engineer Kosenki said Mr. Gaunt misunderstood the methodology of the current ordinance and added that it clearly states not seats but maximum rated occupancy. He said the Ordinance from twenty years ago was based on gross floor area which was amended to be based on seat count. He said applicants would then send in plans for large square footage showing one table and four chairs. He said they changed the ordinance again to calculate on maximum rated occupancy divided by three to get the car count and that is what the current ordinance says. He said the new ordinance is proposed to calculate on gross floor area. He said he went through and looked at all of the restaurants with the new proposed ordinance change found that, for the most part, it is the same or less in terms of parking demand.

Councilman DuPont suggested that additional modifications may need to be made to the ordinance and offered to make a motion to table it. Mayor Menna said he respectfully disagreed and noted that they have discussed this issue at three different meetings with the same representatives of RiverCenter and the Borough's Engineers. He recommended they introduce, hold the Public Hearing and either adopt or reject the ordinance.

Councilman Ziprich said the Engineers have work diligently and added that a question he had that possibly the RiverCenter representatives had was why did we come to this conclusion to change the existing ordinance. Engineer Kosenki explained that, under the current ordinance, when an application is submitted it must go to the Fire Marshal for a determination on the maximum rated occupancy. He said the hearing proceeds and sometimes they don't have the result of that determination in time to make a timely decision at the hearing and it can be held up. He said sometime the architect and the fire official are going back and forth over the maximum rated occupancy. He said they are changing it to make it administratively more feasible to get this done in a reasonable amount of time.

Administrator Sickels added that, after the property is occupied, a new owner might come in and change the floor plan and it would have to go back to the Board for a simple change in seating. He said this change would eliminate that need to return to the Board.

Councilman DuPont asked Mr. Gaunt if that was his understanding. Mr. Gaunt said he was unaware that there had been an amendment but he understood the problem with basing it on seating. He noted that the

matrix had used a number of existing restaurants with existing seating where seating was being considered for the entire space. He added that if one went back to the original seating ordinance before the amendment that was what they felt would be a reasonable number of cars for the basis of calculation. Councilman Murphy asked what the difference was percentagewise. Mr. Gaunt said it varied, saying sometimes it was close and sometimes it was half of what the new requirement was.

Steve Riciti said he had worked on several restaurants and one of the initial requirements was to make the gross floor area field 18 cars per thousand which he thought was high. He said he had worked with the Borough Engineers and felt they were getting closer to a number that made sense. He said he recognized that gross floor area was probably a better way to calculate but wanted to make sure the numbers made sense. Engineer Kosenski said they met with RiverCenter a couple of weeks prior and they pointed out that they thought that 18 was high for the smaller restaurants and they agreed to make a three tiered system with a requirement that is lower for restaurants that are 1,000 or less, a little higher requirement for restaurants that are 1,000 to 5,000 and a higher requirement for restaurants that are greater than 5,000 which he acknowledged they don't see many applications for. The numbers they came up with, he continued, he had thought were agreeable to all and are lower than the Institute of Traffic Engineers suggests for these uses. He said they recommended them because when they looked at the actual count under the proposed ordinance, it came out to be less than what would be required under the current ordinance. He said under the proposed ordinance, everything less than 5,000 square feet was no worse and in most cases are better than what would be required today. Over 5,000 square feet, he continued, there were a few restaurants that were in better condition and a few that were in worse. Nancy Adams said their biggest concern was for the smaller restaurants and the fact that the uses were not differentiated in the ordinance by size. She said they would like to see the requirement for the smaller restaurants come down to a number similar to what is in the existing ordinance such as four per 1,000 which, she noted, was what was called for in the train station overlay zone. She said she didn't understand why it was six in the central business district and four in the overlay zone. Administrator Sickels noted that the overlay zone was based on the use of mass transit. She said she felt it was the same concept and noted that there are other towns in New Jersey that have no parking requirement for restaurants under 5,000 square feet that are in downtown areas. She said she respectfully disagreed with the Engineer with the general idea of how to base the calculations and in regard to recruitment of businesses and trying to make it easier for some businesses like an ice cream parlor to get into a space that's vacant on Monmouth Street during this economy and asking them to pay \$2500 to \$3500 for parking deficiencies. She said she was just trying to get businesses into these spaces where national chains wouldn't fit.

Mayor Menna said he appreciated their thoughts but he thought they should introduce the ordinance and between the introduction and the public hearing they could continue their dialogue and see if there could be some modification to address their concerns.

Craig Gianetti of the law firm Giordano, Halloran and Ciesla said he was appearing regarding Ordinance 2009-40 regarding the portion that would amend commercial parking facilities. Mayor Menna again noted that the Ordinance was only on for introduction and explained that the ordinance would permit commercial parking facilities in certain areas of town. Mr. Gianetti asked if the Council was trying to make a distinction between privately owned as opposed to ones where people were charged. Mayor Menna said no because the intent was to facilitate the construction of commercial garage facilities to encourage the stabilization of parking especially in the downtown zone. Mr. Gianetti asked about a specific portion of the ordinance that changed the term commercial parking to attendant parking and another section where both terms were used together and asked if they were trying to make a distinction. He said he had various clients who wanted clarification. Attorney Hall said the intent was to change the term from commercial parking to attendant parking and the section that showed both terms was a typographical error. He also recommended they amend the ordinance to strike the word commercial.

Dan Mancuso—Red Bank Planning Board Member—said between now and the next Council meeting, if any of the Council members have any questions or would like background on the discussions that took place at the Master Plan Review Committee and the Planning Board regarding these ordinances, he invited them to reach out to him and he would be happy to fill them in.

Councilman DuPont said he had one question which was to ask if all of the Planning Board members were in agreement on the ordinances that were on the agenda for both first reading and final adoption. Mr. Mancuso said the majority of the Board was. He added that, in reference to the comment earlier, there were other public meetings last year at the Planning Board regarding these ordinances. Mayor Menna noted that not only did they have the public hearings last year, but resident Steve Fitzpatrick had indicated that the changes were of such great import that the process should be reopened. Mayor Menna said he agreed with him and they were reopened which is why he wanted to move forward now. Councilman Murphy also pointed out that there had been several articles in the papers about the meetings for at least the last six weeks.

Craig Gianetti asked for further clarification on Ordinance 2009-40 asking if a restaurant owner had on-site parking or an off-site lot that was used just for their restaurant and they had valet parking but did not charge a fee, that would not fall under the definition of a commercial parking lot but under that change, would it be affected by the proposed ordinance. Engineer Kosenski said the ordinance applied to vertical parking garages and commercial parking facilities. He said it would not apply to lot that is a

required accessory use, not charging the public and in support of a facility. There were other development standards that did apply, he continued, one of which would be the Planning Board review. He gave the example that if they were proposing a lot that required stacking to make their count, they would have to demonstrate that at the Planning Board hearing.

Councilman Murphy offered a motion to close the public comment portion, seconded by Councilman DuPont.

**ROLL CALL:**

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

**NAYS:** None

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

**ORDINANCES – First Reading**

Mayor Menna noted that the following ordinances were consistently part of the Planning Board recommendations for Master Plan review and he was recommending that unless anyone had any serious objection to introduction of any one, that they treated the introduction en masse and have the same hearing date for all of them.

Councilman DuPont offered a motion to adopt the following ordinances en masse on first reading, seconded by Councilman Murphy:

2009-30 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-2.3, "DEFINITIONS" AND SECTION 25-8.21(o), "OFF STREET PARKING, MINIMUM OFF STREET PARKING SPACES REQUIRED."

2009-32 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.11, "REGULATIONS CONTROLLING CENTRAL COMMERCIAL DISTRICT-1."

2009-33 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.12, "REGULATIONS CONTROLLING CENTRAL COMMERCIAL DISTRICT-2."

2009-37 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.14, "REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-1 DISTRICT."

2009-38 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.19, "REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-2 DISTRICT."

2009-39 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.2, "DESCRIPTION OF DISTRICTS" SECTION 10.22, "REGULATIONS CONTROLLING THE TRAIN STATION OVERLAY DISTRICT."

2009-40 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-8.37, "GARAGES (INCLUDING VERTICAL PARKING GARAGES)" SECTION 25-9.13, "COMMERCIAL PARKING FACILITIES."

2009-45 AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.2, "DESCRIPTION OF DISTRICTS" SECTION 10.21, "REGULATIONS CONTROLLING AFFORDABLE HOUSING OVERLAY DISTRICT ONE (AH-1 ZONE)."

**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 September 8, 2009 at 6:30 pm.

**ORDINANCES – Public Hearing & Final Adoption**

2009-25 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-2.3, “DEFINITIONS.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

**ROLL CALL:**

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

NAYS: None

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

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

**ROLL CALL:**

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

NAYS: None

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

2009-28 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-9.12, “COMMERCIAL RECREATION FACILITIES.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

**ROLL CALL:**

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

NAYS: None

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

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

**ROLL CALL:**

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

NAYS: None

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

2009-29      Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.3, “USES PERMITTED AND PROHIBITED.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

Councilwoman Lewis offered a motion to close the public hearing, seconded by Councilwoman Horgan.

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

ROLL CALL:

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

NAYS:      None

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

2009-31      Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.4, “REGULATIONS CONTROLLING THE RA RESIDENTIAL ZONE DISTRICTS”; SECTION 25-10.5, “REGULATIONS CONTROLLING THE RB RESIDENTIAL ZONE DISTRICT”; SECTION 25-10.6, “REGULATIONS CONTROLLING THE RB-1 RESIDENTIAL ZONE DISTRICT”; SECTION 25-10.7, “REGULATIONS CONTROLLING THE RB-2 RESIDENTIAL ZONE DISTRICT”; SECTION 25-10.8, “REGULATIONS CONTROLLING THE D RESIDENTIAL ZONE DISTRICT”; SECTION 25-10.15, “REGULATIONS CONTROLLING THE PO PROFESSIONAL OFFICE ZONE DISTRICT”; AMENDING THE SIDE YARD SETBACK REQUIREMENTS WITH RESPECT TO AIR CONDITIONING UNITS.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

Councilwoman Lewis offered a motion to close the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS:      None

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

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

ROLL CALL:

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

NAYS:      None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

2009-34      Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.9, “REGULATIONS CONTROLLING THE NEIGHBORHOOD BUSINESS DISTRICTS”; SECTION 25-10.15, “REGULATIONS CONTROLLING THE PROFESSIONAL ZONE DISTRICT”; ELIMINATING LODGES, CLUBS AND FRATERNAL ORGANIZATIONS AS PERMITTED USES IN THOSE TWO ZONE DISTRICTS.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

Councilwoman Horgan 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.

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

ROLL CALL:

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

NAYS:      None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

2009-35      Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-10.16, “USE REGULATIONS CONTROLLING THE WATERFRONT DEVELOPMENT DISTRICT” RESTRICTING PERMITTED USES ALONG RECTOR PLACE TO DETACHED SINGLE FAMILY DWELLINGS AND MODIFYING SIDE SETBACK REQUIREMENTS WITH RESPECT TO AIR CONDITIONERS FOR DETACHED SINGLE FAMILY DWELLINGS.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

ROLL CALL:

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

NAYS:      None

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

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

ROLL CALL:

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

NAYS:      None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

2009-36 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-2.3, “DEFINITIONS”; SECTION 25-10.9, “REGULATIONS CONTROLLING NEIGHBORHOOD BUSINESS DISTRICT” RELATING TO CERTAIN COMMERCIAL CHANGES OF USE.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

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

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

2009-41 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 25-8-19(l), “MULT-FAMILY DWELLINGS – RECREATION.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

2009-44 Mayor Menna read “A BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO COUNT BASIE PARK, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$1,125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$795,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

Councilman DuPont noted that Red Bank Catholic was also contributing to the project so between that support along with the County and the State, there should be little or no cost to the Borough.

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

David Prown – 44 Hillside Place – asked for information on some of the improvements. Administration Sickels said it would include artificial turf and upgrades to the fencing and security. He also noted that the improvements were contingent on getting agreements with all entities in place. Mayor Menna said this ordinance would allow for the bonding so they could move forward when everything was in place.

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

**ROLL CALL:**

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

NAYS: None

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

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

**ROLL CALL:**

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

NAYS: None

There being six ayes and no nays, the ordinances was declared adopted on final reading.

**RESOLUTIONS**

09-210 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES AND INSPECTION ESCROW REGARDING BROAD STREET REALTY ASSOCIATES, L.L.C., 2, 8 & 10 BROAD STREET, BLOCK 30.01, LOTS 21, 22 & 23.”

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

Councilman DuPont said he would be abstaining and asked that future resolutions regarding LLCs include a list of names. Attorney Hall said he would do that from now on.

**ROLL CALL:**

AYES: Lewis, Zipprich, Horgan, Lee, Murphy

NAYS: None

ABSTAIN: DuPont

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

09-211 Mayor Menna read “A RESOLUTION ACCEPTING BID FROM NACIREMA ENVIRONMENTAL SERVICES CO. FOR DEMOLITION OF THE SUNSET AVENUE INCINERATOR SITE.”

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

Councilwoman Lee said they have been waiting along time waiting for the incinerator to come down and hoped the change would enhance the community. She also said she hoped the residents were in favor of it and that she looked forward to the future plans for the area. Councilman DuPont commended Engineer Ballard for going above and beyond on the project and said that it had been a long and arduous task. He also recognized the work of Councilwomen Lewis and Lee. He said Ms. Ballard had done a wonderful job in steering the process. He also commended the efforts of former Councilman Bifani for his work on the project. Mayor Menna said he also wanted to recognize the efforts of Engineer Kosenski who was involved in the project from the beginning. Councilman Murphy noted that T&M Associates, which included Engineer Ballard and Engineer Kosenski and their staff, were the ones that worked to find and obtain funding for projects such as this and many others include Count Basie Field, Marine Park and the water treatment plant. He thanked them and said they were doing a great job.

Mayor Menna asked if there were a demolition date. Engineer Kosenski said they were trying to set up an official date toward the end of September.

ROLL CALL:

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

NAYS: None

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

09-212 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES AND INSPECTION ESCROW REGARDING JAMES PARKER ONE, L.L.C. & JAMES PARKER TWO, L.L.C., 103, 109 DR.S JAMES PARKER BOULEVARD, BLOCK 96, LOTS 3, 4, 5 & 5.01 (PHASE I).”

Mayor Menna noted that this was regarding the former Midstate property which was being renovated and redeveloped very nicely.

Councilman Murphy 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.

09-213 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES AND INSPECTION ESCROW REGARDING MATRIX II, L.L.C. (CHELSEA PLACE), 224 BRIDGE AVENUE, BLOCK 77, LOT 17.01.”

Mayor Menna said this was part of the same project and added that he thought it would be an anchor in the neighborhood and in the entire community.

Councilwoman Lee 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.

09-214 Mayor Menna read “A RESOLUTION ENDORSING THE RED BANK RIVERCENTER.”

Mayor Menna said this was in respect to their application to Main Street New Jersey program.

Councilman Murphy 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.

09-215 Mayor Menna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE A DEVELOPER’S AGREEMENT WITH DOWNTOWN INVESTORS VI, L.L.C.”

Councilwoman Lewis 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.

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

09-216 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,051,497.22.”

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**

**NEW BUSINESS**

Councilman Zipprich said tickets were available for the Red Bank Regional High School Backyard Barbecue on September 11.

**AUDIENCE**

David Prown—44 Hillside Place—asked if there was an update on the hours of Borough Hall for the balance of the year. Mayor Menna said he anticipated that the four day workweek would be continued and said there should be a resolution at the next Council meeting. Mr. Prown asked if there would be a report on the numbers when that resolution was discussed. Mayor Menna said there would be.

Mr. Prown said he had sent email to C3 regarding questions about the site and hadn't heard back. He wanted to know how he could talk to with questions. Administrator Sickels asked if he had questions about the site about Borough information. Mr. Prown said he had specific questions about the site.

Mary Gilligan said there were a few issues with the site include the fact that resolutions were not posted on the site until they were passed and said she was unable to get some phone numbers.

Administrator Sickels asked that any concerns be addressed to him and he will troubleshoot. He noted that he is meeting with them next week.

Mr. Prown also asked about Mayor Menna comments about Matrix project on Bridge Avenue where he called it an “anchor” and asked for more information. Mayor Menna said they would be supplying some quality housing pursuant to the plans that were approved and its going to clean up the area in terms of new and renovated housing.

Mr. Prown said the reference to an anchor was in regard to projects in the area. Mayor Menna said that it would be cleaning up the Midstate site. Mr. Prown asked if they also had other properties in the area. Mayor Menna said they owned a lot of properties in Red Bank and had already renovated some houses near the train station and in several west side neighborhoods.

Mr. Prown asked if the anchor reference was just for the specific site on Bridge Avenue or did it include other sites on Bridge Avenue. Mayor Menna said he could only address those two sites. Mr. Prown asked what the two sites were. Mayor Menna said it was the Midstate site and a property across the street on Bridge Avenue. Administrator Sickels reviewed several projects being done by Matrix.

Mr. Prown thanked Councilwoman Lewis and Mayor Menna for their attendance at the annual Community and expressed his enjoyment of the event. Councilwoman Lewis said event was focused on the community and the kids and noted that it had grown over the years. She said the organizers did a wonderful in giving out school supplies and getting more and more sponsors involved.

Mr. Prown also expressed his appreciation of the efforts of Recreation Director Bob Evans and noted that he has been very supportive. He called him amazing and said he always came through at the last minute.

He gave several examples of events he helped make happen. He thanked the Borough for assisting with transportation by lending vehicles for their use. He told the Council about a last minute fishing trip that Mr. Evans made happen for every Red Bank kid that wanted to go.

Freddie Boynton—365 Shrewsbury Avenue—urged the Mayor and Council to come up with a solution for Montgomery Terrace noting that he had nieces and nephews that lived there. He told them that his nephew had been jumped last week and just got out of the hospital. He said the problem was outsiders coming into the area and suggested that a curfew be imposed. He thanked the Red Bank police for working to quickly catch his nephew's attackers.

Mr. Boynton also noted that the Borough has an Administrator and an Assistant Borough Administrator, but said he was unable to get a hold of Mr. Watson and he would not return his phone calls. He said he understood that he cannot always get the Administrator and felt that was what the Assistant Administrator was for. He complained about not getting a return phone call and noted that when he contacted the Borough Attorney he left a message with the secretary and received a call back. He questioned the need for the Assistant Administrator position.

Mohanial Parekh—228 Drs. James Parker Boulevard—complained about residents who walk their dogs near his store (Yogi's) and didn't clean up after them. He asked for a sign to be placed on the same poles as the parking limit signs. He said when he calls the police he is told to call Animal Control when he witnesses it but the people are gone by the time someone responds. Councilwoman Lee suggested the problem could be handled by Code Enforcement.

Mr. Parekh also suggested that a traffic light be installed at the intersection on Leighton Avenue and Drs. James Parker Boulevard due to the numerous accidents in the area. Mayor Menna noted that the Council had worked twenty years to try and get a traffic light at Bridge Avenue and Chestnut Street and finally got a four way stop. He said they have been experimenting with several traffic calming projects including one on Leighton Avenue. He said the Traffic Safety Office is looking into several streets and they would ask him to include this in his review. He said the residents in the area of Bridge and Chestnut had reported an overwhelming positive impact from the four way stop and they were contemplating others around town.

Mr. Parekh also expressed concern about visibility near the church at Shrewsbury Avenue and West Bergen Place. He said some properties in the area did not have a yellow line in front of them and visibility at the intersection was difficult. Mayor Menna said he would also refer this to Captain McConnell.

## **EXECUTIVE SESSION**

No Executive Session

## **ADJOURNMENT**

Councilman DuPont offered a motion, seconded by Councilman Zipprich 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