

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
OCTOBER 12, 2009
6:30 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, Engineer Ballard and Chief Financial Officer Mason.

ABSENT: Councilwoman Lee, Assistant Attorney Hall 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 September 8, 2009.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Zipprich 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.

Presentation of Certificate of Appreciation to Michael Olimpi

Mayor Menna said Mr. Olimpi was a long standing public servant not just with Red Bank but also with Little Silver. He said Mr. Olimpi had served as our Borough Arborist and Shade Tree Expert and asked Councilman Zipprich to say a few words before the presentation. Councilman Zipprich thanked Mr. Olimpi on behalf of the Borough for all of his dedication, for imparting his knowledge to the members of the Shade Tree Commission over the years and for being an “all around good guy” who had kept the health of the trees in the Borough in everybody’s consciousness. Mayor Menna also thanked Mr. Olimpi on behalf of the residents for helping Red Bank to receive the Tree City USA designation over the past several years and noted that that had not happened before Mr. Olimpi came on board. He also credited Mr. Olimpi with the fact that Red Bank now had 400 new trees because of his efforts. He thanked him again for all he had done and presented him with a Certificate of Appreciation from the Borough.

Mr. Olimpi thanked the Mayor and Council and said it was overwhelming. He said he was happy to have the opportunity and ability to serve the residents of Red Bank and to encourage people to want to do the right thing when it comes to trees. He noted that their work with trees had been very ambitious but the affect was subtle and long term with an enriching affect for the general population. He said that was exactly what they were trying to spearhead their energy around. He said he liked to leave a situation better than he found it and felt he had been able to do that. He said he could not accept the success being attributed to him without recognizing the people who did the work. He thanked Shade Tree Committee Liaison Zipprich, Gary Watson, George Lynch and all of the staff at the Department of Public Utilities. He said he was concerned for the future. He noted that the Committee members were diligent and doing righteous work but wanted the Borough to continue to move forward. He said he realized the budget was tight but urged the Council to find someone to continue his work even if on a part time basis. He reviewed some of the work that had been done and talked about what had gone into it. He said he would always be available for phone calls even after he retired.

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, Murphy

NAYS: None

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

WORKSHOP

APPROVAL OF MINUTES – September 28, 2009

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

ROLL CALL:

AYES: Zipprich, DuPont, Horgan, Murphy

NAYS: Lewis

There being four ayes and one nay, the minutes were declared approved.

MAYORAL APPOINTMENTS

Mayor Menna made the following appointments:

Brian Hanlon to Environmental Commission as Regular Member for an unexpired 1-year term expiring 12/31/09; and

Steven Mitchell to the Environmental Commission as an Alternate No. 1 Member for an unexpired 2-year term expiring 12/31/11.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy had no report.

Councilwoman Horgan said she had no report other than to welcome Brian Hanlon and Steven Mitchell to the Environmental Commission and to say that she looked forward to working with them.

Councilwoman Lewis had no report.

Councilman Zipprich congratulated the Red Bank Volunteer Fire Department on their successful Fire Prevention Expo and noted that he had attended with members of his family who learned a lot from the first responders. He said it was really well done. He also reported that some members of the Board of Health had met with Health Officer Van Sant and Inspector Nagy. He said they were reminding members of the community to get immunized against the flu and pneumonia. He noted that vaccines would be given October 19 from 9 am to 11 am at the Senior Center and from 12 pm to 1 pm at Lunch Break. He gave prices for the shots and noted that information on other locations was available on the Monmouth County Regional Health Commission's website. He reported that the Westside Community Group will be hosting a candidate's forum the following Wednesday night at 7 pm at River Street Commons. He said he also wanted to thank the Shade Tree Committee for working to keep Red Bank green by pruning, planting, watering and generally keeping the Borough's trees healthy.

Councilman DuPont had no report.

COMMUNICATIONS AND PETITIONS

Mayor Menna read requests from Junior League of Monmouth County, Red Bank Elks Lodge No. 233 and Belmar Arts Council for raffle licenses.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the requests were 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—noted that she had expressed concerns at the last Council meeting regarding proposed increases to density and height limits for various zones. She said she wanted to restate what she had heard from residents as she has gone door to door. She said several were unaware of the new zoning amendments but that those who were aware were against such high density and heights. She said she was restating her concerns because there were two more ordinances on the agenda, one of which would increase density by fifty percent. She said she saw no benefit to increasing the population in town by potentially hundreds. She said she was directing a question to Councilman Zipprich since he had worked closely with the residents of Washington Street which was if he personally thought the residents of Washington Street realized that a developer could come in and build a 40 foot building with 25 units. Mayor Menna asked where she had gotten that information from and noted that she had put it out in a flyer and that it was completely erroneous and false. He said Washington Street was not in a zone that would permit 40 foot buildings. Ms. Senkeleski said she thought that it was. Mayor Menna asked Engineer Ballard to address Ms. Senkeleski's statements. Ms. Senkeleski said, in regard to the flyer, that she had gone into the Planning and Zoning Office to ask for a database that would show what residences were affected by the new zoning rules because she thought they would have been notified of the changes. She said none seemed to exist so she took a map, created her own database and sent out a letter to those residences that she thought would be potentially impacted because she thought they should know. She noted that the letter did state they should call Planning and Zoning to ask about their specific lot. Engineer Ballard said the ordinances would not increase the height but would reduce it. Mayor Menna confirmed that information and criticized Ms. Senkeleski for putting out incorrect information. She said she was not trying to mislead anyone.

Councilman Zipprich, in response to Ms. Senkeleski's earlier question, said they had worked very hard for three years with the Washington Street Historic District to get all of the community members enlightened about what historic preservation would do for their community. He said they weren't talking about redeveloping the Washington Street Historic District or any of the 106 properties that were included in it. He said they made sure that all of the residents were invited to a series of public meetings to talk about concerns and issues so that, in the spirit of community and the spirit of transparency, everyone was informed about what they were trying to accomplish. He said they made sure that the entire commission was available to them to respond to questions and to make sure everything was addressed appropriately.

Ms. Senkelski asked Engineer Ballard if she was reading the ordinance wrong because she saw properties in the area that were in the BR1 zone. Engineer Ballard said it appeared that about five properties were in that zone. Ms. Senkeleski noted that properties in the BR1 zone had a limit of 40 feet and the potential for twenty units. Engineer Ballard said that was not correct and said it was sixteen. Ms. Senkeleski said that the ordinance stated they could have 16 with four additional. Ms. Ballard said she was reading it incorrectly and clarified that, as of now, the BR1 district allows mixed use properties to have four units per building. She noted that in the past applicants had come in and built five buildings separated by three inches claiming they were separate buildings to try to get around the rules. To avoid this, she continued, they have changed it from four units per building to 16 units per acre for a mixed use. Ms. Senkeleski said there is a caveat on the ordinance that says they can add four additional units. Engineer Ballard said it does not state that they can be added, but says that, if a pre-existing building is very small they are allowed to have at least four. She gave the example that since 16 units per acre were allowed, a property that was a tenth of an acre wouldn't even be allowed four units, so those units were grandfathered in and they would be allowed to have at least four units with a cap at 16 per acre. She agreed that this would be

two units more than is currently allowed, but also noted that the height allowed was currently 50 feet and was being reduced to 40 feet.

Ms. Senkeleski said the reason she was asking was to make sure people were aware. She said when people found out, they didn't think it is a great idea. She said she thought it was worth sending out a survey to residents for feedback.

Steve Fitzpatrick—92 Hudson Avenue—said he wanted to speak regarding an ordinance on for first reading, 2008-52. He noted that copies were not available at the meeting. Mayor Menna noted that it was available on line. He said the Ordinance was regarding the Central Commercial Business District. He asked Engineer Ballard to show on a map where Central Commercial Business District 2 was located. She noted it on the map and said it was primarily Broad Street and portions of White and Monmouth streets. Mr. Fitzpatrick asked for clarification and confirmation that the only change was the addition of a term called "commercial parking facility." Mayor Menna said that was correct. Attorney Pringle clarified that commercial parking facilities were always permitted in the zone, but only as a conditional use. Engineer Ballard said that the Planning Board Attorney had seen that there was a duplication saying that parking facilities were a permitted use and a conditional use and he said it had to come out as the conditional use and bulk requirements need to be adopted. Mr. Fitzpatrick also asked her to shed some light on the area and the structure requirements and specifically referenced a section that said commercial parking facilities shall be no less than 20,000 square feet which he said applied to the minimum lot area. He asked her to explain why that change was made. She said under the conditional use requirement that was always the case. She said she assumed the reasoning was that one didn't want small lots popping up. Attorney Pringle said these weren't so much new restrictions and explained the thought process behind some of the changes.

Mr. Fitzpatrick asked about the section regarding artificial lighting and attended parking facilities and asked if it was a whole new section. Engineer Ballard confirmed that it had been in the conditional use provision in the current ordinance and, when she did the amendment, she thought it fit best under the special requirements section. Mr. Fitzpatrick noted that at the last meeting he had asked about a larger map to identify properties in the Affordable Housing Overlay zone and asked if she had that with her at this meeting. She confirmed that she did.

Mayor Menna asked if anyone else would like to speak, no one appearing, Councilman Murphy 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

2009-51 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, "TRAFFIC," SECTION 7-3.6, "PARKING TIME LIMITED ON CERTAIN STREETS," SCHEDULE IV, "TIME LIMITED PARKING."

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

Mayor Menna noted that the ordinance had to be referred to the Planning Board for review.

Public hearing and final adoption scheduled for November 23, 2009.

2009-52 Mayor Menna read “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.”

Mayor Menna asked Attorney Pringle to explain the technical amendment being made by this ordinance. Mr. Pringle explained that this was regarding the amendments that were just being discussed regarding commercial parking facilities. He again explained that the facilities were listed both as a permitted use and a conditional use. He said the conditional use had been eliminated but it was still permitted as a permitted use but with some of the conditions and exceptions that were in the conditional use. He said it offered the same protections as the existing ordinance but corrected an error.

Councilman DuPont 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 November 23, 2009.

ORDINANCES – Public Hearing & Final Adoption

2009-33 Mayor Menna read “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.”

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 Murphy.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the ordinances were declared adopted.

2009-37 Mayor Menna read “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.”

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the ordinances were declared adopted.

2009-50 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, AUTHORIZING AN AGREEMENT TO PROVIDE UNIFORM FIRE CODE SERVICES TO THE BOROUGH OF LITTLE SILVER PURSUANT TO THE INTERLOCAL SERVICES ACT."

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 Murphy.

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

There being five ayes and no nays, the ordinances were declared adopted.

Councilman Zipprich noted that this interlocal agreement would bring additional revenue into the Borough. Mayor Menna added that the Borough had been doing a lot of interlocal agreements and would be doing a lot more.

RESOLUTIONS

09-234 Mayor Menna read "A RESOLUTION REQUESTING APPROVAL OF A SPECIAL ITEM OF REVENUE."

Mayor Menna said this was regarding a Monmouth County Justice Assistance Grant in the amount of \$25,845.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-235 Mayor Menna read "A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE."

Mayor Menna said this was regarding a New Jersey Division of Highway Traffic Safety "Over the Limit" Grant in the amount of \$6,000 which was an Attorney General's Grant received through the Borough's Police Department.

Councilman Murphy 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.

09-236 Mayor Menna read "A RESOLUTION AUTHORIZING CURFEW FOR OCTOBER 30 AND 31, 2009."

Councilman Murphy 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.

09-237 Mayor Menna read "A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE."

Mayor Menna said this was regarding the Uniform Fire Code Services being provided to the Borough of Little Silver and was in the amount of \$2,300.

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

ROLL CALL:

AYES: Lewis, Zipprich, DuPont, Horgan, Murphy

NAYS: None

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

09-238 Mayor Menna read "MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS OPEN SPACE TRUST FUND ENABLING RESOLUTION COUNT BASIE PARK."

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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

09-239 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,727,808.23.”

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

NEW BUSINESS

AUDIENCE

Carl Colmorgen—67 Oakland Street—asked about the posting of the agenda on the website and said it was not posted in the same format that was given out at the meeting. He showed a sample of what he had been able to print out just before the meeting. Deputy Clerk Borghi explained that the agenda was posted as a PDF file and that if he clicked on that link it would print out exactly like the agenda available at the meeting. He explained his confusion on the webpage. Deputy Clerk Borghi offered to go over the procedure with him after the meeting.

Frank Valentino—119 River Street—discussed his transportation problems and said he had received a letter from NJTransit suggesting he walk to the nearest bus stop to get to his destination. He said he had also had suggestions to take the SCAT bus which he acknowledged would pick him up at his door but that he had had problems with the service in the past. Mayor Menna said he was familiar with Mr. Valentino’s issue and he would have John Gurzo from the Senior Center contact him to help him deal with NJTransit and resolve his issues.

Cindy Burnham—146 Harrison Avenue, Fair Haven—commended Mayor Menna on his statement in the previous week’s Asbury Park Press where he committed to the installation of a sign to designate the waterfront access park located at the foot of Maple Avenue as “Maple Cove” and to placing two benches on the site by the end of the year. She acknowledged that the benches and sign would have to be approved by the Council members. She said she had gotten positive feed back from the DEP regarding permits and believed that the non-structural improvements they were asking for, which were the donated sign, two donated free standing benches and a fence between the parking lot and the park, would in fact need no permits and were allowed by the DEP. By some chance, she continued, if a permit is required, she believed it would require a “permit by rule,” which she noted she had spoken about previously. She added that for that there would be no application fee and no engineering calculations needed. She said she also wanted to commend Mayor Menna on his statement about keeping the improvements simple at the site which she thought was what most people wanted to see there. She said Maple Cove was the only site that allows easy access to the Navesink River and was a place where people can take their dog and throw a ball into the water. She said that the Red Bank Charter School, the River Rangers program, the Red Bank Summer program and the Navesink Maritime Heritage Association have all come to launch there because of the ease and its central location to the river. She also noted that the site has been placed on the Green Acres Recreational Open Space Inventory list by the Borough to be used for conservation and recreational purposes. She said the volunteers have made simple non-structural and non-fineable by DEP improvements on the upland that have added simple comforts and ease to the park. However, she continued, these improvements have recently been removed by Red Bank DPW and said she wanted to know why.

Administrator Sickels said there had been no approval to put anything on the site. He referenced a letter he had written to her on April 10 which notified her that no improvements or installations could be done without Council approval. He said he had been asked if he had seen the improvements at the Maple Avenue site so he went to the location and said he found a path as well as buried fabric that he tripped on. He said he also found makeshift benches with wood stacked on top of bricks and pieces of pilings that had been cut. He noted that none of the items had been approved by Council and noted that he had told her that any improvements would need to be approved by the Council. He said some of the items put into the 50 foot buffer were in an area where they may have to excavate to finish the parking lot. He again

stressed that the items were put there without approval and that he had told her on April 10th that approvals were required by both Council and the DEP.

Ms. Burnham claimed the path was pre-existing and offered to show photos. Mr. Sickels said he also had photos of the site when there was no path and said she had created that path. He also noted that he had visited the site with DEP officials and was told it would need a permit because it cut through the wetlands buffer. He said he had to write a letter apologizing for the work that had been done but noting that the Borough had not done it and pledging the nothing would go forward without approval of Council and DEP. Ms. Burnham asked when the meeting took place. Mr. Sickels said he and Councilman Murphy had visited the site in 2008. Mr. Murphy confirmed they were there for about two and a half hours and that then-Councilwoman Grace Cangemi was also there. Ms. Burnham said that the path was there at that time. They debated back and forth on when and how the path was created, various activities that had taken place there and whether or not permits were required. Ms. Burnham accused the Borough of avoiding the issue. She also noted that she had written letters to the DEP asking for clarification and said Mr. Sickels had written letters asking the DEP not to respond to her. Mr. Sickels said she had written a letter asking for approvals for what she had done or intended to do and the Council had not discussed the matter. They discussed back and forth the content of the letter. She said she and other people had written letters and the DEP said they cannot answer any questions until Red Bank gives its blessing regarding what can be done at the site. She described the improvements that had been done and explained what materials were used. She said DPW had removed all of the improvements and raked the hay off the path. Councilwoman Lewis said her Parks and Recreation Committee had made a recommendation on the issue some time ago but said she would take it back to her committee for review and would make another recommendation to the Mayor and Council. Ms. Burnham asked the Mayor about his commitment to see benches there by the end of the year. He replied that it was not the end of the year yet. She asked him to reaffirm that pledge. He clarified that he said he supported that idea.

Councilman DuPont said he knew that Ms. Burnham and Ms. Gasienica had worked hard and asked Ms. Gasienica to come forward and give her thoughts.

Ms. Burnham asked if she could take a straw poll of the Council to see who was in support. The Mayor said it was not appropriate since there was nothing before them at this time.

Kathleen Gasienica—110 Locust Avenue—said she was on the Board of Directors of the American Littoral Society and a member of the Red Bank Borough Education Foundation. She thanked the Mayor and Council for their time and said she wanted to offer some information that would help them decide what should be done with this area. She said the Director of the American Littoral Society, along with herself, had sent a letter to the DEP asking for a letter of no interest which would allow the Borough to do improvements. She said the DEP responded with a phone call to inform them that, even though they champion wetlands in the area, the American Littoral Society was not a Red Bank agent or official and that it was not the DEP's job to tell Red Bank what to do. She said the DEP said it was the responsibility of the Mayor and Council to make the request. She said she thought there was some confusion as to how easy the process was and explained how it would be done with a DEP official going to the site and issuing a letter. She also noted that DEP employees had been coincidentally kayaking at the site and confirmed unofficially that nothing fineable had been done at the site. She also asked that when the committee meets to decide what to do she asked them to consider some of the unique traits of the site which she detailed for the Council. Mayor Menna thanked her for her detailed comments.

Councilman Zipprich asked if there was anywhere else along the Navesink that had the wash with no bulkhead. Ms. Gasienica said this was the only place in Red Bank but that there were several locations in Fair Haven and Rumson and offered comparisons between the Navesink River and the Swimming River.

Councilwoman Lewis said she may get in touch with her as the Parks and Recreation Committee discusses the issue.

Virginia Amend—248 Hiresville Road, Colts Neck—said she was attending to speak about the joy of kayaking and her experiences. She said she was overjoyed to learn about the easy access offered by Maple Cove. She commended the Mayor and Council for being open to the subject.

Anne Hutchinson—Spring Street—said she never kayaked in Red Bank and did not know the site was available until she saw it on a website. She asked if she would be allowed to launch from the Maple Cove site and was told that she could. She said she had launched from there two weeks ago and praised the easy access. She said she had noted pink and blue ribbons tied to the phragmites and wondered what it was about. Engineer Ballard said they were to designate the wetlands. Ms. Hutchinson said she was concerned that it meant the Borough was making plans to tear it down. Administrator Sickels said there had been no plan to do anything but make the site a public access.

Donna Panarello—88 Throckmorton Avenue—said she was also attending to support the Maple Cove soft landing. She said her profession was physical therapist. She noted that while she is a member of

Monmouth Boat Club, she had a friend who was not as able as she was and she brought her to the Maple Cove location to get into the kayak. She said she had patients who were more active that she would like to be able to have the same access. She noted that she had once capsized while trying to get into a kayak at Monmouth Boat Club.

Megan Cummings—6 Elm Place—said she was a new resident and wanted to say that she had a sister with a three-legged dog and Maple Cove was the only place she could walk her niece and her sister's dog down to a river access to show her niece the local vegetation. She said it was very important to keep the area as natural as possible.

James Thomas—37 West Street—told the Mayor and Council that he was under the impression that the construction company that had been using the driveway over the summer was supposed to repave it. Mayor Menna said there was an agreement for remediation but that he was not sure of the exact state and phase of that agreement. Mr. Thomas asked if Mayor Menna knew when that was supposed to be done. The Mayor said he was not sure but confirmed that there was an agreement that it would be restored to the specifications set for by the Engineer, the Borough and the State.

EXECUTIVE SESSION

No Executive Session.

ADJOURNMENT

Councilman Murphy offered a motion, seconded by Councilman DuPont 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