

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
NOVEMBER 23, 2009
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Zipprich, Attorney Pringle 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 DuPont offered a motion to suspend the regular order of business, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Introduction of Middle School Competition Video

Councilwoman Horgan introduced students from the Red Bank Middle School along with their teacher, Mr. Hird who were attending the meeting to present their video that has been entered into a competition for a prize of \$30,000 worth of IT equipment. She noted that they have made the finals and asked everyone to support them by voting through a designated website. The students explained that this was the third time the students had made it to the finals and gave audience members instructions on how to vote through the website. They thanked the Council for the opportunity to present their work. The video, titled “E Instruction is the Key,” was presented and the students answered questions following the presentation. Mr. Hird said the children did the singing and helped write most of the lyrics.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

WORKSHOP

Citizen Leadership Act

Mayor Menna reviewed that the act, created by the State of New Jersey, and how it affected municipal boards in regard to oaths, disclosures and meeting attendance. He said it will be mandated and asked the Council to consider enacting administrative regulations to shorten the removal requirements from those in the statute. He noted that all boards and committees will have to comply.

APPROVAL OF MINUTES – November 9, 2009

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Murphy said he wanted to announce that the Liberty Hose Company of the Red Bank Volunteer Fire Department will be hosting an Ex-Chief dinner for Joseph Forgione on Saturday, January 30 at the Oyster Point Hotel from 6:30 pm to 10:30 pm and the cost will be \$45 per ticket. It was also reported that the Fire Chief Election will take place on December 1 with a reception at Union Hose Company.

Councilwoman Lee said Public Works had had a recent turn over of water service from the Borough water to New Jersey American Water. She noted that some residents may have noted some discoloration in the water as a result. She said the change was made to accommodate the work on the pressure filters at Chestnut Street. She said the Borough will continue to use New Jersey American Water through March or April when they will return to Borough service with cleaner, better filtered water.

Councilwoman Horgan reported that she had attended the New Jersey State League of Municipalities Conference in Atlantic City. She said she had attended many workshops and that she thought it was a great place for Municipal Officials from across the State to meet each other, exchange ideas and to learn about strategies and ideas they are all facing. She said the workshops that interested her the most were the ones regarding Sustainable Jersey. She explained that the Environmental Commission is working to gain certification in this program that would open the Borough up for funding from both governmental and private sources. She noted that New Jersey is the first State in the nation to have a comprehensive sustainability program for communities that links certification with strong State and private financial incentives and a full resource program with technical support and training. She noted that 30 New Jersey municipalities had achieved certification which she said was important because, even if one doesn't care about the environment, the program has dollar and cents value that will help relieve the burden on tax payers. She said she had also attended a Municipal Excess Liability Joint Insurance Fund elected officials training seminar with the subject of Controlling Liability Costs. She added that, by attending the seminar, the MEL will reduce Red Bank's 2010 Liability Claims Premium by \$250 for each elected municipal official who completes the course by May 1.

Councilwoman Lewis said she was pleased to announce the second annual Holiday Home Decorating Contest. She noted that there would be prizes for first, second and third place with judging to take place the week of December 14 and the awards will be presented at the December 22 Council meeting. She also noted that prizes will be provided by SuperFoodtown of Red Bank and Prown's Home Improvement.

Councilman DuPont had no report.

Mayor Menna said he wanted to express his appreciation to the Red Bank Business Community for making the town shine. He noted that the grand opening of the business Urban Outfitters was Thursday night and commended the corporation and the owners of the building for the amount of money and tender loving care they expended to restore the historic building calling the detail that they put into the store "phenomenal." He said the store's management team was enormously happy with the numbers for the opening weekend sales adding that it was beyond their expectations. He credited the fact that the store was open and inviting to the success and urged other retailers to follow their example and stay open at night. He said he also wanted to congratulate the Red Bank Antique Center on its 45th anniversary and noted it still draws thousands of people to the Borough every week. He added that two other stores had also opened in Red Bank over the weekend. He noted that Red Bank school children had brought gifts for children at an orphanage in Haiti to an event at the store Duxiana where Miss New Jersey was in attendance. He said it was a very active weekend in Red Bank and added that he thought the Borough was starting to turn the corner. He noted that another partner of the Borough, Riverview Medical Center, had a sold out fundraiser that went beyond all expectations. Finally, he noted that the Executive Director and Regional Director of NJTransit, as well as a number of members of their team, will be in Red Bank on Thursday, December 10 for an on site visit. He said he would be there as would members of the Borough Historic Preservation Committee and there would be a follow up meeting after the inspection to see what can be done. He said NJTransit had been very receptive in addressing the immediate issues as well as a long range plan.

COMMUNICATIONS AND PETITIONS

Mayor Menna read requests from Monmouth Legal Secretaries Association for raffle licenses.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the United States Census Bureau, Freehold Office, for use of the Senior Center from March 19, 2010 through April 19, 2010 during regular business hours to set up a Questionnaire Assistance Center to assist residents of Red Bank in completing the 2010 Census Questionnaire.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna noted that he had gotten a call from the Monmouth County Staff Director for the Census asking for help in notifying people that the Census Bureau is looking to hire individuals at an hourly rate and that the information would be posted on the Borough's website.

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

Mayor Menna said that the Ordinance No. 2009-54 entitled, "AN ORDINANCE FIXING COMPENSATION OF CERTAIN OFFICES, POSITIONS AND EMPLOYEES OF THE BOROUGH OF RED BANK FOR THE YEAR 2009" would be tabled until the next meeting to be held on December 8, 2009.

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

No one appearing Councilwoman Lee offered a motion to close the public comment portion, seconded by Councilman Murphy.

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

ORDINANCES – First Reading

2009-53 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VIII, "PARKING LOTS AND HANDICAPPED PARKING SPACES," SECTION 8-2.4, "OPERATION OF PARKING METERS" AND 8-2.5, "PARKING TIME LIMITS," SCHEDULE I, "PARKING METER ZONES" AND SECTION 8-2.6, "PERMIT PARKINGS," SCHEDULE II, "PERMIT PARKING ZONES."

Mayor Menna explained that this ordinance would extend the enforcement period from the current 9 am to 6 pm to 9 am to 8 pm. He also noted that it should be amended to take effect January 1, 2010.

Councilman Murphy offered a motion to adopt the ordinance on first reading as amended, seconded by Councilwoman Lee.

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, 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 December 8, 2009.

ORDINANCES – Public Hearing & Final Adoption

2009-49 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY AMENDING CHAPTER XX, “WATER AND SEWER,” SECTION 20-8, “SEWER CONNECTION FEES” AND SECTION 20-9, “WATER CONNECTION FEES.”

Auditor Kaplan said he was happy to take any questions regarding the ordinance.

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 Councilwoman Lee.

ROLL CALL:

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

NAYS: None

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

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.”

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

Joe Jenik—59 South Street—said residents of South Street had met and were requesting that the ordinance be amended to Monday through Friday instead of Monday through Saturday. Mayor Menna asked Attorney Hall if there was a problem with that suggestion. Attorney Hall said there wasn't and noted that currently all ordinances governing parking on street run Monday through Saturday with Sundays and Holidays excepted. He said he had drafted an ordinance to make South Street three hour parking that should be on the agenda for the next meeting. He added that, with respect to making South Street only Monday through Friday, he said there was no legal reason they couldn't do that but there was something to be said for making the ordinances uniform to keep things simple. He also noted that if the days were change there would be an expense to change the signs. Councilman DuPont said the expense should be minimal and agreed that the ordinances should be uniform across the Borough. Councilman Murphy asked Mr. Watson if he would have to change the entire sign. Mr. Watson said they could just add a plate showing the change.

Councilman DuPont suggested making the change to Monday through Friday Borough wide.

Administrator Sickels asked if the residents had considered the fact that people who may be parking on a street with a two hour limit a block away may now move to the street with a three hour limit. Mr. Jenik said the South Street residents came up with the three hour suggestion and said they don't have a lot of problems now. Mr. Sickels said he understood they didn't have a problem now but questioned if they would be creating one by having a longer duration than the rest of the streets in town.

Councilwoman Lee said she thought consistency was important and that the rules should apply for streets all over town with no parking on Saturdays.

Councilman DuPont noted that the South Street residents were in favor of dropping Saturday enforcement and had also agreed to suggest a change from a 15 minute parking limit to three hours.

Councilman Murphy said the Council had always been respectful of the residents and if that is what the majority wanted, he didn't have a problem with it.

Mr. Sickels clarified that the Council was looking at two issues. First was time limits for parking and the second was the issue of Saturday enforcement.

Councilman DuPont suggested that parking ordinances be changed to reflect enforcement Monday through Friday throughout the town. Mr. Hall said since the South Street ordinance was already in the works for the next meeting he would amend that to make it town wide.

Councilwoman Lewis asked for confirmation that the Council would be changing parking enforcement to Monday through Friday and would be removing Saturday. It was confirmed that that was the suggestion. She asked if this had been an issue in the past. Administrator Sickels said there had been some issues along bus routes where residents had asked for two hour parking Monday through Saturday because people were parking on the streets all day long. He said he understood that South Street residents didn't want enforcement on Saturdays but questioned whether the uniform change would affect districts that didn't want the change. Mayor Menna noted that the change may not be welcome in the train station area. Councilman DuPont noted that if they made changes in a piecemeal manner they might be subjecting themselves to another court case. Attorney Hall said that was an excellent point and agreed that it could be a problem.

Carl Colmorgen—67 Oakland Street—asked if the Borough was going to be changing parking limits to two hours borough-wide noting that Oakland and Chestnut streets were now three hours. Attorney Hall explained that it would make two hours the base minimum unless otherwise stated.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, 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 Councilwoman Lee.

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

2009-52 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."

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, DuPont, Horgan, Lee, 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, DuPont, Horgan, Lee, Murphy

NAYS: None

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

RESOLUTIONS

09-259 Mayor Menna read "A RESOLUTION AWARDING PURCHASE UNDER STATE CONTRACT."

Councilman DuPont questioned the purchase price and asked how the number was arrived at. Administrator Sickels said it was the State contract price and noted that it was the same vehicle that was purchased for the Fire Chief. Councilman DuPont said he was asking because the number wasn't there when it was reviewed by the Committee. Mr. Sickels noted that the budgeted number was \$45,000 and this was for \$15,000 less than anticipated. Councilwoman Horgan said she would like the Borough to start looking into hybrid vehicles. Councilman DuPont said the Committee had talked about it. Mayor Menna said this type of vehicle carries a lot of equipment and a hybrid would not be a good choice. Councilman DuPont explained some of the issues with a hybrid. Councilwoman Horgan said she understood.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-260 Mayor Menna read "A RESOLUTION AUTHORIZING TRANSFER OF 2009 CURRENT FUND APPROPRIATIONS."

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-261 Mayor Menna read "A RESOLUTION RENEWING THE BOROUGH'S MEMBERSHIP IN THE CENTRAL JERSEY HEALTH INSURANCE FUND."

Mayor Menna said he wanted to complement the CFO as well as the Finance Committee noting that the Borough had gone out for quotes from several companies and ultimately the Borough would be saving a substantial amount of money. Councilman DuPont noted that some of the vendors had responded that they couldn't compete.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-262 Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH OF RED BANK TO APPLY FOR A GRANT APPLICATION AND EXECUTE AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR LOCAL BICYCLE AND PEDSTRIAN PLANNING ASSISTANCE.”

Mayor Menna said this was pursuant to a meeting held with a resident committee that was very successful.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-263 Mayor Menna read “A REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE.”

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-264 Mayor Menna read “A RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT.”

Mayor Menna noted that this resolution was for the purchase of much needed Fire Department gear.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

09-265 Mayor Menna read “A RESOLUTION CONFIRMING THE DETAILS OF THE SALE OF \$2,720,227 GENERAL OBLIGATION BONDS, SERIES 2009, OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE YEAR 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.”

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

Councilman DuPont said the Borough had gotten a great rate on the bonds. CFO Mason agreed and noted that it included \$1.3 million in stimulus funding from the government.

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

09-266 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,260,635.52.”

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

Councilman DuPont said when he and Councilman Murphy were walking through town and greeting residents, they heard some complaints from ElkrIDGE Condominium Association about garbage truck sludge leaking onto the roadway. He noted that a letter dated November 20th had been sent to the Borough. Councilwoman Lee confirmed that the Public Works Committee had gotten a copy of the letter. Councilman DuPont said he would like the town to act on the matter because this was not the first time it had been brought up.

Councilman DuPont also asked about the status of the Center City grant and also said he felt the Borough need to follow up on the discussion with the Board of Education about the solar panels. He said he knew that Councilwoman Lewis had brought it up months ago and felt the Board would be receptive. He asked the Environmental Committee to follow up. Councilwoman Horgan said the Committee would be meeting the following night and that she would bring it up.

NEW BUSINESS

AUDIENCE

David Prown—44 Hillside Place—invited Councilmembers to attend the Red Kettle Classic at the Salvation Army on the weekend of Dec. 4 and 5. Councilman DuPont said it was a nice event and he commended Mr. Prown for his work. Mr. Prown noted that it was a fundraiser for the Salvation Army and that it was underwritten by United Teletech.

Mr. Prown also handed out samples of a promotional calendar that was created by his business. He noted that the business plans on doing a community calendar with a specific theme for the next several years. He noted that this year's theme was “Prown's remembers old time Red Bank.” He said more copies were available at his store.

William Poku—90 Bank Street—said he was attending the meeting to discuss two issues. His first issue, he said, was regarding an action he had brought against the Red Bank Charter School. He said he was not anti-Charter School and that he wants the best in public schools to be shared across the board. He noted that the case had come before Judge Lawson. He noted that the school had been sued before but the issues were not addressed. He said the complaint brought before the court says that the Charter School Foundation had amassed two million dollars that will be passed on to the taxpayers. He said the Charter School attorney did not respond to the complaint. He said the Appellate Court was also sued on the claim that they didn't do their duty to make sure that a debt incurred by a private foundation wasn't passed onto taxpayers. Judge Lawson dismissed the complaint, Mr. Poku continued, on the grounds that he had no jurisdiction to command the Appellate Division to do something. Mr. Poku said Judge Lawson's opinion also said that there was no reason that the matter couldn't be referred to either the Commissioner of Education or brought as another complaint in Superior Court. Mr. Poku said he was attending the Council meeting to notice the members because he had posed the question at the recent debates that if it was brought to the Council's notice that a private person had incurred debt on behalf of the taxpayers, what would be done about it. He said both Councilman Murphy and Councilman DuPont had said they would investigate it and do something about it. He also said he and Mr. Prown had been discussing the matter via email. Councilman DuPont asked if Mr. Prown was part of the suit. Mr. Poku said Mr. Prown was not. Councilman DuPont asked several detailed questions about Judge Lawson's decision. Mayor Menna reviewed his opinion of the decision. Councilman DuPont asked Mr. Poku to clarify the basis for his lawsuit against the Charter School. Mr. Poku said the basis was the fact that the Charter now had a debt service of over \$100,000 per year on debt that was transferred from a private foundation. He said the debt was going to balloon in 2013 when they would have to come up with a million dollars and that it would be passed on to the taxpayer. Councilman DuPont asked if the debt Mr. Poku was referring to was in fact a fine that was assessed. Mr. Poku said that was part of it and that additional debt stemmed from the private foundation awarding contracts without public bidding. He said the point was that there was an

action pending and, if it was found to have merit, the tax payers would be saddled with the debt and something needs to be done. He asked the Council members what side of the action they would be on such as if they would work to recover the funds or if they would have to be named in the same manner as the Appellate Division to defend why they had not taken action. Attorney Hall asked Mr. Poku to send him the papers regarding Judge Lawson's decision and said he would look at it and advise the Council. Mayor Menna elaborated that without a chance to review the documentation, Council members couldn't really respond to the situation.

The second item Mr. Poku said he wanted to discuss was the issue of undocumented individuals and the fact that someone in the audience at the debate had urged the police to arrest people who were standing and waiting for jobs because the "looked undocumented." He told the Council that that was not a way to treat people and that they should be judge on their looks. He noted the number of European immigrants that are also undocumented. He spoke of the merits of giving the immigrants work and finding creative ways to address the problem. He said the problem started years ago and called Red Bank a bastion of democratic principles. He urged the Council to stay on course.

Mayor Menna said he appreciated Mr. Poku's comments and said he had been at that debate where people were questioning why the police hadn't taken action and noted that the actions suggested would be illegal. He said Red Bank had taken the course of doing what the law mandates. He agreed that legal status couldn't be judged on appearances and said they have all were aware of that, especially the Police Department. He noted that people do have a right to stand and congregate as long as they aren't creating a disturbance. He said they might get criticized for it but they would follow it as long as it was the law.

Councilman Murphy said he may have interpreted the question wrong and wanted to clarify that he did have Latino workers but they were on the books with proper documentation.

Mr. Poku said the Hispanic population was part of the community and praised the number of shops in the Shrewsbury Avenue corridor opened by members of the community.

Mark Dostie—30 Arthur Place—said he came on behalf of the Red Bank Safe Routes group and said he wanted to thank the Councilmembers who attended the meetings noting that he thought they were very successful. He thanked them for passing the resolution and also thanked Christine Ballard and Capt. Darren McConnell for their efforts. Mayor Menna thanked Mr. Dostie and the rest of the group for their participation. He added that he anticipate that similar discussions and meetings would take place and he looked forward to incorporating individuals from other parts of town into the core group.

David Prown—44 Hillside Place—said he wanted to clarify that while he and Mr. Poku had been friends for a long time they very clearly had a difference of opinion on the direction to take regarding the lawsuit. He said he had spoken with the Administrator of the District and was assured that there was no mechanism to put the financial burden back on the taxpayers. He noted that the Charter School is given an allocation of money on a per pupil basis and they need to manage that. He noted that they had been around for ten years. Regarding any misexpenditures, debts or fines, he continued, there was no mechanism for that to come back to the taxpayers.

EXECUTIVE SESSION

09-267 The Attorney read a resolution to adjourn to executive session to discuss personnel and contract negotiations.

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Lewis, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Pamela Borghi