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**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
DECEMBER 14, 2016
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Burnham, Zipprich, Schwabenbauer, Taylor and Whelan.

ALSO PRESENT: Borough Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney Cipriani, Engineer White, Redevelopment Attorney Bayer and Planning Rodriguez.

ABSENT: Councilwoman Horgan.

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 2, 2016.

WORKSHOP

Blue Line on Broad Street

Councilman Zipprich said he and Councilman Whelan had been working together to coordinate an effort to have a blue line painted down Broad Street to honor the members of the Red Bank Police Department. He said the work was being donated by John and Michael Garofalo of Alert Traffic Lines.

Councilman Whelan said he thought it would be a nice tribute to the Red Bank Police Officers and thanked Councilman Zipprich for taking the reins to get it done.

Mayor Menna said a resolution to authorize the work would be added

Recreation Staff

Councilman Taylor said he was recommending a resolution for the next Council agenda to promote Oscar Salinas to a full time position in the Recreation Department. He reviewed Mr. Salinas's qualifications and he proposed expanded duties.

Canine Officer

Councilwoman Schwabenbauer said and Councilman Whelan had met with the Police Chief to discuss the addition of a second canine officer. She said the program had been very successful and would provide relief for the current sole canine officer. She said the funds were in the budget but said the expense would be minimal because it would be paid for through a trust. She reviewed community partners that currently supported the program and said the Finance Committee was in favor of the addition.

Mayor Menna said a resolution would be added to the following meeting.

APPROVAL OF MINUTES – November 21, 2016

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

MAYORAL APPOINTMENTS

No Mayoral appointments.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Menna said, due to the length of the agenda, the Council reports would be waived.

COMMUNICATIONS AND PETITIONS

Mayor Menna read requests from Federico Morales, Eduardo Montesinos and Elijah Gray for membership to the First Aid and Rescue Squad of the Red Bank Volunteer Fire Department.

Councilman Whelan offered a motion to approve the request, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

There being five ayes and not nays, the motion was declared approved.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

Dan Reardon—53 Elm Place—asked about the plan referenced in the resolution for 55 West Front Street and asked where it could be viewed.

Mayor Menna said no plan had been filed and said the resolution would set a time frame for when it had to be filed.

Mr. Reardon asked if the Council would review the plan once it had been filed.

Mayor Menna said it would go to the Planning Board and that there would public hearings.

Jennifer Stewart—26 Morford Place—asked about the White Street parking lot.

Attorney Cipriani said those questions could be address during the Public Hearing portion of the agenda.

Councilman Zipprich offered a motion to close the public comment portion of the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

There being five ayes and not nays, the motion was declared approved.

ORDINANCES – First Reading

2016-26 Mayor Menna read, “An Ordinance Establishing Salaries or Wages of Officials and Employees of the Borough of Red Bank in Monmouth County.”

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

ROLL CALL:

AYES: Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: Burnham

There being five ayes and not nays, the motion was declared approved.

Public hearing to be held December 28, 2016.

ORDINANCES – Public Hearing and Final Adoption

2016-25 Mayor Menna read, “An Ordinance Adopting a Redevelopment Plan as Amended for the Property Commonly Known as the White Street Parking Lot Located at 75-79 White Street and Identified on the Borough’s Official Tax Map as Block 31, Lot 2.01.”

Redevelopment Attorney Bayer reviewed the history of the project including referral to the Planning Board for recommendation. He said Planner Rodriguez had prepared a draft of a Redevelopment Plan incorporating Planning Board recommendations.

Mayor Menna reviewed the Planning Board recommendations including improving the open space requirements.

Planner Rodriguez also reviewed specifics of the Planning Board recommendations and revisions to the amended plan. He said the next step would be to go out for Requests for Proposals from developers.

Attorney Bayer said there were no substantial changes to the plan and the Governing Body could move forward with adoption. He also noted that the draft of the plan had stated that it should include a minimum to 500 spaces and there was questions as to whether that was net or gross spaces. He said it had been clarified that stating that a minimum of 500 net new spaces would be provided.

Councilman Zipprich asked if, since the Planning Board had reviewed and made recommendations, it would have to go back to that board for review.

Attorney Cipriani said it would not.

Attorney Bayer clarified that the Planning Board’s goal was to determine Master Plan consistency and the changes would not affect that.

Councilman Zipprich asked Planner Rodriguez to review specifics about the average height per story.

Planner Rodriguez said parking uses tended to have higher height requirements which were probably between 11 and 14 feet. He acknowledged that that was not his area of expertise. He also reviewed height estimates for retail and residential spaces.

Councilman Zipprich asked what the current maximum height was in the zone.

Planner Rodriguez said he believed it was 48 feet.

Councilwoman Burnham said the Master Plan had been done in 1995 and a Re-Examination in 2009. She said the recommendation had been to have the maximum building height consistent with other buildings in the district which was about five stories. She said she wanted that on record.

Michael Simpson—65 Monmouth Street—said he had worked on the 1995 Master plan. He said had also heard that there had been discussion about certain exemptions to the parking requirements and asked Planner Rodriguez to elaborate.

Planner Rodriguez said there had been concern that any retail development included in the project would eat away at the public parking being created. He said the plan had been revised to include off street parking for all uses included retail and residential in an effort to maximize parking for the public.

Mr. Simpson said he had a presentation he wanted to show to the benefit of the plan. He reviewed his history including working to establish the SID now known as RiverCenter and talked about the vision from that time. He said the presentation he had prepared was being shown in cooperation with the Red Bank Business Alliance. He asked that someone else be allowed to speak while he set up the presentation.

James Scavone—Executive Director, Red Bank RiverCenter—said he wanted to clarify the position of RiverCenter. He thanked the Redevelopment Attorney for clarifying the language in the plan and noted that a net increase of 200+ spaces would not have been acceptable. He said parking had been a long term problem. He said if they build the wrong garage on White Street they will have lost the opportunity to fix the problem. He also said they recognized the disruption of the business community and were willing to deal with it for the right garage. He said previous parking studies had identified a parking shortage of over 1200 spaces. He noted that those studies had been done when retail was the cornerstone of the Borough. He said that was no longer the case and said there was now more restaurant and entertainment which were uses that required more spaces and increased that deficit. He said they had always wanted 500 net new spaces and thanked Mr. Bayer for the clarification. He said there had been a lot of talk about whether the garage would be good for residents and said he recognized that it would be benefiting the downtown business community. He said he firmly believed that the downtown was what would keep the entire town vital. He said one of the biggest complaints he gets when recruiting business was about parking. He said larger business would not come to town unless they knew that there was a certain number of parking spaces for them. He said that lead to vacancies which meant less people in Red Bank and that made the buildings harder to rent. He said when commercial rents were down, commercial assessments were down. He said that meant less money going to the Borough.

Mr. Simpson offered a brief PowerPoint presentation on what he termed a century old problem. He reviewed previous parking plans, budget concerns regarding parking revenue and conceptual plans for possible design options. He stressed that there was no actual plan under discussion. He also noted that the Red Bank Business Alliance was in support of the project.

Jay Herman—11 Linden Place—reviewed his history in Red Bank. He said he appreciated the hard work of the Council to get to this point. He said he had been a member of the RiverCenter Board since its inception. He said he had had concerns about the plan but was thankful for the clarification of 500 net new spaces and the fact that the users would have to provide parking. He spoke of other retail projects under development in neighboring towns. He reiterated that there was no actual plan at this point.

Anthony Barbera—22-24 West Front Street—Thanked the Council for their service. He stressed that parking needed to be addressed. He said he was a business owner and resident and said residents were concerned about quality of life and taxes. He called for the Council be bipartisan on the issue and question why it was being fought over financial concerns. He said that residential taxes would go up if business taxes went down and talked about the declining value of business properties. He also cited other areas being developed for retail. He encouraged the Council to vote in favor of the project and for residents to support it.

Frank Corrado—53 Oakland Street—said he was speaking on behalf of the Red Bank Environmental Commission (RBEC). He said the RBEC had reviewed the plan and had provided recommended additions. He said they could have a project that would be transformational. HE said they called for increasing the open space requirement from 10% to 25%, adding renewable energy as a requirement rather than a preference, lowering the maximum height allowed, including language that would require dedicated spaces for electric cars and increasing the bicycle/pedestrian flow circulation.

Jennifer Steward—Morford Place—said she felt residents had been set aside for the business community. She said she had heard that a developer had already been chosen and that the plan had been tailored to one individual. She said she felt that the area and been left to fall into disrepair intentionally. She called for extended parking hours and questioned the fact that the Count Basie Theatre had been allowed to expand without providing parking. She said she felt the resident would get stuck with the bill for a garage. She called for assurances and again said she felt a deal was already in place. She said the residents pay the majority of taxes and should have the majority of the say. She called for maintenance of the existing lot and an extension of parking hours.

George Lyrisis—Bistro/Teak—said his lunch business was down by 60% and said the businesses had been the town not to extend parking meter hours until issues had been resolved. He said the garage would be

collecting 24 hours a day and also noted that a garage had been promised when he had opened his business in town 20 years ago.

Dan Reardon—23 Elm Place—questioned some of items in the earlier PowerPoint presentation. He said based on the information provided, the Borough would not get the spaces they wanted and the developer would not be able to do what he wanted to do.

Mayor Menna stressed that there was no developer, no contract and no plan other than hypothetical. He said he was also addressing comments by a prior speaker who had insinuated that a deal was already in place.

Mr. Reardon continued to review how he interpreted the plan and possible designs. He said he also disagreed that it would be a revenue generator but said he felt it would be a money loser. He reviewed business tax revenue statistics and said he agreed with the RBEC. He said if parking was a crisis, why was there still a moratorium. He asked what the future steps of the project were.

Mayor Menna said Attorney Bayer would address after the comments.

Ben Forrest—16 Locust Avenue—said he supported a garage of some sort and that he also agreed with the RBEC. He said he agreed that there was a need for parking and criticized the process of approval for a similar plan for 55 West Front Street. He said he was concerned that the parking garage would be a monstrosity. He reviewed existing parking issues and the abuse of time limits. He said he was also in support of people living downtown but said infrastructure needed to be improved. He said he did not believe taxes would go down. He said the project needed to be done right. He called for a comprehensive plan.

William Meyer—12 Monmouth Street—said his taxes had gone up 600% after he had done reconstruction. He said the cost of government was driving taxes up. He spoke about the loss of Fort Monmouth and agreed that the cost of parking should be considered. He called for a garage only with no developer. He said he felt there should be no additional uses. He criticized the plan and discussed other options. He questioned the need for parking in the future citing the development of driverless cars.

Kate Triggiano—22 Leighton Avenue—reviewed her history in the town and said she was aware of the parking need. She noted she was the Vice Chair of the Environmental Commission. She noted the parking lot was used for the Halloween Parade and Oysterfest. She said it was the natural heart of town. She said she was in support of a plan with communal space and disagreed with the idea that the project should be parking only. She stressed the need for a strong plan with environmental issues. She agreed that there was a threat from developing retail centers.

Brian Benjamin—44 Irving Place—said the plan did not specify a parking garage. He said the possibility existed to add another 200 residential units and an influx of kids into the school system. He asked why the town would be involved in retail/office space. He questioned funding and said the cash flow was not addressed. He said there were extra spaces in private lots and questioned why they weren't entering into partnerships.

Jay Herman—said, regarding cash flow, the idea for the project was not for the Borough to pay for it but to have a developer pay for it. He said the proposal for the Borough to pay zero dollars and gain a rateable. He said if businesses would benefit then residents would benefit.

Mayor Menna also noted that the possibility exists that no one would submit a bid.

Councilman Zipprich said it was a Borough asset and investment.

Mr. Herman said anything done to the property would increase the value. He said it could not go down.

Bill Brooks—77 Tower Hill Avenue—asked if the residential and retail parking in the project would have to be outside of the garage.

Planner Rodriguez said any residential or non-residential use had to provide their own parking and that it was envisioned to be within the garage.

Mr. Brooks said that would be more than 773 spaces mentioned.

Mr. Rodriguez said 773 number referred to public spaces.

Mr. Brooks said the other areas that had been mentioned as retail areas being developed all fronted a major highway. He questioned traffic flow through town. He said he agreed that there was a parking need.

Allen Placer—HobbyMasters, 62 White Street—said it was clear that the residents did not understand the process. He said business owners took it upon themselves to learn because they had a vested interest. He questioned the concerns that had been expressed over the number of stories in the project. He said if someone proposed an eight story project, there would be strong opposition. He said many people with business knowledge have met to make sure the project was done properly. He said businesses would squash the project if it was not economically viable.

Mayor Menna asked Redevelopment Attorney Bayer to review the next step in the process.

Mr. Bayer said, if the plan was adopted, it would amend the zoning ordinance. He said it was a Borough owned property and suggested that the project would go through the Request for Proposal (RFP) process. He said the Borough would review the various proposals and ultimately select a developer. He said the developer would have to enter into a developer's agreement. He said it would all be a public process.

Carl DeAngelis—owner of property on Maple Avenue and Monmouth Street—said he had spent many years on the RiverCenter board as a participant on both its Visual Improvement and Finance committees. He said his building had 16 spaces so did not have a personal need for the garage. He said he had seen the evolution and renaissance of Red Bank. He said he attributed it to the vision of the prior administration and RiverCenter itself. He said the town had become a destination and had exceeded the capacity to accommodate the patronage it attracted. He said there was unquestionably a need for parking. He said there should be no distinction between businesses and residents because they benefitted each other.

Mayor Menna called for a brief recess at 9:00PM.

Mayor Menna called for business to resume at 9:15PM.

ROLL CALL:

PRESENT: Mayor Menna and Council Members Burnham, Zipprich, Schwabenbauer, Taylor and Whelan.

Alberto Larontunda—242 Spring Street—said parking spaces meant commerce and people patronizing businesses. He said the town should encourage entrepreneurial businesses such as home based businesses. He called for a change to the zoning laws. He said the current laws were antiquated. He said many other business areas in town had vacancies.

John Bowers—866 Route 34, Colts Neck—thanked Councilman Whelan, Mayor Menna and the entire Council for getting the project this far. He noted that the existing spaces would be lost during construction and suggested a hybrid project that could shorten the construction period. He said a garage would benefit the downtown and said the residents should not pay for it. He suggested an authority be formed and then bond the project. He said the project could be completed in two to three months instead of one and half to two years.

Dan Reardon—said he liked the suggestions made by the Environmental Commission including a 50 foot limit on the height. He said the project should be similar to other buildings around it because something different could set a precedent. He said they should not be looking at parking now but should be looking forward. He noted that parking was not an issue in other parts of town.

William Meyer—12 Monmouth Street—said he agreed with Mr. Bowers that the Borough should find a faster plan. He said he felt the redevelopment plan was a huge mistake. He said the Borough owned it and that there was no need to create legal problems because they could potentially be sued. He said he did not believe the property fit the redevelopment statute. He said they needed to get people to come up with a concept and suggested a pre-cast building. He said he agreed that the project would cost a loss of customers.

Freddie Boynton—365 Shrewsbury Avenue—called for the Council to end the comments and for the Council to take action.

Damon Mertha—39 West Street—said a lot of apartments and condos had been building without proper parking and said it was hurting residents. He asked for checks and measures and suggested that the project should include levels that could be repurposed. He asked the Council to be forward thinking and progressive.

Victor Kuo—Temple, 91 Broad Street—read a prepared statement about the need for a garage that would help business owners to support their families. He said businesses owners were scared and said he was working to stop misinformation. He urged those who were considering voting against the ordinance to talk to business owners. He said there would be more opportunities to kill the project in the future. He called for a vote to move forward.

Councilwoman Burnham said she was aware of the situation. She said she was in favor of a garage but in a different location. She said she wanted it limited to five stories. She said the ordinance had never gone to the Parking Committee.

Mr. Kuo said he understood. He said he believed the residents also needed to understand and become educated about the process.

Councilwoman Burnham called for new input before the vote.

Mr. Kuo said that was why there were attending.

Councilwoman Burnham again said she did not want an eight story structure.

Mr. Kuo said neither do the business owners.

Councilman Zipprich said he, Councilwoman Horgan and Councilwoman Burnham all supported a garage but had concerns about size. He cited the Metropolitan project and said the White Street garage could be double that size.

Mr. Kuo said he would like to see it done the right way.

Anthony Barbera—West Front Street—said the plan was not being approved right now. He said they don't know what it will be but can't move forward without going to the next level.

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Councilman Whelan offered a motion to adopt the ordinance on final reading, seconded by Councilman Taylor.

Councilman Zipprich questioned the legality of the process and cited possible litigation.

Councilwoman Burnham said she had the same concerns.

Councilwoman Schwabenbauer said she was impressed that they were arguing about how rather than what. She said none of this would preclude a Borough-built garage but said they owed it to the residents to explore every option.

Councilman Zipprich offered a motion to table the ordinance without date certain, seconded by Councilwoman Burnham.

ROLL CALL:

AYES: Burnham, Zipprich

NAYS: Schwabenbauer, Taylor, Whelan

There being two ayes and three nays, the motion failed.

Mayor Menna called for a vote on Councilman Whelan's motion to adopt.

ROLL CALL:

AYES: Schwabenbauer, Taylor, Whelan

NAYS: Burnham, Zipprich

There being three ayes and two nays, the motion was declared approved.

RESOLUTIONS

16-295 Mayor Menna read, "A Resolution Designating West Front Street Partners as Redeveloper for Property Located at 55 West Front Street (Block 30, Lot 10.01) and Authorizing Mayor to Sign Redevelopment Agreement with West Front Street Partners, LLC."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-296 Mayor Menna read, "A Resolution Accepting Performance Bond Issued by Riverwalk Commons Red Bank, LLC for 24-30 Mechanic Street, Block 29, Lots 5, 6 & 7."

Councilman Whelan offered a motion to approve the resolution, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-297 Mayor Menna read, "A Resolution Regarding the 2017 Reorganization Meeting of the Governing Body."

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-298 Mayor Menna read, "A Resolution to Cancel Balances in Capital Improvement Ordinances."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-299 Mayor Menna read, "A Resolution Authorizing Transfer of 2016 Budget Appropriations."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-300 Mayor Menna read, "A Resolution Consenting to an Assignment of a Lease of Parking Spaces in the Mechanic Street to Wallace Street Parking Lot – 55 Broad Street."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-301 Mayor Menna read, "A Resolution Accepting the Donation of Time and Material to Install a Blue Line on a Portion of Broad Street."

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

16-302 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$1,479,282.47."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Tom Labetti—45 Elm Place—asked if the tax reassessment postcards were sent out by the town or the county.

Mayor Menna said they were sent by the town.

Mr. Labetti asked if anyone reviewed them.

Mayor Menna said the Tax Assessor reviewed them.

Mr. Labetti said, in general, most assessments changed one or two percent but said Highland Avenue had seen an 18% increase and questioned that. He also said all of the properties along River Road had gone down. He said that should serve as a warning that there was something wrong with the automatic 20 % assessment.

Administrator Sickels said they Borough had gone out to bid for the reassessment service but had not awarded the contract. He suggested the numbers may be a result of the recent revaluation and suggested the question should be posed to the Tax Assessor.

Mr. Labetti disagreed.

Mr. Sickels said he could not answer Mr. Labetti's questions because he was not the Assessor.

Mr. Labetti said if the riverfront properties went down and the west side went up, that told him something was wrong. He asked the Council to look into it.

Councilman Zipprich said he had asked the CFO and she had suggested that Mr. Labetti email Tax Assessor Elias.

Mr. Labetti suggested Mr. Elias should be doing a spreadsheet to determine assessments.

Mr. Sickels said Mr. Elias may have initiated the change in assessments.

Ben Forrest—16 Locust Avenue—thanked the Recreation Department for the recent Westside Tree lighting. He also thanked the Council for their patience and perseverance for this long hearing.

Councilman Zipprich thanked him for his comments. He noted they had forgone the Council reports but said he had wanted to commend the Parks and Recreation Department, the Department of Public Works and the Police Department for their efforts of the tree lighting.

Alberto Larotunda—242 Spring Street—said he was attending because he was having an issue with the Water Department and said it was a hidden tax. He said a small leak had been discovered in front of his home. He said he had been presented with a demand that he pay for the repairs that were part of the service line. He said many people believe the main to the shut off is the responsibility of the Water Utility. He said he was disputing the claim and reviewed the reasons including the fact that he had never been provided with a service agreement. He called for the Borough to fix the problem before it got worse and worry about payment later. He said he was being asked to sign off on a repair with the Borough's contractor for an unknown amount. He called for the Water Department to initiate repairs and address other problems after. He also suggested the Borough should have multiple contractor options.

Mayor Menna said he agreed and said they should look into an insurance program for property owners.

Councilman Zipprich said the topic would be discussed at the new Department of Public Works meeting on December 28th.

Mr. Larontunda said he had given information on insurance programs to Council members.

Mayor Menna said he agreed that the issue had been festering for too long and said freezing weather was predicted in the coming days. He said the problem would get worse. He said he was upset that the matter had been lingering for a month and he was only hearing of it now. He said that was unacceptable.

Mr. Larontunda commended the capital improvements and questioned the fact that a private contractor was doing the work. He said it should be covered by insurance or should be a shared expense. He also suggested the Water Department should have skilled employees who could do the work.

Councilwoman Burnham said she had seen the issue all over town.

Mr. Sickels explained that the liability depended on where the leak was. He said the ordinance stated that the homeowner was responsible for the main to the building. He said that language was allowed by State statute.

Councilman Whelan said some homeowner policies may cover the expense.

Attorney Cipriani confirmed that the current ordinance was valid and was allowed under State Statute. She said it was not required and said the Council could take a look at it.

Mr. Larontonda said the ordinance may be valid but said the wording was unworkable. He said the problem was that he could not use a private contractor. He said it also referred to a shut off valve on the resident's property but that he had to be shut off under the road. He also said clarification on what a "service line" was and also the phrase "on your property." He said the homeowner was required to repair something unseen and that they were unable to maintain.

Attorney Cipriani said she needed to review the situation.

Freddie Boynton—Shrewsbury Avenue—said he was aware of a similar situation that had occurred over the summer. He also expressed concern that the company installing the new meters were charging \$30 for a ground wire that was already there and questioned why that was.

Administrator Sickels said the contract was taking a picture before doing any work and if no ground wire was present, they were required to install one. He said, if it was there, there was be no charge.

Mr. Boynton said the wire had been in place when a meter was recently installed at the Masonic Lodge.
Mr. Sickels and Councilman Zipprich said they would check the photo on file.

EXECUTIVE SESSION

16-303 Mayor Menna read a resolution to adjourn to executive session to discuss contract negotiations and personnel; possible formal action to be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Councilman Zipprich offered a motion to adjourn from executive session, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

RESOLUTIONS

16-304 Mayor Menna read, "A Resolution Authorizing Execution of Two Advance Retirement Notice Agreements."

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-305 Mayor Menna read, "A Resolution Authorizing the Sale of Municipally-Owned Property Sold at the Municipal Land Sale of August 30, 2016 and Entry into a Contract for Sale of Real Estate and a Parking Lease Agreement."

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

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

ADJOURNMENT

Councilwoman Schwabenbauer offered a motion to adjourn the meeting, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Respectfully submitted,
Pamela Borghi

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
DECEMBER 28, 2016
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Burnham, Zipprich, Horgan, Schwabenbauer, Taylor and Whelan.

ALSO PRESENT: Borough Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney Cipriani and Engineer White.

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on January 2, 2016.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Presentation to Luigi Laugelli

Mayor Menna said the Council had the wonderful opportunity to say thank you to Luigi Laugelli, Principal at the Red Bank Primary School. He said Mr. Laugelli had impacted many in the community, especially the most impressionable.

16-306 Councilwoman Horgan read, "A Resolution Honoring Luigi Laugelli."

Councilwoman Horgan and Mayor Menna presented Mr. Laugelli with a copy of the resolution.

Mr. Laugelli thanked the Council, Superintendent Rumage and those in attendance for their support.

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

WORKSHOP

Parking Contribution Ordinance

Councilman Whelan said the moratorium on the Parking Contribution would expire at the end of the year. He suggested they extend it a little further and noted how far they had come on a path to a garage. He said he would like to extend it six months to see that project through. He said he felt extending it another six months would be appropriate to give them time to see where the garage project was going to go. He reviewed dates that he had tried to schedule Parking Committee meetings to review the matter but said it had been difficult to get all Committee members together. He again said he would like to extend it another six months so the 2017 Parking Committee could meet and review. He said he hoped this would be the last extension.

Mayor Menna said the Parking Committee would be formed on January 1 and said he hoped the members would begin discussion the matter on January 2. He said he had listed to a lot of comments on the matter

and called for the Committee to have earnest discussions as quickly as possible. He said if the extension was approved, he felt it had to be the last extension.

Councilman Whelan agreed and cited the progress and specific accomplishments that had been made by the Parking Committee.

Mayor Menna said the Borough had momentum and said he had been extraordinarily educated by some of the comments. He said he wanted everyone to know that he took the comments of the Environmental Commission to heart. He said he had been looking at things outside the box to see how they could do things better.

Councilman Whelan said, in regard to the moratorium, he felt reinstating fees would prevent businesses from coming to town and would kill growth. He also said he felt many of the existing businesses might not have come to town if the fees were in place.

Councilwoman Horgan asked when the Committee had met.

Councilman Whelan said they had not been able to.

Mayor Menna said the resolution would be added to the agenda.

APPROVAL OF MINUTES

No minutes were scheduled for approval.

MAYORAL APPOINTMENTS

No Mayoral appointments.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Schwabenbauer had no report.

Councilman Whelan reported that he had been able to join Navesink Hook & Ladder Company as they handed out Christmas presents to 60 or 70 homes in the Borough. He also noted the number of emergency calls handled by the Department over Christmas Eve and Christmas Day. He praised the volunteers for their service and commended their families for supporting their effort.

Mayor Menna asked Commissioner Whelan to reach out to 2016 Chief Soden on behalf of himself and the rest of the Council. He said, while all Chiefs merit the Council's appreciation, Chief Soden had had an extraordinarily challenging year. He said it was probably a harder one than any other Chief which, he said, was not because of firematics but because of long range planning. He asked Councilman Whelan to let him know that, despite all of the issues, he had the Council's support and appreciation.

Commissioner Whelan thanked the Mayor and said that would mean the world to Chief Soden.

Councilman Taylor thanked everyone for their assistance with the Westside Tree Lighting including the Police Department, Fire Department and Department of Public Works. He reviewed the contest to identify a new Parks and Recreation logo. He said submissions for the department's winter photo contest were due Friday. He also reflected on what he said had been an incredible year and thanked the volunteers to had helped out throughout the year.

Councilwoman Horgan announced that the Borough's IT Director was leaving. She said she wanted to publicly acknowledge all that he had done. She said he had offered to stay on for the transition and to help find a new Director.

Councilman Zipprich said he wanted to echo Councilwoman Horgan's sentiment and said IT Director Fagliarone had made great strides. He also reported that the DPW Committee had met earlier in the day and had covered a lot of ground. He said the Historic Preservation Committee had submitted their annual report. He also reported that the Fortune House property on Drs. Parker Boulevard was undergoing a full renovation and said he was looking forward to that completion in the new year.

Councilwoman Burnham said she had received a lot of calls about water leaks. She called for the Council to revisit the issue and called for a resolution that would require the Borough to pay for repairs from the main to the curb. She cautioned property owners to watch for leaks. She also said she felt the Count Basie lease was not working. She said there were issues on nights when there were Board meetings and suggested the procedure needed to be tweaked.

Mayor Menna said they would look into it at the beginning of the year. Regarding the water issue, he said he had been educated through the efforts of citizens and said he intended to call for the introduction of an ordinance that would provide for a cooperative agreement to purchase insurance for those types of repairs. He said he had received many emails on the matter and noted that the program was working in other towns. He said he also wanted to open the work to more contractors. He said he was not comfortable with one contractor. He said the homeowner should have the option to choose.

Councilwoman Burnham said the Public Works Committee had discussed bringing in three contractors.

Councilman Zipprich asked Administrator Sickels to review the situation.

Mr. Sickels said new bid specs had been drafted to include multiple contractors. He reviewed the reasons why the Borough had gone with a single contractor. He said the matter would be presented to the committee in January and said there would be a report in the coming year.

Councilwoman Burnham said she wanted to reflect on her time in office. She said it had been interesting and had been an honor to serve. She said she would continue to be available to help residents. She said she had created a record against borrowing and spending. She said she hoped the new administration would fulfill the needs of the residents and listen to them.

Mayor Menna said, on behalf of all the Council, he thanked Councilwoman Burnham for her service. He said it was important to recognize the time and effort and the challenge of holding office. He noted the personal sacrifice that was required.

COMMUNICATIONS AND PETITIONS

None.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

Ben Forrest—16 Locust Avenue—asked about the Parking Contribution moratorium that was discussed.

Mayor Menna explained the program calling for contributions toward parking deficiencies. He said the moratorium would put that program on hold.

Councilman Whelan added that the moratorium had been in place since 2010 so it was not a new issue.

William Meyer—12 Monmouth Street—asked if it would apply to new applications or new deficiencies.

Mayor Menna said it would apply to any application being made.

Mr. Meyer said he thought that would be an important factor for the parking garage.

Mayor Menna said it had nothing to do with that issue and said the fees were application based.

Mr. Meyer asked what if an applicants was 35 spaces short. He said that would hurt everyone. He asked it would preclude those applications being granted.

Administrator Sickels said the moratorium would allow the Board to grant a variance without a parking contribution. He noted there were projects in the pipeline.

Councilman Whelan said if those applicants had to pay, they may not have come to Red Bank. He said there was no guarantee they would be willing to pay the fees.

Mr. Meyer said it could mean more problems down the road.

Mayor Menna reviewed specific projects where there had been no parking in the area. He said those types of applications would be withdrawn because they would have no support.

Mr. Sickels said it came about because people were trying to fill stores. He said people weren't signing leases due to the parking contribution requirement. He said, with the moratorium in place, leases were signed.

Attorney Cipriani said the ordinance would only prohibit the collection of the fee. She said it would not grant dispensation of the parking requirements. She said the Board would still consider parking issues.

Mr. Meyer said he felt there should be some teeth to prevent applications for a density variance or a change of use. He expressed concern about a demand for parking going forward and suggested uses with lower parking needs.

Stephen Hecht—135 Branch Avenue—noted that the Mayor had said he was impatient and that he wanted things to move quickly. He suggested they limit the extension to three to four months.

Mayor Menna said he was fine either way and said it was up to the Council.

James Scavone—Executive Director of Red Bank RiverCenter—reiterated that the business community did not see the moratorium as prohibiting actions by the Board as the Attorney had noted. He said their issue was with charging fees for a parking shortage when that shortage could not be fixed. He said the fees would turn businesses away.

ORDINANCES – First Reading

None.

ORDINANCES – Public Hearing and Final Adoption

2016-26 Mayor Menna read, “An Ordinance Establishing Salaries or Wages of Officials and Employees of the Borough of Red Bank in Monmouth County.”

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

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

ROLL CALL:

AYES: Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: Burnham

There being five ayes and one nay, the motion was declared approved.

RESOLUTIONS

16-307 Mayor Menna read "A Resolution Approving the Hiring of Kristin McCombs as Seasonal Part Time Violations Clerk for Municipal Court."

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-308 Mayor Menna read, "A Resolution Approving the Hiring of Oscar Salinas as Recreation Specialist."

Councilman Taylor offered a motion to approve the resolution, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-309 Mayor Menna read, "A Resolution Approving the Hiring of Bill Wilk as Parking Utility Supervisor."

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-310 Mayor Menna read, "A Resolution Fixing Compensation of Certain Offices, Positions and Employees of the Borough of Red Bank for the Year 2016."

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-311 Mayor Menna read, "A Resolution Accepting Performance Bond Issued by Fortune Square/Yellowbrook Properties for 94 Drs. James Parker Boulevard, Block 75.01, Lot 86."

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

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-312 Mayor Menna read, "A Resolution Authorizing Transfer of 2016 Budget Appropriations."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

16-313 Mayor Menna read, "A Resolution to Extend the Temporary Suspension of the Parking Deficiency Schedules in the Borough's Planning and Development Regulations during Economic Emergency."

Councilman Zipprich asked if the term could be shortened to three months.

Councilman Whelan said he was fine with that.

Councilman Taylor noted that inventory was the problem. He said having people pay into a system without a way to make up the shortage would just penalize the prospective business owners. He said he was okay with three months but noted it would put them on a tighter time frame to find the inventory solution.

Councilman Whelan offered a motion to approve the resolution as amended with an expiration date of April 1, 2017, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: Burnham

There being five ayes and one nay, the motion was declared approved.

PROCLAMATIONS

None.

PAYMENT OF VOUCHERS

16-314 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$2,047,432.72."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

Councilman Zipprich said he wanted to offer Council President Burnham success in the New Year. He noted that they had been on the opposite sides of many issues over the year but he wanted to thank her for her enthusiasm and tenacity. He said she always had Red Bank best interests at heart.

Mayor Menna commended her expertise in Code Enforcement and said he was tempted to make her an honorary Code Enforcement Officer.

AUDIENCE

Jimmy Dark—48 West Sunset—said he wanted to thank Councilwoman Burnham for her service. He also thanked Freddie Boynton for his help. He also thanked Mayor Menna for his assistance in getting a tree trimmed. He called for the Council to work with people and be compassionate.

William Meyer—12 Monmouth Street—said he was not a fan of the method used to get a parking garage. He agreed that there was a need but said the method was flawed. He said the public had been left out of the process. He said there had been no details on the location, size and cost. He said he had looked in to a precast building and reviewed the details of his recommendation. He again criticized the redevelopment process.

Mayor Menna said his plan was interesting. He said it was an open process and said Mr. Meyer should have the company he was recommending contact the Administrator to have their name put on the RFP list.

Mr. Meyer said he would forward the information but said he wanted the town to build and maintain ownership. He offered more details and noted that the need could be reduced because of the possibility of driverless cars.

Mayor Menna said he was a fan of the German model of a fully automated garage. He said Asbury Park would soon be announcing something. He said they had to look toward the next century.

Mr. Meyer called for the Council to continue to review the plans and to consider the possibility of self-driving cars.

Councilman Whelan reviewed some of the problems with self-driving cars and said he felt mass use was farther away than one might think.

Mayor Menna said it was a great discussion and said hearings would be held as the process continued.

Administrator Sickels asked the name of the company that Mr. Meyers had been citing.

Mr. Meyer said it was called High Concrete Group and said there were from Denver, Pennsylvania.

Councilwoman Burnham asked how long it would take to construct.

Mr. Meyer estimated six months or less and said it would not disturb most of the lot.

Ben Forrest—16 Locust Avenue—thanked Councilwoman Burnham and said he would miss her. He also commented on retirements discussed at the last meeting and accrued sick time payouts. He said he was supportive of paying people what they had earned under a contract. He said it was not the fault of the employee and said it had been revolting to read terrible things reported about employees. He thanked Administrator Sickels for his service.

Councilman Taylor noted that the Borough had capped the payouts in 1994.

Boris Kofman—28 Riverside Avenue—asked the Mayor to clarify his comments about environmental aspects of a plan for the parking garage.

Mayor Menna said he had listened intently to the comments from the Environmental Commission. He said he had been moved by some of the suggestions. He thought they were appropriate and that he should look deeper into it. He said he had made inquiries that he would like to share with the Commission. He said he had seen cool initiative in other towns. He said he looked forward to having that dialog.

Mr. Kofman referred back to comments about Code Enforcement and asked about lawn signs illegally placed in public areas. He asked if citizens could remove them.

Mayor Menna said they absolutely could.

Freddie Boynton—365 Shrewsbury Avenue—said Councilwoman Burnham had done an outstanding job and said she was outspoken. He also questioned if certain trucks would be able to fit and urged the Council to make it high enough. He said Administrator Sickels would be deeply missed. He also addressed a recent incident at Monmouth mall and urged everyone to be careful.

EXECUTIVE SESSION

None.

ADJOURNMENT

Mayor Menna called for a motion to adjourn Sine Die until 3:00 pm January 1, 2017.

Councilman Zipprich offered the motion, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Respectfully submitted,

Pamela Borghi

**MINUTES
REORGANIZATION MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 1, 2017 -- 3:00 PM**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor and Whelan.

ALSO PRESENT: Borough Clerk Borghi, Chief Financial Officer Poulos and Attorney Cannon.

ABSENT: Administrator Sickels

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on December 14, 2016.

Mayor Menna welcomed everyone to the meeting and acknowledged elected officials and former elected officials who were in attendance.

INVOCATION—Father Alberto Tamayo

SWEARING IN OF ELECTED OFFICIALS

Assemblyman Eric Houghtaling issued the Oath of Office to Councilwoman Horgan.

Assemblywoman Joann Downey issued the Oath of Office to Councilman Yngstrom.

Mayor Menna asked Councilman Yngstrom if he would like to make a comment.

Councilman Yngstrom thanked the residents for giving him the chance to serve. He said he was excited to get started and was excited to work with everyone on the Council. He said he wanted to try to make Red Bank the best place it could be. He said they had a lot of work to do but said they had all of the tools in place to make Red Bank the best town in the area and the best town in the State. He said he was grateful to be one of the voices of the residents. He offered thanks to all those that had supported him.

SWEARING IN OF FIRE OFFICIALS:

Mayor Menna swore in the Fire Officials for 2017.

Chief: Peter DeFazio

First Deputy Chief: J. Stuart Jensen

Second Deputy Chief: Wayne Hartman

Mayor Menna spoke of the amount of sacrifice required to serve in the role of Chief. He noted that Chief Hartman was serving for a second time and Chief DeFazio was serving for a third time.

RESOLUTIONS AND APPOINTMENTS FOR 2017

17-01 Mayor Menna read “A RESOLUTION ELECTING COUNCIL PRESIDENT FOR 2017.”

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Council President Horgan said she had been reflecting on how she had become a member of the Council. She said, ten years ago, she had been approached by then-Mayor Edward J. McKenna Jr. to run for office. She said she had told him she didn't feel she was qualified. She said Mayor McKenna had told her that there were no qualification and that she would be fine. She said she had decided to run and now, three terms later, she was ready to begin a fourth term. She equated serving on Council with having a child. She said at first, she didn't have a clue but said she learned by doing and by having good people to help her along the way. She said she also equated the Council to a family. She said, like most families, they don't always get along and don't always have the same outlook or opinion. She said, at the end of the day, they would always come together to find a consensus. She said she was looking forward to working with everyone in the coming year. She thanked all of those who supported her during her campaign and wished everyone a happy new year.

17-02 Mayor Menna read "A RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES."

Councilman Taylor expressed concern about the fact that Municipal Prosecutor Butler was not being reappointed. He reviewed his experience and working relationship with Municipal officials.

Mayor Menna said Mr. Butler was a friend and said the Council respected and thanked all of the professionals who had served the Borough and those that continue to serve. He said Mr. Wilton was also qualified and said he would serve the Borough well. He asked if it was the Council's pleasure to pull the resolution and vote on that appointment separately.

Councilman Taylor said he just wanted to note the concern for the record.

Councilwoman Horgan said it was not a reflection of Mr. Butler's performance.

Councilwoman Horgan made a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-03 Mayor Menna read "A RESOLUTION CONFIRMING APPOINTMENTS FOR 2016."

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-04 Mayor Menna read "A RESOLUTION CONFIRMING TIME AND PLACE OF BOROUGH COUNCIL MEETINGS FOR 2017."

Councilman Whelan offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-05 Mayor Menna read "A RESOLUTION DESIGNATING NEWSPAPERS TO RECEIVE NOTICE OF MEETINGS."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-06 Mayor Menna read "A RESOLUTION AUTHORIZING 2017 TEMPORARY BUDGET."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-07 Mayor Menna read "A RESOLUTION APPROVING CASH MANAGEMENT PLAN."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-08 Mayor Menna read "A RESOLUTION DESIGNATING THE HUMAN RELATIONS MANAGER AS THE CERTIFYING AGENT AND THE BOROUGH TREASURER AS THE SUPERVISOR OF THE CERTIFYING AGENT IN CONNECTION WITH THE PUBLIC RETIREMENT SYSTEM."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-09 Mayor Menna read "A RESOLUTION AUTHORIZING CREATION OF CHANGE FUNDS."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-10 Mayor Menna read "A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT IN VALLEY NATIONAL BANK AND TO SIGN ALL PAYROLL CHECKS."

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-11 Mayor Menna read "A RESOLUTION DESIGNATING DEPOSITORIES FOR THE BOROUGH OF RED BANK."

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-12 Mayor Menna read "A RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES, UTILITY AND OTHER MUNICIPAL ASSESSMENTS."

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

17-13 Mayor Menna read "A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT FOR MAKING PAYMENTS IN CONNECTION WITH THE REDEMPTION OF TAX TITLE LIENS."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

REMARKS OF MAYOR MENNA

Mayor Menna thanked the family members of the newly elected and re-elected Council members for their support. He thanked all in attendance and thanked the many elected officials. He praised the Council's

relationship with the County government. He thanked Freeholder Director Arnone for his quick response to whatever needed to be done and thank him for the partnership. He said the County recognized Red Bank as the center of the County. He reviewed issues facing the Borough in 2017. He said they would be facing a comprehensive restructuring of Borough government and noted that they would be looking for a new Administrator for the first time in 20 years. He spoke of Administrator Sickels' history in the Borough and thanked him and his family for his service. He said it would also be an opportunity to look at all departments and review with professionals to see how to improve function. He called for moving forward into the digital age. He thanked Councilwoman Horgan and the Information/Technology committee for their work to update the Borough's website.

He also said the Council, in cooperation with the New Jersey Department of Environmental Protection and the Borough Engineers, would continue work to reclaim the six acre site at the foot of Sunset Avenue that was the former Borough reclamation facility. He said it had been a contaminated site but said remediation and testing had been ongoing. He said the plan was to turn it into a state-of-the-art, environmentally friendly passive recreation facility for the benefit of all residents but especially for those in the residential neighborhoods of the west side. He said he would like to see the Parks and Recreation Committee be engaged in it and said that he would like to appoint a citizen committee of residents from the west side to offer public input as lay people.

He noted that the County had successfully completed work on the Front Street Bridge project. He said the Borough and the County had lobbied to get the railroad trestle removed but had been unsuccessful. He said they were now looking at traffic calming on Shrewsbury Avenue, a County roadway. He said the Borough would be working with the County but would like Shrewsbury Avenue residents, both commercial and residential, for input.

He said the Borough had made great strides with the DPW project to install the new metering systems that would allow the Borough to monitor consumption as it happened. He said some that had come to light was that the Borough had not been able to successfully deal with line repairs that could cost both residents and the Borough a lot of money. He said he was looking into an insurance program that could help recover costs in a catastrophic loss. He said the felt the program would help residents that were faced with those types of repairs.

He thanked Commissioner Whelan for the Fire Department initiative to consolidate. He commended the Department for its forward vision. He said he was happy to report that the Department currently had more members than ever and also that burden no longer had the burden of firehouse ownership. He said the remaining facilities were all privately owned by the various companies. He said by consolidating, the Borough was able to focus financial resources on providing more incentives, training and better, more modern and rapid response equipment. He said it would also encourage comraderies as the six fire companies began to think as one department. He thanked the firefighters and especially Chief Soden for his efforts with the consolidation. He said the added benefit to the sale of the properties was that the two firehouses would be privately owned and would be commercial ventures that would bring vitality to town while remaining historic properties.

He said the Borough had also made great strides in historic perseveration and said forward progress was being made on the Fortune House. He said, a few years ago, people thought that the property could not be preserved and said it had been in disrepair for many years. He said the Council had become engaged in a preservation effort that, through community involvement, would provide housing and preservation of the structure. He said the progress was already visible and said they had been able to save an important part of the fabric of African American history not only in the State of New Jersey but in the nation. He said the former owner was well known leader and newspaper editor, T. Thomas Fortune.

He said the Borough was also working in partnership with the Red Bank Housing Authority to move forward on their plans to upgrade Montgomery Terrace. He said they had also been working with Senator Beck and members of the Assembly for the assistance with improvements to traffic calming along the Route 35 corridor. He said the goal was to reduce the speeds along Riverside Avenue and add a traffic light as Bodman Place. He said they would be meeting with the Department of Transportation in January. He also noted that there were issues with the traffic flow on Maple Avenue near Front Street. He asked the Police Chief to do an analysis on the area and called for the hiring of more Class I special officers to monitor traffic issues.

He reported that the train station redevelopment area had been under discussion. He said the original idea needed to be curtailed in scope and size and reviewed the details of the plan. He said that, for the first time in 15 years, the Borough was making progress on a parking garage. He stressed that there was no garage design or formula in place. He said they had only reaffirmed that it was in accordance with the Master Plan to designate the area as an area in need of an upgrade. He called for a greater use of the public space and said the next step would be to hold public hearings and listen to idea. He said the Council should be open to embracing new ideas and said some of the suggestions were very good. He

said he had listened to the comments and felt that entertainment uses and gardens should be included with the resident and parking components. He said he felt they should think outside box to come up with something different with pizzazz.

He also said the Council would continue to support the efforts of the Board of Education to make the school system the best in the area. He said they had also listened to the public and they had comment that they wanted to see everything on the website and said he agreed with them. He said if agenda items were not ready for the agenda by 5pm Friday, they would not go on and would have to be workshopped. He said effective immediately all agenda items, including working documents, would be on line by 5pm Friday. He also pledge to return to his previous policy of Saturday morning meetings with constituents. He said he would invite other Councilmembers as long as it wouldn't violate the Sunshine law.

He said he looked forward to working with Councilman Taylor and the Code Committee. He said one of the first things they would be doing would be to address the abandoned property ordinance so it would address not just foreclosed properties but also those that, while not foreclosed upon, have not been maintained. He also thanked Councilman Zipprich for his efforts with Public Works and said he had the Council's support for future planning efforts for the Department. He welcomed Councilman Yngstrom on Board and thanked Councilwoman Horgan for her support throughout the years.

He again thanked everyone for attending and wished all a happy new year.

BENEDICTION—Father Alberto Tamayo

ADJOURNMENT

Councilwoman Schwabenbauer offered a motion to adjourn the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

Respectfully submitted,

Pamela Borghi

ORDINANCE NO. 2017-01

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 680,
“VEHICLES AND TRAFFIC,” SECTION 680-36, SCHEDULE II,
“PARKING PROHIBITED CERTAIN HOURS”**

offered the following ordinance and moved its introduction:

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 680 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, “Vehicles and Traffic,” Section 680-36 Schedule II, “Parking Prohibited Certain Hours,” is hereby amended and supplemented as follows:

SECTION ONE: Schedule II, “Parking Prohibited Certain Hours,” is amended and supplemented as follows: (*strikeouts denote deletions, underlined text denotes additions*):

SCHEDULE II: Parking Prohibited Certain Hours

In accordance with the provisions of Subsection 680-3C, no person shall park a vehicle at during certain times on any of the following described streets or parts of streets.

Name of Street	Side	Hours	Location
White Street	North	7:00 a.m. to 5 p.m. on legal school days	Beginning at a point 285 feet west of the northwest corner of English Plaza and White Street and running westerly for a distance of 60 feet

[All other provisions remain unchanged]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 11, 2017

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 17-14

**A RESOLUTION APPOINTING EUGENIA POULOS AS FUND COMMISSIONER AND
EVA BIVIANO AS ALTERNATE FUND COMMISSIONER TO
CENTRAL JERSEY HEALTH INSURANCE FUND**

offered the following resolution and moved its adoption:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Eugenia Poulos is appointed as Fund Commissioner and Eva Biviano is hereby appointed as Alternate Fund Commissioner to Central Jersey Health Insurance Fund.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 11, 2017

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 17-15

**A RESOLUTION APPOINTING CLIFFORD KEEN AS FUND COMMISSIONER AND
EUGENIA POULOS AS ALTERNATE FUND COMMISSIONER TO
MONMOUTH COUNTY JOINT INSURANCE FUND**

offered the following resolution and moved its adoption:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that Clifford Keen is appointed as Fund Commissioner and Eugenia Poulos is hereby appointed as Alternate Fund Commissioner to Monmouth County Joint Insurance Fund.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilwoman Horgan	()	()	()	()
Councilwoman Schwabenbauer	()	()	()	()
Councilman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()

Dated: January 11, 2017

PROCLAMATION

BOROUGH OF RED BANK

WHEREAS, NAME-CALLING AND BULLYING ARE PERVASIVE IN OUR SCHOOLS, AND

WHEREAS, THE NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT (NICHD) STUDY OF PUBLIC, PRIVATE, AND PAROCHIAL SCHOOL STUDENTS IN GRADES 6-10 FOUND THAT ALMOST A THIRD OF 6TH TO 10TH GRADERS—5.7 MILLION CHILDREN NATIONWIDE—HAVE EXPERIENCED SOME KIND OF BULLYING, AND

WHEREAS, VICTIMS OF BULLYING AND NAME-CALLING COMMONLY DO POORLY IN SCHOOL AND SUFFER FROM HIGH RATES OF ABSENTEEISM DUE TO THIS HARASSMENT, AND

WHEREAS, BULLIES THEMSELVES DEMONSTRATE POOR SOCIAL AND EMOTIONAL ADJUSTMENT, SOCIAL ISOLATION, LACK OF SUCCESS IN SCHOOL, AND INVOLVEMENT IN PROBLEM BEHAVIORS, AND ARE MORE LIKELY TO END UP ENGAGING IN CRIMINAL BEHAVIOR IN THEIR ADULT LIVES, AND

WHEREAS, NAME-CALLING HAS NO PLACE IN OUR SCHOOLS, AS IT IMPEDES THE LEARNING PROCESS FOR ALL, AND

WHEREAS, NO NAME-CALLING WEEK, SCHEDULED FOR JANUARY 16-20, 2017, IS AN INVALUABLE PROJECT THAT IS SUPPORTED BY A BROAD-BASED COALITION OF EDUCATION AND YOUTH SERVICES ORGANIZATIONS THAT ARE CONCERNED ABOUT THE DETRIMENTAL EFFECTS NAME-CALLING HAS ON STUDENTS,

I, MAYOR PASQUALE MENNA, DO HEREBY PROCLAIM JANUARY 16-20, 2017 TO BE NO NAME CALLING WEEK IN THE BOROUGH OF RED BANK AND I CALL UPON TEACHERS, STUDENTS, PARENTS, AND SCHOOL OFFICIALS, PARTICULARLY THOSE WORKING IN GRADES 5-8, TO APPROPRIATELY OBSERVE THE WEEK THROUGH ACTIVITIES, LESSONS, AND PROGRAMS DESIGNED TO REDUCE NAME-CALLING AND BULLYING ON THE BASIS OF BODY SIZE, ETHNICITY, GENDER IDENTITY OR EXPRESSION, PHYSICAL OR MENTAL ABILITY, RACE, RELIGION, SEXUAL ORIENTATION, SOCIAL OR ACADEMIC STANDING, OR ANY OTHER ATTRIBUTE FOR WHICH STUDENTS ARE SINGLED OUT FOR SUCH UNACCEPTABLE BEHAVIOR.

PASQUALE MENNA
MAYOR