

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
AUGUST 24, 2016
6:30 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

Councilwoman Schwabenbauer offered a motion to suspend the regular order of business, 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.

Presentation of checks by Red Bank Mayor's Charity Ball Committee

Mayor Menna reviewed the 2016 Red Bank Mayor's Charity Ball and thanked the Committee for their efforts. He said the two primary charities that would benefit were Lunch Break and HABcore with each organization receiving \$12,000 each. He noted the organization had partnered with the Red Bank Borough Education Foundation and said the Committee had decided to donate \$1,000 to that organization also.

Co-Chairs Debbie Marks and Barbara Boas, along with Mayor Menna presented checks to each of the organizations.

RESUME REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to resume the regular order of business, 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.

WORKSHOP

Council Meeting Change

Mayor Menna explained that he had a conflict and would not be able to attend the September 14, 2016 Council meeting and asked that the meeting be changed to either Monday, September 12 or Tuesday, September 13. Councilmembers Schwabenbauer, Taylor and Whelan said they all had a conflict on Tuesday, September 13 but said they would be available on Monday, September 12. Councilman Zipprich said he would not be available on Monday, September 12. Councilmembers Horgan, Zipprich and Burnham questioned why the meeting needed to be changed. Mayor Menna said he was requesting it be changed as a courtesy. He said, in his 27 years on Council, similar requests from Mayors had always been granted.

Councilman Whelan said he would be happy to make a motion to approve the request.

16-233 Mayor Menna read, "A Resolution Amending Time and Place of Borough Council Meetings for 2016."

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

ROLL CALL:

AYES: Schwabenbauer, Taylor, Whelan

NAYS: Burnham, Zipprich, Horgan

There being three ayes and three nays, Mayor Menna was called upon to break the tie. He again stated, in all his time on Council, he had never seen a Council deny a courtesy request of this type from a Mayor. He said he did

not wish to break the tie with a “yes” vote for the benefit of himself rather than the public good. He said he appreciated the three Councilmembers who had voted to adjourn the meeting but said he would ask that Councilman Whelan withdraw his motion.

Councilman Whelan said he wanted to grant the request and change the meeting date and, therefore, would not withdraw his request.

Councilwoman Horgan said the Mayor had missed meetings before and didn't see the problem.

Mayor Menna acknowledged that he had but said it seemed like everything was contentious on every issue before them and said he felt it was important to have a full component. He said he didn't think that personal issues should interfere with the public execution of duty. He said he appreciated Councilman Whelan's motion and appreciated those who had voted to give him the courtesy but said, since Councilman Whelan would not withdraw his motion, he would vote “no.”

Mayor Menna voted nay to break the tie and the resolution was declared defeated.

Zoning Board Letter regarding Digital Sign Regulations

Mayor Menna referred the matter to Councilwoman Burnham and the Code Committee for review and recommendation.

Councilwoman Burnham noted that she had worked three years on a sign ordinance that had been voted down but said when the Planning & Zoning Director was available, they would call a meeting to review the matter.

Lunch Trucks

Mayor Menna suggested the Council could authorize an RFP that would allow for the issuance of two food truck permits, one on the east side of town and one on the west side of town. He said it could be a permit for one year to see how it would work. He said the trucks would be stationary and would not be in the downtown district. He suggested one could be in Marine Park and one could be either in the train station area or on Shrewsbury Avenue. He said if the Council was in agreement, the suggestion could be forwarded to the Zoning Officer, Police Chief and Parks & Recreation Director for input.

Councilwoman Horgan asked what the genesis was for the proposal.

Mayor Menna said there had been inquiries about the fact that similar trucks are allowed in neighboring towns and said residents had comments that they would like to see the diversity offered by lunch trucks. He said the other towns had issued licenses for a reserved space and he noted he was only suggesting two or even one. He reviewed the benefits.

Councilwoman Horgan asked if they would be allowed in a Green Acres funded park.

Mayor Menna said any licensing fee charged in a Green Acre park would have to be specifically allocated for park improvements.

Councilman Zipprich noted that the Council had discussed food trucks in the past and the ordinances that barred them. He confirmed that the Mayor was suggesting that they create two designated spaces for food trucks.

Mayor Menna said that was correct.

Councilman Whelan suggested that he, as the liaison to the Parking Committee, and Councilman Taylor, as liaison to the Parks and Recreation Committee, have a meeting on the matter.

Mayor Menna said that was fine and noted that they had talked about it unofficially and said there had been a lot of misinformation. He also noted that they could always say “no.”

Councilwoman Horgan asked if someone had suggested the food truck idea recently.

Mayor Menna said they had. He added that there was much interest and a diversity of interest.

Councilman Zipprich said he would like to invite RiverCenter and members of the newly formed business organization to participate in discussions as it may or may not have an impact on the downtown business community.

Councilman Taylor said he did not think that was a terrible idea but noted that neither of the suggested locations were in the RiverCenter district.

Mayor Menna summarized that the matter would be referred to the Parking and Parks & Recreation committees and that they would then invite members of the business community into the discussion.

APPROVAL OF MINUTES – August 10, 2016

Councilman Zipprich offered a motion to approve the minutes, 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.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Schwabenbauer reported that Channing Irwin had brought to the Borough's attention the opportunity for a grant to help build a floating dock. She thanked Engineer White for getting the paperwork turned around very quickly to get the application in on a short deadline. She said the Borough could know by the end of September if they qualify for the grant.

Councilman Taylor reported that the 2016 Summer Series was winding down but said Fitness in the Park would continue through September. He again thanked all of the sponsors for their support. He also noted there would be a concert called the Concert for Kids in Riverside Gardens Park on September 17 sponsored by Parks and Recreation to benefit their scholarship fund. He also reported on Arts in the Park, a youth art show to be held in Riverside Gardens Park and September 24. He announced that the Department was also bringing on an intern who was a Monmouth University pursuing a career in Parks and Recreation.

Councilman Whelan said he, Police Chief McConnell, DPW Director Keen and Parking Officer Wilk had met and reviewed parking issues on Bodman Place. He said they had been able to identify a way to add three new parking spots to the street. He said the new spots were in response to a request from residents on the street who had reported they were having difficulty parking on the street. He also reported the Union Hose Company of the Red Bank Fire Department would be celebrating their 125th Anniversary with a celebration the following weekend.

Councilwoman Horgan reported that the Library's "Let's Talk About Race" program would be celebrating one year on Wednesday, August 31 and reviewed the discussion for that evening. She also noted there would be an Oral History presentation in conjunction with Project Write Now on September 1 and thanked Suzanne Viscomi for her assistance in videotaping the presentation.

Councilman Zipprich reported that the Shade Tree Committee had met the previous night with Riverview Hospital to review plantings in the area of East Front Street and Globe Court. He said the Department of Public Works Committee had met earlier in the day and that they had covered administrative issues, various projects and ongoing improvements. He said he wanted to compliment Rich Hardy who had been handling the Borough's E-Waste containers and his ability to streamline the process. He encouraged everyone to visit the recycling center and see how good it looked. He said the committee also covered on-going improvements to roads, wells, water treatments facilities and the long range improvement plan on infrastructure. He said they also reviewed projects and discussed personnel matters. He said the Historic Preservation meeting had been rescheduled to the following week.

Councilman Burnham reported that the Navesink River Municipalities Commission had met the previous Wednesday to discuss what was being done to address the pollution problem in the Navesink River. She said she was happy to say that Red Bank had a plan and invited people to come to one of the Commission's meetings where she would elaborate. She said, the previous Saturday, she had volunteered with local business owner Dean Ross who was giving new books to Red Bank school children through a partnership with Vonage. She said he would be doing it again the following Saturday. She also reported that, on August 13, she had attended the 7th Annual Red Bank Community Block Party and said it was a great event.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request to amend approval from August 10, 2016 to close Leighton Avenue from Locust Avenue to Herbert Street from Saturday, September 3rd to Sunday, September 4th from 4 to 10PM for neighborhood BBQ.

Councilwoman Horgan offered a motion to approve the request, 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.

Mayor Menna read a request from Red Bank Ghost Tours to hold walking tours on Friday evenings through November 4, 2016.

Councilman Zipprich offered a motion to approve the request, 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.

Mayor Menna read a request from New Jersey Orators for use of Ralph "Johnny Jazz" Gatta Park on Saturday, September 10 from 11:30 am to 3 pm for a student membership recruitment meeting.

Councilman Zipprich offered a motion to approve the request, 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.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

No one appearing, Councilwoman Schwabenbauer offered a motion to close the public comment portion, 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.

ORDINANCES – First Reading

2016-17 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter VII, “Traffic,” Section 7-3.3, “Parking Prohibited at all times on Certain Streets,” Schedule I, “No Parking.”

Councilman Whelan offered a motion to adopt the ordinance on first reading, 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.

Final reading and public hearing to be held September 14, 2016.

ORDINANCES – Public Hearing and Final Adoption

2016-13 Mayor Menna read, “An Ordinance Authorizing Sandwich Board Signs.”

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

Bill Meyer—12 Monmouth Street—asked if the ordinance was regarding the signs on the sidewalk.

Mayor Menna said it was.

Mr. Meyer asked the Council to incorporate language regarding where the signs could be placed because they could interfere with traffic on the sidewalks. He cited issues he had had while he was on crutches and expressed concern about disabled persons.

Mayor Menna said it was addressed in section 3B.

Mr. Meyer said, as long as that was addressed, he had no problem with it.

Administrator Sickels reviewed the specifics of the requirements for placement of the signs.

Mr. Meyer said he expected there would be problems with enforcement.

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

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

Councilwoman Burnham said she would like to see the ordinance amended to sunset after one year instead of the proposed two year period.

Councilman Zipprich reviewed the initial ordinance which he said had had a six month term. He said he and Councilwoman Burnham had discussed the difficulty of enforcement issues. He said they felt it would be a better idea to have it sunset in 2017.

Attorney Cipriani said that would not be considered a substantial change that would warrant a re-introduction of the ordinance.

Councilman Taylor asked how changing the sunset date would address the issue of enforcement.

Councilman Zipprich said, in the event the Borough was unable to enforce the ordinance, the signs would continue to obstruct.

Councilwoman Burnham said she understood how important they were to the businesses but noted there had been a lot of problems with them and reviewed specific cases. She suggested RiverCenter should contact the businesses to let them know they had to adhere to the rules.

Mr. Sickels said, if enforcement worked, they would not have to revisit the issue. He said, if it didn't work, the process to correct it was the same as the process amend the timeframe or do away with the ordinance.

Mayor Menna said he would not have a problem with the change and noted that a previous Council member had expressed similar concerns several years ago. He said, if enforcement was the issue, the sunset clause really had nothing to do with it.

Councilman Taylor said he did not understand the issue with the time period. He said the issue was enforcement not how long it would be in effect. He said he did not understand why it expired at all.

A discussion followed regarding enforcement issues.

Councilman Zipprich offered a motion to change the expiration of the ordinance from December 31, 2018 to December 31, 2017, seconded by Councilwoman Burnham.

ROLL CALL:

AYES: Burnham, Zipprich

NAYS: Horgan, Schwabenbauer, Taylor, Whelan

There being two ayes and four nays, the motion was declared defeated.

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

2016-16 Mayor Menna read, "An Ordinance Amending and Supplementing Chapter VII, "Traffic," § 7-10.1. "No Left Turn Prohibition" of Revised General Ordinances of the Borough of Red Bank."

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

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 Zipprich offered a motion to adopt the ordinance on final reading, 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.

RESOLUTIONS

16-221 Mayor Menna read, "A Resolution Commemorating the 125th Anniversary of Union Hose Company No. 1."

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.

16-222 Mayor Menna read, "A Resolution Authorizing Tax Credits/Refunds Totaling \$2,636.58 due to Judgments in the Tax Court of New Jersey."

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.

16-223 Mayor Menna read, "A Resolution Awarding a Contract to Precise Construction for Marine Park Site and Pump Station Improvements and Bodman Place Pump Station Improvements."

Councilman Zipprich 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.

16-224 Mayor Menna read, "A Resolution Authorizing the Release of Two Performance Maintenance Guarantees Posted by Two River Theatre Company, Inc. for Bridge Avenue, Block 36, Lot 8, Block 37, Lots 3.02, 3.03, 4, 5, 6, 7, 10, and 10.01, Block 35, Lots 4, 5, 6 and 7."

Councilman Whelan offered to a motion 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.

16-225 Mayor Menna read, "A Resolution to Award Payment of 2015 LOSAP Benefits to Eligible Members of the Red Bank Volunteer Fire Department and First Aid Squad."

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.

16-226 Mayor Menna read, "A Resolution to Approve the Hiring of Kathy LoPresti as Senior Secretary in the Police Department Detective Bureau."

Councilman Whelan 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.

16-227 Mayor Menna read, "A Resolution to Approve the Hiring of Joseph Mutti as Police Department Records Clerk."

Councilman Whelan offered to a motion 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.

16-228 Mayor Menna read, "A Resolution Authorizing the Appointment of Regular Crossing Guards for the 2016-2017 School Year."

Councilman Zipprich offered to a motion 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.

16-229 Mayor Menna read, "A Resolution Appointing Special Law Enforcement Officers Class II."

Councilman Whelan offered to a motion 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.

Councilwoman Burnham asked how many Class II officers the Borough currently had.

Chief McConnell said there were two and clarified that these were the same two that had to be reappointed annually by statute.

16-230 Mayor Menna read, "A Resolution to Approve the Hiring of James Coakley as Part Time Back-Up Bus Driver."

Councilman Whelan offered to a motion 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.

Councilwoman Burnham asked what bus he would be driving.

Mayor Menna explained that he was a volunteer firefighter and would be driving the Senior Center bus for a special event.

Administrator Sickels added that he was a driver in the Fire Department and had a bus endorsement. He said the Fire Department would be covering the expense.

16-231 Mayor Menna read, "A Resolution Authorizing the Submission of a Grant Application to the 2016 Monmouth County Open Space Grant Program for the Council Basie Park and Eastside Park Shade Structures Project."

Councilman Taylor offered to a motion 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.

Councilwoman Burnham said she would vote yes but felt it was a "need not a want." She expressed concern about the expense that came with a matching grant.

Councilman Taylor said he agreed that it was a "need not a want."

16-232 Mayor Menna read, "A Resolution Adopting New Tax Map for Block 63, Lots 4, 8, 9 10 and 10.01."

Mayor Menna noted that this was a last minute addition to the agenda.

Councilmembers Horgan and Zipprich questioned the late addition.

Mayor Menna asked the Municipal Attorney to explain the resolution.

Attorney Cipriani said there had been a change to the tax map. She said the correction had been made and said it was her opinion that a resolution was not needed. She added that the property was being sold and said the purchaser's attorney had asked for a resolution to confirm the change.

Mayor Menna reviewed the specific property and explained that the Borough's tax office had made an error. He said the tax map was amended to reflect that the error had been removed. He said the Council did not need to take action because the tax map had been changed but the attorney had asked for confirmation that it had been legally changed by resolution.

Administrator Sickels reviewed the specifics of the change.

Attorney Cipriani added that the tax map had already been changed which was the province of the assessor. She said the resolution would not effectuate a change because the change had already been made. She confirmed Mayor Menna's comment that there was a sale transaction and, for the comfort of the purchaser's attorney, they had requested that a resolution be adopted.

Councilman Zipprich said, if an item was to be added at the last minute, the Council should be provided with supporting documentation so they could review it before the vote.

Councilman Whelan offered to a motion 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

16-234 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$4,421,350.07."

Councilman Schwabenbauer offered 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.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Bill Meyer—12 Monmouth Street—asked for specifics about the matching grant application for the shade structures. He asked if the amount of the grant was for \$250,000 and the Borough would have to match an additional \$250,000.

Engineer White said that was correct.

Mr. Meyer said he felt it was similar to the water park that had previously been before the Council and questioned spending half a million dollars to put shade in a park. He said he felt it sounded like a waste of money. He said he would also like to hear from members of the Council that were working on a parking garage. He said he wanted to know how much money had been spent on engineering and other costs furtherance of a parking garage that nobody knew the scope of.

James Scavone—RiverCenter—said he had two questions. He said the first question was regarding a letter he had sent the previous week regarding the sale of the firehouse on Mechanic Street. He asked if there had been any discussion of the idea that had been proposed by RiverCenter or if there would be any discussion on the matter. He asked if the sale of the firehouse was a “done deal.”

Mayor Menna said it was not a done deal but said it involved property within the purview of the Borough which should not be discussed by the Council in open session.

Attorney Cipriani confirmed that the matter would have to be discussed in Executive Session and noted there was an Executive Session scheduled for this meeting.

Mr. Scavone said his second question was regarding the Memorandum of Understanding between the Borough and RiverCenter that had been drafted regarding the Phase II study of the White Street lot. He said they had sent an email on July 18 and still had not received an answer. He asked for a status update so the RiverCenter Board could vote on authorizing the Memorandum of Understanding.

Mayor Menna said there could be a change to that and said he did not want to get into the matter. He said the Memorandum of Understanding might not be necessary.

Mr. Scavone asked to be notified if the Memorandum was changing or would no longer be necessary.

Jimmy Dark—48 West Sunset Avenue—asked why there were two foremen in the Street Department.

Mayor Menna asked Councilman Zipprich to address the question.

Councilman Zipprich called upon DPW Keen.

DPW Director Keen said there was a lot of work and said both foremen filled vital roles. He asked for clarification of the question.

Mayor Menna said he believed Mr. Dark was questioning why there were two foremen in one Department.

Administrator Sickels said the position of foreman was to supervise others. He said they were working on different projects.

Director Keen pointed out that there used to be five supervisors and that now there were three supervisors and two foremen.

Damon Murtha—West Street—thanked the Council for their service. He reviewed expansion projects in the Borough and expressed concern about street lights out in his area.

Mayor Menna said it was a legitimate concern that he had raised before. He said he would like to see the ability for reporting of street light outages through the Borough website with an answer within 24 hours.

Mr. Murtha agreed that it would be a good policy. He reviewed issues in his neighborhood.

Councilman Whelan said the Police Department had recently done a comprehensive review and found a number of lights were out. He said outages could be reported to the Police Department and said they would be addressed.

Councilwoman Burnham noted that several lights had been out on Monmouth Street and asked Director Keen to address the issue.

Director Keen said there had been an electrical problem and there was an electrician working on it.

Mr. Murtha also thanked the Council for expressing opposition to the JCP&L project.

Mayor Menna said there were ongoing discussions between affected towns and reviewed the participants.

A discussion followed on the next steps with the project.

Nicole Urbont—West Street—said she also appreciated the Council's service and appreciated the Council opposing the reliability project. She spoke against the project and how it could affect Red Bank.

Councilman Taylor asked Councilwoman Horgan if the IT Committee was looking at the ability for citizens to report outages and link directly to JCP&L. He noted that many outage issues were the responsibility of JCP&L.

Councilwoman Horgan said she was not sure but noted they would be having a meeting soon and said she would ask.

Administrator Sickels said the JCP&L information and link was on the website. He said anyone who had not received a response from JCP&L should notify the Borough so they could follow up.

Tom Labetti—45 Elm Place—asked about Resolution 16-223 and asked if the amount had come in above the Engineer's estimate.

Mr. Sickels said it did.

Mr. Labetti said he thought it was about 15 percent higher.

Mr. Sickels said the Engineer's estimate had been done in 2013 and, since that time, there had been changes in cost of material and some of the scope had also changed. He said the bid from the responsible bidder came in higher than the Engineer's estimate.

Mr. Labetti asked if the Borough had budgeted for that.

Mr. Sickels said the ordinance that had been passed at the last meeting had been an amendment to adjust the price for the Marine Park work as well as for work to Municipal Buildings. He said estimates for that work had been done after storm damage in 2012. He said, since that time, there had been additional damage and the work had progressed requiring the need to amend the bond.

Mr. Labetti confirmed that the Borough was comfortable with the work the Engineer had done and that it was a timing issue. He said he was asking because he had looked at the Engineer's estimate and "Googled" some items. He cited the example of the flag pole which he was able to find for significantly cheaper. He claimed the Engineer's estimates were "so far out of whack." He suggested that Department Heads should spot check items.

Councilman Zipprich noted the cost of the flag pole included installation.

Mayor Menna explained that anytime a municipality had to put out a public bid, they had to follow certain specifications which drove the prices up. He said public project cost, on average, about 20 percent more.

Mr. Sickels added that some bidders would include the labor in the price of the flagpole and some would list it separately.

Mr. Labetti said he had just been inquiring about the process and was just suggesting a way they could do things better. He also asked about the local hospital and said he had seen a press release from the parent company noting that a recent merger had gone well for them and that they were expecting \$4 billion in revenue. He said he had also read that some towns that had sued for property tax appeals were settling. He said he thought it would be advantageous for Red Bank to settle and referenced cases that would be coming before a judge.

Mayor Menna said those were case management conferences and were not trial dates. He added that it was a good question and said he had recently discussed the matter with the Borough Attorney. He said it was a legal matter that he could not discuss in an open forum until it was resolved.

Mr. Labetti said he had been previously told that a proper assessment had not been done on their property because it did not make sense.

Mayor Menna said that was correct and added that there had not been an in depth analysis because the Borough would have to retain an appraiser and said, in New Jersey, there were only about five or six who were competent enough to do that type of appraisal on that specific type of property. He said they were trying to avoid that but were trying to make sure they had the empirical data for a reasonable settlement.

Mr. Labetti said the budget reflected the total property assessment as \$90 million and said that number came from somewhere and he felt it was way too low.

Mayor Menna said he agreed.

Freddie Boynton—365 Shrewsbury Avenue—thanked the Mayor for the work done at Mohawk Pond. He said there was a light pole at Shrewsbury Avenue and Drummond Place that had been capped after it had been hit by a car. He said there was power to the pole because they had capped it. He asked if it could be fixed or replaced.

Mayor Menna asked if it was in the work order.

Administrator Sickels said he would check on it.

Mr. Boynton said he also wanted to thank Carl Ashton, Donnie Andrews and Bobby Holiday for their assistance at the recent Block Party. He said they had done a good job.

Mayor Menna thanked him for his comments.

Mr. Boynton also expressed concern about the safety conditions of the Borough's Public Works trucks. He said he understood the truck sheets were being filled out daily but that there were still problems with the trucks. He asked why someone didn't have to sign off on the sheets to confirm that the vehicle had been fixed. He also said he did not see the need for two foremen in the Street Department.

Mayor Menna told Director Keen that he wanted to see three months of inspection reports by Thursday and wanted to meet with him on the matter on Friday morning.

Tom Capello—said he understood there had been a discussion about having food trucks in Marine Park.

Mayor Menna said it had been discussed during Workshop and the Council directed that two Council members come up with a plan possibly by the next Council meeting.

Councilman Whelan said the Parking Committee and the Parks and Recreation Committee would meet and come back with a plan. He said, if it was determined it was not a good idea, they would not do it. He said if they found that it was a good idea and work in the Community, then they would. He said it was about an open discussion.

Mr. Capello asked if the discussion would be behind closed doors or at a Council meeting.

Councilman Whelan said it would be discussed in Committee.

Administrator Sickels clarified that it would be discussed in Committee and then it would be brought back to the Council where it would be discussed in public. He said the Council would then take action. He said they may or may not agree with the Committee report.

Mr. Capello spoke in favor of having a food truck and noted that he owned one. He also criticized the condition of Marine Park and the possible uses for the park and the riverfront.

Councilman Taylor said he appreciated his comments and said the first step had been taken to improve the infrastructure in the park specifically security, electrical and flood proofing. He said as part of the second step, they had applied for a grant for a grant for a transient dock that would allow for dock and dine. He said they were looking at the entirety of the park including increasing activities and access to the water but said the first step was the infrastructure improvements.

Administrator Sickels said the contract had been awarded at this meeting and said work would be underway in the next 60 days. He said it would be under construction for the next six months. He said the Committee was now looking at the next phase which would address what the Community would like to see there.

Councilman Whelan said he agreed with Mr. Capello and said he would also like to see more on the river.

Councilman Taylor said all options were still on the table. He also noted that the Recreation Department was bringing in an intern that would conduct surveys on park usage.

Councilwoman Burnham asked if it would be announced when he would be in the park to encourage people to go down there.

Councilman Taylor said he could ask for that but he said he thought they might be looking for visiting to occur naturally.

Mr. Sickels said they would be doing both with the intern surveying everyday use and also reaching out to the public to see what they would like to see there.

Councilman Zipprich asked when the intern would be collecting data.

Mr. Sickels said he was not sure of the start date.

Councilman Zipprich expressed concern about the change in season and the change in park usage.

Councilwoman Burnham asked if the floating dock grant would be a matching grant.

Engineer White said it was to a degree

Councilwoman Burnham asked for specifics.

Councilwoman Schwabenbauer said she would get the information to Councilwoman Burnham.

Councilman Taylor said there had been a very short window for the application. He said if they were successful, they would come back to the Council with the information.

EXECUTIVE SESSION

16-235 Mayor Menna read a resolution to adjourn to executive session to discuss contract negotiations and personnel; possible formal action to be taken.

Councilman Whelan offered a motion to adjourn to executive session, 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.

Councilman Whelan offered a motion to adjourn from executive session, 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.

ADJOURNMENT

Councilwoman Horgan offered a motion to adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi