

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
MAY 13, 2015  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Council President Murphy and Council Members Burnham, Schwabenbauer, Zipprich and DuPont.

ALSO PRESENT: Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney O’Hern and Engineer Ballard.

ABSENT: Mayor Menna and Councilwoman Horgan.

**SUNSHINE STATEMENT**

Council President Murphy 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 4, 2015.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**Proclamation – National Safe Boating Week May 16-22, 2015**

Council President Murphy read a proclamation proclaiming May 16-22, 2015 as National Safe Boating Week in the Borough of Red Bank. He presented the proclamation to the Commander of the Shrewsbury Power Squadron.

Councilman Zipprich reviewed his father’s history with the organization.

Councilwoman Burnham spoke about the David P. Savile Foundation and discussed the importance of life jackets.

**Public Hearing on Ordinance 2015-07**

2015-07 Council President Murphy read, “Borough of Red Bank Calendar Year 2015 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14).”

Council President Murphy opened the public hearing and asked if anyone would like to speak.

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

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

Councilwoman Burnham asked for an explanation of the ordinance. Auditor Kaplan explained that it allowed the Borough to bank unused CAP for use in the next two years. Councilman DuPont said it worked like a savings plan for the Borough.

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**Public Hearing of the 2015 Municipal Budget**

Council President Murphy opened the public hearing and asked if anyone would like to speak. No one appearing, Councilman Zipprich offered a motion to close the public hearing, seconded by Councilwoman Schwabenbauer.

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilman DuPont reviewed the 2015 Municipal Budget and noted that when it was introduced it had included a 2.93 percent increase. He said there had been challenges including a drop in property valuations, numerous tax appeals, a high number of tax exempt properties and a loss of State aid. He credited the Finance Committee for their work on the budget and also Department Heads for their efforts. He said they had been able to drop the increase to 1.23 percent but still continued to tweak the budget. He said he said the budget being presented called for a flat budget which was the first time that he was aware of in the history of the Borough. He pointed out that the zero increase was only in regard to the Municipal Budget and he credited steps that had been taken two or three years ago including increasing the Borough's surplus and special items of revenue. He noted that only 27 cents of every tax dollar goes toward the municipal budget and explained that the rest would go to the local school district, the regional school district, the county and the library. He explained that employees had increased their contributions toward insurance costs. He said it had truly been a team effort including the employees. He again thanked the Committee, Administrator, CFO and Department Heads for their efforts.

Council President Murphy agreed that all of the Departments had supported the Council's efforts. He commended the Committee members and the Borough staff.

15-102 Council President Murphy read, "A Resolution Amending the 2015 Municipal Budget."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-103 Council President Murphy read, "A Resolution Authorizing the Borough of Red Bank to Conduct the 2015 Annual Budget Examination."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-104 Council President Murphy read, "A Resolution Authorizing Adoption of the 2015 Municipal Budget."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

**WORKSHOP**

## **Special Meeting – May 28, 2015 – 6:30 pm**

Councilwoman Schwabenbauer said there would be a Special Meeting on Thursday, May 28, 2015 at 6:30pm to review the Requests for Proposals that had been received regarding the Marine Park Development project. She said there had been three proposals and said they wanted to public to have a chance to review and comment. She noted the meeting would be held at the Red Bank Middle School.

### **Water Meter Replacement**

Councilman Zipprich reviewed the history of the project and explained that it had been tabled in 2014. He said the Committee had met with vendors and visited other municipalities to review newer equipment and its installation. He asked Administrator Sickels to address the need and justification for the project.

Mr. Sickels reviewed the need to replace antiquated water meters that were due for an upgrade and said the new meters would provide more efficient technology. He explained the average life span of meters and said the current meters were inaccurate. He offered details on the improved service provided by the new meters and reviewed how the project would be funded. He said it would be funded through the water utility and would not cause a tax increase or a water rate increase. He said it would eliminate the need for manual reporting and manual data entry. He said a bond ordinance could be placed on the next Council agenda and reviewed the timeline for the project.

Councilwoman Burnham said she understood that the new meters were purchased in 2002 and 2004. She asked if it was a fact that the meters were under reporting or if they were just assuming that was the case.

Mr. Sickels said the statement was fact based and said the Borough's Water Operator, Tom Branch, had offered data on the issue.

Council President Murphy asked how many meters were in place in the Borough.

Engineer Ballard said there were approximately 4,000.

Council President Murphy said there were only 14 of the old meters left and added that they were no longer being made. He also said there were 144 meters in town that were being billed by estimate because the meters were not working.

Administrator Sickels said Mr. Branch had estimated the loss of revenue was approximately 15.9 percent. He reviewed how that figure had been calculated.

Council President Murphy clarified the Borough knows how much water leaves the Borough tank and the billing did not equal the amount going out.

Councilwoman Schwabenbauer said the number Mr. Sickels had given was a three year average and equaled approximately \$2.5 million per year. She said even if the estimate was high and it was reduced to 10 percent, it would still equal a loss of \$1.5 million. She said she had personally reviewed the system used by the Finance Office and said it was worse than antique. She said, if they do see the savings that they anticipate, she would like to see it given back to the residents by a reduction in water rates.

Councilman DuPont said he did not think anyone would be against reducing the water rates if the numbers were confirmed but said first they should verify that they were losing \$2.5 million. He said the current request would be to go out for requests for proposals.

Councilwoman Burnham called for an operational review of the utility before they went out to bid similar to the one recently done for solid waste.

Councilman Zipprich asked her to understand that there were only fourteen meters left on the shelf.

Councilwoman Burnham suggested they just buy a few.

Councilman Zipprich explained that the meters were no longer available.

Councilwoman Burnham suggested they buy parts for the meters and again called for an operational review.

Mr. Sickels said an accurate report on the billing would be a part of any operational analysis. He said, without accurate data, they could not come to an accurate conclusion. He said the meters must be replaced and noted DEP and AWAA guidelines said they were overdue. He said when the new meters were in place they would have accurate data and funds for an operational review. He again noted that the Utility was losing money and said, as a self-liquidating utility, they were required to accurately account for the water being produced and accurately bill for the water going out.

Councilwoman Burnham said she had read an article about rising water rates in various cities around the county that was based on a report by CNN. She said the article had blamed the meters for the increase. She also questioned Council President Murphy's ability to vote on the matter and suggested he should recuse himself because his company did water meter installations.

Council President Murphy said he did no work in Red Bank and could not bid on any projects in Red Bank.

Attorney O'Hern said it was not an issue.

Council President Murphy noted that the matter was only on Workshop for discussion and said no action was being taken at this meeting. He also questioned Councilwoman Burnham's suggestion for a review of the Utility. He asked if she was referring to the mechanical system or the administrative end.

Councilwoman Burnham said she was referring to the mechanical system.

Council President Murphy asked how much had been spent on the Solid Waste review.

Administrator Sickels said it was \$8,500.

Council President Murphy said the Borough would pay a company to do the review and they would report that the Borough needed to replace the meters.

Councilwoman Burnham said they could come back and say the meters were fine.

Council President Murphy noted the estimated loss of revenue.

Councilwoman Burnham said the positive points given were only positives for the town such as being easier to read and log. She asked how it would affect the residents and asked if bills would spike.

Council President Murphy agreed that the system was antiquated and reviewed how the new system would work.

Councilwoman Burnham said she was in favor of improved technology but said she felt \$2 million was a lot of money and again called for an operational review.

Councilman Zipprich said he was glad to hear she was in favor of the technology and said all staff members that had been working on the project since last fall had painstakingly evaluated it. He noted that the first meter on the list had been installed in 1952.

Councilwoman Burnham asked how the Borough would find out if a meter was working.

Engineer Ballard said they would be tested after they were removed.

Councilwoman Burnham asked if they could be tested while they were still installed.

Engineer Ballard said they could not with the old meters but would be able to with the new meters. She also reviewed how the estimate of 15 percent loss had been calculated and said Mr. Branch had to certify the number to the DEP.

Councilwoman Burnham asked about a specific situation on Pearl Street from a couple of years ago where she said a pipe had been broken at the curb. She said the property owner had called Public Works and was told someone was on vacation. She said for two weeks the water continued to spew out.

Councilman Zipprich asked DPU Supervisor Holiday if he was aware.

Mr. Holiday asked for an address.

Councilwoman Burnham said she did not have it.

Administrator Sickels said he wanted to note that the meters would be paid for out of the water utility and said the debt service would be over 15 years. He said there was an estimated gain in collection of ten percent.

Councilwoman Burnham said that meant it would raise the water bills.

Mr. Sickels said it would not but would more accurately bill those that were not currently being billed either due to an inaccurate or nonfunctioning meter.

Councilwoman Schwabenbauer said that was why she had made the comment that there may be an opportunity to reduce rates. She said if someone was not paying accurately, other residents were supplementing them. She added that, if they billed at 100 percent, rates should go down.

Councilwoman Burnham questioned if that would happen.

Councilman Zipprich asked Councilwoman Burnham if she had recommended that they interview Neptune.

Councilwoman Burnham said she had not. She said she and Councilwoman Schwabenbauer had discussed the issue during the campaign and said she had also been to Atlantic Highlands to study their water.

Administrator Sickels noted that the matter was on this agenda for Workshop and said a bond ordinance and a resolution authorizing the Engineer to go out to bid would be on the next agenda. He reviewed the specifications and said the old meters would be retained to be tested in case a resident saw an increase in billing. He said the Borough would also be recycling the brass.

Councilwoman Burnham asked if sewer rates would still be billed at 125 percent of the water usage.

Administrator Sickels noted that any change in rates would have to be done by ordinance. He said the matter could be reviewed once they started receiving accurate readings.

Councilwoman Burnham suggested the Borough should do what Atlantic Highlands did which was to allow residents to pick up a special meter for \$200 and have it installed by a plumber. She said the special meter would account for water being used to water the lawn or wash the car to save money on sewer rates.

Councilman Zipprich said that had been discussed.

Council President Murphy told the public that the matter would be on the next agenda for introduction.

### **Metrovation Mural Request**

Amanda Cheslock, from Metrovation, explained the company's request to mount murals on two Bridge Avenue properties.

Councilwoman Burnham questioned if the Council meeting was the proper venue for the request and asked if it should not have gone to Planning and Zoning.

Council President Murphy said he thought the issue had been brought forward by Code Enforcement.

Councilman DuPont said he felt this was red tape at its finest. He noted that there had been a complaint and Metrovation had been told to seek permission. He said it would fit with the Mayor's initiative to encourage artwork. There was a discussion of other buildings that had had artwork painted on them.

Ms. Cheslock clarified that the artwork was not painted on the building but was painted on plywood and mounted to the building.

Councilwoman Burnham noted that was a violation.

Administrator Sickels clarified the difference between the murals and a painted sign. He noted other locations in town that featured murals/painted signs. He said the ordinance allows for signs but not signs painted on buildings.

Councilman DuPont asked if they were asking for a permit for the signs.

Mr. Sickels explained that the ordinance only allowed for signs.

Councilman DuPont again asked if they were seeking permission to maintain the mural on the property.

Councilwoman Burnham said Code Enforcement had discovered it and said she had checked with the engineer who she said told her, as long as it didn't advertise anything, it would be okay. She also noted the sign ordinance was being revised and simplified.

Mr. Sickels said there had been one other time when the murals were allowed as part of an art project and reviewed the conditions that had come with that approval. He said that was why he had felt the best place for the request was with the Council.

Council President Murphy said he would suggest, if the Council allowed the murals, that Metrovation should follow through with the proper paperwork. He said he didn't think anyone had a problem with it.

Councilwoman Burnham said issue had been that it had just showed up and they did not know if it was painted on the building or fastened to it. She again said she felt the matter should have gone to Planning & Zoning and not to the Council.

Council President Murphy again said he didn't think anyone on the Council had an issue with the request.

Ms. Cheslock said the one piece had been hung but noted there were two additional pieces in storage that they would also like to hang. She said the existing piece was hung on the Anderson Building facing Bridge Avenue. She said they would also like to hang another on the Anderson Building facing Monmouth Street and also one at 25 Bridge Avenue.

Council President Murphy said they could keep up the one that was already hung but said they needed to complete the paperwork before hanging the other two.

Administrator Sickels suggested the Council set a time limit that could be renewed if necessary.

Councilman DuPont was asking how long they wanted them up.

Council President Murphy suggested the one in place be allowed for a year. He said the other two signs would be reviewed by the Code Committee and a determination would be made at that time.

Councilman DuPont said he would support a motion to allow the existing painting to remain in place until December 31, 2015 without any further action. He said the other two would have to be applied for through the proper channels.

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

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

### **Riverfest Social Affairs (Alcohol) Permit Request**

Councilwoman Schwabenbauer said she had been contacted by Scott Harrison of This Is It Productions to request permission to include a Beer Garden at Riverfest. She noted the event was only two weeks away.

Council President Murphy said the group was aware of the process as they had been attending Special Events meetings for quite some time. He said he felt it was a little late in the game for the request. He said issues included the need for a police presence, a need to review the people who would be serving the alcohol and other security concerns. He said they had typically not allowed alcohol in the parks. He noted the difference between the venue at the White Street Parking lot and Marine Park. He said the event organizers would have to hire between nine and eleven cops and the area would have to be gated off. He said the servers would have to be processed for approval and said the time frame was a concern. He asked Mr. Sickels how many days before the event were applicants asked to come to the Special Events Committee.

Mr. Sickels said the Committee requested applications sixty days in advance and final approval was typically given at the last meeting before the event which had been held May 4<sup>th</sup>. He noted this request had just been received.

Council President Murphy said everything would have to go back to the Special Events Committee for review. He said he felt the issue should have been brought up earlier and said the Police Chief had concerns that there wasn't enough time.

Mr. Sickels noted the Mr. Harrison had been appearing before the Special Events Committee for two decades and was aware of the procedure. He also noted the Mr. Harrison had been at the May 4<sup>th</sup> meeting of the Committee and had not brought the matter up. He said the Police Chief of out of town and reviewed the paperwork that would be involved in the request. He said it was too short of notice to try to get everyone together for a meeting.

Council President Murphy asked who would be benefiting from the event.

Mr. Harrison reviewed the area that would encompass the proposed Beer Garden. He said the idea was to benefit the Parks and Rec fund.

Council President Murphy asked when the next Special Events meeting was.

Mr. Sickels said it was the Monday after the event and noted the event was in two weeks.

Council President Murphy said he would listen to comments from the Council but said he felt two weeks out was too late to approve the request.

Councilman DuPont said it was a nice idea but said he wasn't quite sure if it would benefit the businesses and bars surrounding the event. He said his greatest concern was the issues the Police Chief had expressed. He said he would be against the request on such short notice. He encouraged him to make the request earlier next year. He also expressed concerns about the police/security issues.

Council President Murphy said he would not necessarily be against it but felt two weeks out was not enough time.

Councilwoman Burnham asked Mr. Harrison why he had not brought the matter up at the Special Events Committee.

Council President Murphy said Mr. Harrison had brought it up in past years. There was a discussion regarding the matter of alcohol in the parks. He again said he felt two weeks' notice was not enough time.

Councilwoman Burnham asked Mr. Harrison if he had brought this up at the Special Events Committee.

Mr. Harrison said it had been brought up for the last few years and said the issue had been that the organization chosen would not benefit the Red Bank Community.

Council President Murphy said the proper place for discussion would be the Special Events Committee. He again said it would be difficult to put it together in two weeks. He suggested Mr. Harrison make the request through Special Events for next year.

Mr. Harrison asked if it was possible to bring that request to the Council.

Council President suggested he contact the Clerk to request placement on the agenda before he returned to the Special Events Committee.

### **Crosswalks**

Councilwoman Burnham requested that the crosswalks be painted in the downtown area before every summer to make it more pedestrian friendly. She said the school crossings could be done in September. She noted there was a Pedestrian Safety Grant for \$7,500.

Mr. Sickels said he would have to check with the Police Chief regarding what the grant was for.

Council President Murphy said he believed it was being used for traffic stop enforcement regarding pedestrian issues and seat belt usage.

Councilwoman Burnham said she was concerned about safety issues at Bridge Avenue and Dr. James Parker Boulevard. She said she would like to see cross walks at the intersection.

Councilman DuPont asked if that was part of the repaving program.

Councilman Zipprich confirmed that it was.

Mr. Sickels said both Bridge Avenue and Dr. James Parker Boulevard were scheduled for repaving and striping would be included.

Councilwoman Burnham said she did not think they should wait.

Councilman DuPont noted that the road would be torn up prior to paving. He said he thought it was a good idea.

Councilwoman Burnham stressed the importance of the crosswalks.

Councilman Zipprich and Engineer Ballard reviewed the timeline for the projects.

#### **APPROVAL OF MINUTES – April 22, 2015**

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

#### **ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, DuPont

NAYS: None

ABSTAIN: Zipprich

There being four ayes, no nays and one abstention, the motion was declared approved.

#### **MAYORAL APPOINTMENTS**

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

Councilwoman Burnham reported that the Code Enforcement Committee had been tasked with simplifying the sign ordinance and said they had been working on it for a year and a half. She said the final draft had been forwarded to RiverCenter and to the Historic Preservation Commission. She said they were looking to finalizing it so they could start enforcement.

Councilman DuPont noted an email had been received from RiverCenter and asked if the changes had been incorporated.

Councilwoman Burnham noted the email had just been sent that afternoon and said she had not had a chance to read it. She said the Committee would look at it. She also reported that Red Bank Elks Club #233 had honored Deputy Clerk Bonnie Thomas on April 25 as its citizen of the year. She also thanked Boy Scout Zac Forest for refurbishing Borough picnic tables.

Councilwoman Schwabenbauer reported that the Memorial Day service would be held on Monday, May 25 at 51 Monmouth Street. She said there had been a dedication of the pocket park on Shrewsbury Avenue the previous Monday to honor Ralph "Johnny Jazz" Gatta. She also reported that Recreation was currently registering sixth and seventh grade boys for basketball. She said there were also adult basketball pickup games for those 21 and older at the Middle School on Monday, Wednesday and Thursday from 8pm to 10pm. She said the cost to participate was \$6. She also reported that there would be a free baseball clinic at Count Basie Park on Memorial Day from 11:30am to 1pm. She said the Red Bank Rec Football Club would be hosting travel soccer tryouts on May 16 at Count Basie Field.

Councilman Zipprich offered a progress report on the Road Program and thanked Engineer Ballard for all of the work she had put into the program. He also reported that Jersey Professional Management had delivered their report on the Solid Waste Operation to the Administrator and confirmed that it had been distributed. He also reported that the Historic Preservation Commission was working on their review of the sign ordinance and would provide comments after their next meeting. He said the Commission was also undertaking a Westboro project that would take place over the summer. He said the Shade Tree Committee was handling complaints about damaged, diseased or dying trees and said they would be meeting the following week. He wished all the best to DPW Director Watson and Mayor Menna. He said he had been a guest a Tower Hill School that morning as the class celebrated a year with Mrs. Gaunt and her Acceptance Curriculum.

Councilman DuPont said they had done a Solid Waste Collection cost analysis back in January which had indicated there would be an estimated savings in going out to bid for the service of about \$582,000. He said it would be interesting to see if the analysis matched the bid.

Councilman President Murphy reported that members of the Red Bank Police Department were participating in the Police Unity Ride. He thanked everyone who came out on Saturday to wish them well as they rode off to Washington, DC. He said they had arrived safely and were on their way back. He also said he had spoken with Mayor Menna and reported he was doing well.

## **COMMUNICATIONS AND PETITIONS**

Council President Murphy read a request from Ryan Hussey and Andrew Hill for membership to the First Aid and Rescue Squad and from Federico Morales to the Westside Hose Company of the Red Bank Volunteer Fire Department.

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

### **ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Council President Murphy read a request from Global Water Dances to waive the fee for use of Riverside Gardens Park in regard to their June 20, 2015 event to promote water resource awareness. Event is subject to review and approval by Special Events Committee.

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

### **ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

## **PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only**

Council President Murphy opened the public comment portion of the meeting and asked if anyone would like to speak.

Stephen Hecht—135 Branch Avenue—asked about Resolution 15-111 regarding tax appeals. He asked the amount of the refund and asked that the amounts be included in the notations of the resolutions.

Attorney O’Hern said he thought they had been doing that and reviewed the amount of the reduction and the amount of the refund.

Mr. Hecht again asked that the numbers be included in the resolution.

Councilman DuPont noted that Mr. Hecht had made that request before and said he did not think there would be any objection.

Attorney O’Hern clarified that the resolution would approve the settlement and said there would be a subsequent one to approve the refund. He said they would make sure the numbers were included going forward.

Borough Clerk Borghi explained that, ever since Mr. Hecht had first brought it up, the numbers had been included on all resolutions authorizing the refunds.

No one else appearing, Councilman DuPont offered a motion to close the public portion of the meeting, seconded by Councilman Zipprich.

### **ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

## **ORDINANCES – First Reading**

### **ORDINANCES – Public Hearing and Final Adoption**

### **RESOLUTIONS**

15-105 Council President Murphy read, “A CDBG Block Grant Resolution Authorizing the Mayor or Administrator and Clerk to Execute a Project Agreement with Monmouth County for Performance and Delivery of FY 2015 Community Development Projects.”

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

Councilwoman Burnham asked if the resolution was regarding the access path to the Primary School.

Engineer Ballard confirmed that it was.

Councilwoman Burnham noted that Administrator Sickels had said at the last meeting the Ordinance 2015-08 was in regard to the Primary School Access Path.

Mr. Sickels said that was correct.

Engineer Ballard said this resolution authorized the Borough to sign the agreement.

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-106 Council President Murphy read, "A Commending Donna Smith Barr."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-107 Council President Murphy read, "A Resolution Appointing Part Time Library Assistants."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-108 Council President Murphy read, "A Resolution Changing Existing Temporary Part-Time Librarians and Part-Time Library Assistant to Permanent Status."

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

Councilwoman Burnham asked if the employees would receive benefits.

Mr. Sickels said they would not receive health benefits.

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-109 Council President Murphy read, "A Resolution Authorizing Approval of Sidewalk Cafes."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-110 Council President Murphy read, "A Resolution Setting Time and Place for Special Meeting."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-111 Council President Murphy read, "A Resolution Authorizing Tax Appeal Settlement Regarding Warwick Gardens, Block 115, Lot 16.01, Pinckney Road, Red Bank, New Jersey."

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

**ROLL CALL:**

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

15-112      Council President Murphy read, "A Resolution Authorizing the Advertisement of Bids for Solid Waste Collection and Disposal Services."

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

**ROLL CALL:**

AYES:      Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS:      None

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

15-114      Council President Murphy read, "A Resolution Provide for the Form, Maturities and other Details of Not to Exceed \$5,400,000 General Improvement Refunding Bonds of the Borough of Red Bank, New Jersey and Providing for Their Sale."

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

**ROLL CALL:**

AYES:      Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS:      None

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

15-115      Council President Murphy read, "A Resolution Appointing Mary Kouvel as Acting Director of the Red Bank Planning & Zoning Office."

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

**ROLL CALL:**

AYES:      Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS:      None

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

## **PROCLAMATIONS**

### **PAYMENT OF VOUCHERS**

15-116      Council President Murphy read, "A Resolution for Payment of Bills Amounting to \$3,265,019.50."

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

**ROLL CALL:**

AYES:      Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS:      None

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

## **OLD BUSINESS**

### **NEW BUSINESS**

#### **AUDIENCE**

William Meyer—12 Monmouth Street—said he wanted to speak regarding the water meters and said he was surprised that the Borough would assume that missing water was not being recorded on the water meters. He asked if there was any mechanical reason why they believed that.

Engineer Ballard said 144 meters were not working at all and were being estimated based on the last bill calculated. She said the meters also have moving parts and iron would build up and slow the parts down so they would not report accurately.

Mr. Meyer said, if there were 14 meters on the shelf, why hadn't they been used to replace the broken meters or why hadn't they bought the new meters in a limited quantity to replace them.

Engineer Ballard noted that they operated on two totally different systems that would not integrate.

Mr. Meyer again suggested they replace broken meters with the newer model.

Engineer Ballard again explained that they could not use both because they would not integrate at all.

Councilwoman Schwabenbauer asked if he suggesting they use a phased approach to install the new meters.

Mr. Meyer said he was and said if they were hand entering the data now, why couldn't they continue as they installed the new meters.

Engineer Ballard said she had been part of a phased project ten to fifteen years ago and noted that the last phase had never been implemented. She said the decision had been made that they could not approach it as a phased approach again and were doing them all at once. She reviewed the benefits of the new system.

Mr. Sickels also noted that it was an optimum time for financing.

Councilman DuPont gave an example of the rates that were currently being offered.

Mr. Meyer said he had heard it said that the new system would be able to notify people of an increase in usage and said that was currently being done by DPW employee Doug Lang. He said he did not think the new system would be an improvement in that regard and also said he felt the water might be lost in the underground lines. He again suggested the meters be replaced as needed.\

Sheri Greenspan—Freehold—said she was representing Global Water Dances.

Council President Murphy said the event had been referred to the Special Events Committee for review and approval.

She said they were asking for a fee waiver for the park usage.

Councilman DuPont noted that the matter had been approved earlier in the meeting.

She thanked the Council and reviewed the event history.

Administrator Sickels clarified that the Council had approved the request to waive the fee subject to the organizers appearing before the Special Events Committee at their first meeting in June.

Paul Balanikas—73 Wallace Street—commended the Council for the park dedication. He said he would like to see a better sign at the location and asked the Council to consider something in bronze.

Councilman Zipprich said they were already working on fundraising to put a memorial in place.

Mr. Balanika commented on the resolutions regarding the Library staff and said he hoped they could restore full time hours.

Michael Whalen—Maple Avenue—said he understood the water meters faster, more efficient and had improved technology. He asked if they were self-sufficient or if they could be hacked. He also asked who would pay for software updates.

Administrator Sickels said they were good questions.

Fred Boynton—365 Shrewsbury Avenue—said the curbs and sidewalks have been done on Dr. Parker Boulevard but said the company had removed asphalt from the driveway of the Masonic Lodge and not put it back. He said it caused problems when it rained. He said they had also removed grass and not put down topsoil.

Councilman DuPont those items should be added to the punch list.

Engineer Ballard said she would take care of it.

Mr. Sickels confirmed that the project was not complete.

Mr. Boynton noted that the water meters would not fix the water pressure issues in town.

Engineer Ballard agreed that it would not.

Mr. Boynton said he felt, once the new meters were installed, the bills would go up.

Council President Murphy said that was because the meters were reading correctly.

Mr. Boynton complained about an incident on River Street. He said there was a sink hole in the area.

Council President Murphy noted that that had been an issue with a private contractor.

Mr. Boyton asked the Borough to temporarily fill the sink hole.

Council President Murphy confirmed that there was a sink hole in the area and that it should be repaired.

Mr. Boynton complained about crosswalks on Shrewsbury Avenue and said the matter had been brought up at political debates but said it had still not been done. He acknowledged that it was a County Road. He also said the catch basins were not being cleared. He said they used to be cleaned out before it was due to rain.

Kate Triggiano—22 Leighton Avenue—spoke about the street art. She reviewed the work of the artist and said it was an honor to have her paintings in town. She also asked for a Bellhaven update. She said she understood the grant would expire in May.

Engineer Ballard said the deadline was in May and the Borough had requested an extension. She said they had heard yesterday that they had been granted an eight month extension.

No one else appearing, Councilman DuPont offered a motion to close the audience portion of the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

#### **EXECUTIVE SESSION**

15-117 Council President Murphy read a resolution to adjourn to executive session to discuss personnel with no formal action to be taken.

Councilman Zipprich offered a motion to adjourn to executive session to discuss personnel, seconded by Councilwoman Schwabenbauer. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Councilman Zipprich offered a motion to close executive session, seconded by Councilman DuPont.

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

#### **ADJOURNMENT**

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

ROLL CALL:

AYES: Murphy, Burnham, Schwabenbauer, Zipprich, DuPont

NAYS: None

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

Respectfully submitted,

Pamela Borghi