

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
SEPTEMBER 9, 2008
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Borough Clerk Vivona, Chief Financial Officer Mason, Attorney Pringle and Engineer Kosenski.

ABSENT: Assistant Attorney Thomas Hall.

SUNSHINE STATEMENT

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Courier, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on September 2, 2008.

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Murphy offered a motion to suspend the regular order of business, seconded by Councilman DuPont.

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna said this evening we have some very special people that are here and they are some of our most wonderful, talented and respected citizens and employees and they are the members of the Red Bank Police Department, as well as the members of the Red Bank Volunteer Fire Department. He said he is grateful, as all of his predecessors have been, to be able to rely upon the confidence, support and assistance of men and women of our Police and Fire Department that have been responding to incidents in Red Bank and doing the best job since our founding 100 years ago. He said the reason we are here is because there was an incident in Red Bank where the reason a person is alive is because of the tremendous efforts and intuitive skills of both our Police Officers that are here, as well as our former Chief of the Fire Department. He said Sgt. Mangold, while off duty and returning home from extra duty detail, smelled the odor of smoke in the area of West Street and West Front Street and after he smelled the smoke he investigated further and located a structure fire at 20-30 West Street. He said Sgt. Mangold decided to drive to the rear of the address and he noticed extremely heavy smoke and flames coming out of the first floor apartment and got out of his car and without thinking twice went immediately to the home and woke the resident who was sound asleep on the second floor and the resident, Karen Sunstrum, came to the front window and was obviously agitated about what was happening while she was asleep and started screaming and was calling for help. He said Sgt. Mangold was able to calm her down and assist her to exit onto the front porch roof and said once she was on the roof Sgt. Mangold, Sgt. Milko, Patrolman Patrick Kennedy and former Fire Chief and firefighter Robert Holiday were all at the scene and then were able to assist her off the roof. Sgt. Milko then called for EMS who arrived and transported the victim to Riverview Medical Center for treatment and then she was released. He said that all of us realize when these incidents happen they bring out the best in terms of our men and women helping others and it should be noted that if Sgt. Mangold had not located this fire while he was returning home off duty and awoken the resident, someone may have been seriously injured or died from this fire since the resident was sound asleep and trapped on the second floor of her apartment while the fire was raging on the first floor. He said the victim herself has returned to the scene and indicated to us and to the Department that in reality and for the rest of her life Sgt. Mangold is her hero, as are the other members that are here tonight and the Police Department has recommended that Sgt. Mangold be recognized for his actions along with Sgt. Milko, Patrolman Kennedy, as well as Ex-Chief Robert Holiday, for assisting. He said that he knows the Commissioner is going to be saying some words but he can speak on behalf of all of the

Members of the Governing Body and all of our residents, having known all of the men involved, that they represent the best that this town has to offer and said their exemplary actions indeed merit commendation and the Governing Body this evening is prepared to approve the resolutions issued by Police Commissioner Art Murphy, Police Chief Mark Fitzgerald and Fire Chief Noel Blackwood.

Councilman Murphy said that this is just one of the many things that go unseen day to day here in Red Bank and it was nice to give these individuals commendations and that for instance today there was an over turned car on Broad Street and the Red Bank Volunteer First Aid Squad and Fire Department were there immediately and these individuals are on call 24/7 and they are all volunteers and as far as our Police Officers go these individuals work hard and are always on the streets looking and protecting us. He said the Mayor giving these awards means a lot to these individuals and they are truly heroes. He said our Police and Volunteer First Aid and Fire Department are the best in the State and we truly appreciate them.

Mayor Menna and Police Commissioner Murphy presented the resolutions to each individual.

08-187 Mayor Menna read "A RESOLUTION COMMENDING POLICE SERGEANT RICHARD MANGOLD."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

08-188 Mayor Menna read "A RESOLUTION COMMENDING POLICE SERGEANT JOSEPH MILKO, PATROLMAN PATRICK KENNEDY AND FIREFIGHTER ROBERT HOLIDAY, JR."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Each individual thanked the Members of the Governing Body for the resolution.

Green Acres Development Application Public Hearing

Mayor Menna said that tonight we have the Green Acres Development Application Public Hearing.

Mayor Menna said that as a result of discussions held with the Parks and Recreation Committee, the Committee has recommended, in conjunction with a Monmouth County Open Space Grant as well as Green Acres funding sources, that an application be submitted to the Department of Environmental Protection Green Acres Program, as well as a separate application to the Monmouth County Municipal Open Space Grant Program, for the purpose of rehabilitation of Count Basie Park. He said this is something the Parks and Recreation Committee of the Borough has been reviewing for a while and the only thing that this does is authorizes the Mayor and Council, through its appropriate staff, our Engineering firm to proceed with both applications to see whether grant funding availability would be provided to the Borough to the extent of possibly \$250,000 from the County of Monmouth, as well as \$280,00 from the State Green Acre funding, for the rehabilitation of Count Basie Field. He said that as the public is aware Count Basie Field is also leased and is being used and the Borough receives funding from Red Bank Catholic for the use of the field so if we are successful in this particular application and the grant funding, in all likelihood we would have to work out and negotiate a renewed lease agreement with Red Bank Catholic to ascertain whether or not the funding for this could be paid. He said this does not commit us to spend any funds it merely authorizes the application for those grant applications by the Parks and Recreation Committee, as well as the Borough Engineer. Mayor Menna asked Councilman Giannell, who is the Chairperson of the Parks and Recreation Committee, if he had any comments.

Councilman Giannell said that he thought the Mayor presented a good summary of the project and that if he were to add anything he wanted to say that Councilman Murphy and Councilwoman Cangemi, along with the Administrator, had some very good points and thinks they did an outstanding job. He said it was his first time at the meeting and was very impressed at all the work the individuals involved with the project did.

Mayor Menna introduced Christine Ballard from T&M Associates.

Ms. Ballard said that she is working with the Borough Engineer and preparing the two grant applications for improvement to Count Basie Park. She said that this is the Public Hearing portion of the applications which are for both Monmouth County Municipal Open Space and New Jersey Department of Environmental Protection Green Acres. She said this project is located at Count Basie Park, which is an existing park facility located off of Mohawk Lane and Park Street, and said the existing football field is being proposed for synthetic turf so that we could expand its usage from strictly football to other sports events. She said for the grant application for Monmouth County we are asking for \$250,000 and for Green Acres we will be asking for \$280,000 which is partial funding towards the total project costs which is estimated to be about \$1.15 million and this does not, as the Mayor said, bind the Borough into moving forward with the project but it does certainly give them some more options as far as continuing to look at this project. She said the application for Monmouth County is due September 17, 2008 and the Board of Chosen Freeholders typically makes a decision in December of 2008 and the NJDEP Green Acres application is due September 30, 2008 and typically the State will send notice of award in March of 2009, which would allow the Borough to move forward if they choose to proceed with construction in the Fall of 2009. She said at this point she would like to open the meeting up to any public comments and said all of the comments would be included in both applications.

Mayor Menna asked if any members of the public had any comments on the applications.

Mark Aikens – Rumson – said that he comes here this evening as a coach for the Red Bank Pop Warner Program and said it is a great pleasure to wear that hat and to advocate for the youth of Red Bank. He said here in Red Bank he assists with the midget football program and said that he has been working with the children since August 1, 2008 and it has been a great pleasure to see the youth coming together as a team and said that he thinks from a broader perspective the advocacy for this particular grant is essential for the Borough's youth, not just with regard to football but for all the sports programs and programs beyond sports that will be benefited if this grant is approved. He said that several years ago he had the pleasure of assisting with the Rumson-Fair Haven Community Turf Project, which was able to raise funds and successfully install an artificial turf field at the Rumson-Fair Haven Regional High School and for those that have not seen that facility he encouraged to take a look at it. He said it is like other turf fields but utility is beyond comparison and what he means is the girls' soccer team can play and they can come off the field and the boys' football team can come on the field and then they can come off the field and then both boys' and girls' lacrosse teams can play. He said there is tremendous utility and in addition to the facility that exists presently there are lights that are there so it would be a tremendous benefit to the youth of the Borough of Red Bank and beyond should this grant and these plans be approved. He said the Pop Warner Team here in Red Bank is not only about playing football and said that the Pop Warner Program also includes a scholastic component and said there is a minimum eligibility for players and it helps to set the tone as those young players who start at ages 6 and 7 years old and grow until they enter High School and complete the Pop Warner Program and said it sets the stage for their responsibility and said as coaches we teach a number of things besides the football skills but teach preparation, effort, responsibility, knowledge and the most important thing we teach is attitude because at the end of the day a positive attitude is everything and he fully supports these applications.

John LeFever – 118 Spring Street – said he is a Borough resident and also on the Parks and Recreation Committee and wants to speak for the advocacy for these grant applications because if you look at the picture of the current state of our playing fields they are terrible. He said they have bare patches and brown grass and to have an artificial turf field would allow us to play multiple sports on the same field and would also allow us to rest our current fields and get them back into some sort of shape and make better utilization out of them. He said that he has kids running around out there and he is constantly worried someone is going to get hurt and said it would be a really great idea to have the artificial turf field and would be great for our kids.

Louis DelPra – Athletic Director, Red Bank Regional High School and resident of the Borough of Red Bank – said that he is excited to see the schematic of the field and said the one word he has used over the last month at Red Bank Regional is enthusiasm and said that he thinks an Astroturf field like that would bring great enthusiasm to the youth of Red Bank and right now the numbers are staggering because 1/3 of our youth are overweight and 2/3 of adults are overweight and so he thinks we have to start from the base and grassroots of our athletic programs at the young age of 5 and 6 years old and to have a facility like this would really enhance our recreation program and said that he thinks the possibility of having four lined fields, including sports like field hockey and lacrosse as well as soccer and football, would really enhance the programs at the high school level because right now we do not have any lined fields for a

sport like field hockey or lacrosse in the Borough of Red Bank so it would help those programs that are rising and this is a great idea and would really help get the enthusiasm out to the youth of Red Bank.

Mayor Menna thanked Mr. DelPra and asked him what the date of the parade for the football teams would be.

He said the date of the parade is Friday, September 26, 2008 and the parade would include the members of Red Bank Catholic and Red Bank Regional High Schools.

Mayor Menna said he would like to thank Mr. DelPra for reinstating the traditions of this parade.

Mayor Menna asked if any other members of the public would like to speak, no one appearing he closed the public hearing.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna asked if there were any comments from any of the Council Members.

Councilwoman Cangemi said that she and Councilman Murphy have been working on this for a long time and said that she is really pleased that we have gotten this far. She said the Parks and Recreation Committee has spent numerous hours trying to sort out how we could get more use out of our fields and how we can rest fields and how we can get these kids on safe quality playing fields and this is a really innovative idea to go to the County and say we are not looking to acquire a park but are looking to take what we have and in this limited amount of space we are looking to make it usable more often and for different uses and create open space in a space we already have and said it is a different kind of project for the County and said she does not think anyone has come to them with this kind of idea and thanked Councilman Murphy and Councilman Giannell for working with Parks and Recreation. She also thanked T&M Associates and Mr. Sickels for trying to make this work.

Councilman DuPont said that this is the first time he has seen any of the numbers and even if we receive the 2 grants for \$530,000 there is almost an additional \$700,000 that is needed and asked if there were any discussions about how we are going to pay for this.

Mayor Menna said the only discussion that he has been privy to has been a discussion between the professionals for the Borough and also with representatives of the lease hold interest, which is Red Bank Catholic, to increase the lease program to make up the difference in funding, but there is nothing firmed up at this point. He said it would also be subject to the grant funding and also subject to a successful negotiation.

Councilman DuPont asked if there have been any other alternative discussions other than the Astroturf to refurbish the fields.

Mayor Menna said that he knows that there are some scientific or environmental reasons that he has read in the past and said he is not an expert in that and said he presumes the Committee has probably dealt with some of those issues. He said Councilman Giannell is the Chairperson of the Parks and Recreation Department, but maybe other members of the Committee could answer any questions.

Councilman Giannell said that he has quizzed them thoroughly; however, Councilwoman Cangemi and Councilman Murphy have been working on this for some time.

Councilman Murphy said approximately 5 or 6 years ago we entertained the idea of doing Astroturf at the field and the conclusion, after all was said and done and after getting several bids, was that it was too expensive and we wound up resurfacing the field with natural grass and took the time to re-drain it and spent a lot of time with the preparation with the new turf, but that field is utilized to the maximum between Pop Warner, that has 4 different divisions, and Red Bank Catholic, who only plays football there, and soccer and multiple other things going on there. He said if anything could be true about Astroturf we would definitely get a lot more use and the different types of fields are already there and people could come off the field and another team could come out immediately and another good thing about Astroturf is that you do not have to cut it and don't have to worry about water so for the multi use it is definitely a good thing and said he sees the use that the park gets. He said the football field has already been sodded

once and it does not hold up with the amount of use it is getting. He said that in sitting down and talking to Councilwoman Cangemi and Ex-Councilman Curley this last Spring, we have this grant that is acceptable to us for \$250,000 for an open space grant and the open space grant is generally for parks and open space but our fight here in Red Bank for this application is that we do not have space and we are a town that has been here for years and where do we acquire space and when we do acquire space it would be non-taxable and we already have enough of that going on in Red Bank, so the way we are approaching this application is that we have an existing field but we are saying that if we can enhance this field we could give the public and the children more opportunities to use the field. He said the field needs the work and said we have already re-sodded once and in 4 years it is in terrible condition again.

Councilwoman Cangemi said that she originally shared Councilman DuPont's concern and continues to ask if this is the most cost effective way to go especially since we are receiving contributions from the lease holder. She said the other day the Committee took it apart asking what would it cost us given that in 5 years we already have to re-turf and use of this park as gone up and said it may not be 5 years next time, so assuming over the course of the guarantee for the turf versus maintenance for natural sod and said dollar for dollar this makes sense and it will also take some of the wear and tear off the other fields that surround it which hopefully will allow us to get a little more longevity out of them. She said in a dollar for dollar manner with these grants it could be a very cost effective solution and we will just have to wait and see if we receive any funding from these grants and said she thinks it is a really innovative idea and said she thinks by pursuing it we would not have to keep on re-sodding this field. She said we just have to wait and see what the County and the lease holder are willing to give.

Councilman Giannell said he is not an expert on this subject but from what he has heard over the last couple of weeks it seems to be cost effective.

Councilwoman Cangemi said that over the course of 10 years the number came out to almost 1 million dollars, in terms of re-sodding it for the 2 ½ times it would probably have to be done and the cost of cutting and maintaining.

Councilman DuPont asked if the \$1.1 million includes the engineering fees or is it more than that.

Mayor Menna said that it includes soft costs and said that this is only an application for grant funding of \$530,000 and said the additional caveat that he really wants to stress is that even with the grant funding he personally would not be in favor of moving forward unless the Borough successfully negotiated a new use agreement by some of the users that would offset the additional costs in capitalized expenditures.

Councilman DuPont said that the troubling part of this conversation is that he did not have any of the numbers prior to this meeting and said that it was placed on the agenda last night and the other question he had was that he has been reading in the paper about some of the health concerns about AstroTurf and asked if that has been researched and asked if they are valid concerns.

Councilman Murphy said that this is one of the first steps in financing and said that we have an opportunity to go after funding for the fields and if granted we do not have to take it and if we are not successful with receiving additional grant money or successfully negotiating with Red Bank Catholic, we do not have to move forward with the project and he said that he believes that the Members of the Governing Body do not want the taxpayers to pay for this. He said this is just one of the first steps of putting in an application and trying to reach a goal where we could have AstroTurf at Count Basie Field.

Mayor Menna said that he thinks what Councilman Murphy had said earlier that this is a first step in what he thinks is a creative way to solve some of our recreational needs and said what he means by that, as Councilman Murphy said, is we are a compact municipality so we have limited space in which to use our resources. He said the use of our resources is very expensive and said this is a creative way that we can partner with the users, the State and with the County to provide funding and also payment for the financing and said he thinks that would get us almost there and the other thing that is troubling is that we as a municipality and the previous administration have done the right thing by trying to rely upon off-track contributions for recreational needs but the State has ruled that you cannot use recreation contributions for off-track improvements because it is not in the Municipal Land Use Law, so that tool which had been available in the past was to get some kind of give back in terms of providing open space at least for now is off the table unless they change the Municipal Land Use Law which means that the only way you can increase or enhance recreation would be through taxation or public financing. He said that this is a creative way we can explore and if it does not work at least we tried.

Councilman DuPont said that he does not disagree that our parks and our fields need to be improved and said that we are just going to go along a path that is going to potentially spend \$1.1 million dollars and none of it was discussed by the Finance Committee and it was placed on the agenda last night and said he has not even seen the numbers and he thought that the public, as well as the Council, deserves just a little more attention to some of the numbers so that when we go back and we are talking to the residents we have some of these numbers in hand. He said that he is happy to hear we are not committed to the grant

but it still is \$250,000 and we still do not know what the costs are going to be from the Engineer and it is a grant but we do not have any idea if it is a grant or loan we would have to repay and we do not know how this is going to affect our debt. He said it is creative and probably worthwhile but he just thinks that the Mayor and Council deserve a better heads up and better information so we know exactly how much this could cost and we have not had that and that is disappointing.

Mr. Sickels said he just wanted to speak about the health issues and said that a lot of the health issues that were recently raised had to do with the nylon turf as opposed to the turf that we are looking at which is polyester turf. He said the nylon turf uses coloring and has lead based issues and the turf we are looking into is the same turf being used by Seton Hall University and Kean University and this type of turf is not associated with all of those issues. He said the other issue is with regard to partnering with others and said we have been talking for years and going in circles about trying to move forward with the concept and the project and the grant opportunity came up and had been discussed earlier in the Spring with the Mayor and the Monmouth County Open Grant Space people and it was followed up after the Summer with the Parks and Recreation Committee and now the deadline is coming up and one of the problems with getting the partnering on board is that someone has to make a commitment and take the first step. He said this is really the first step and if the grant funding is available then that will show that the Borough is serious by putting in this application and caveat is now we have taken the first step and it is time for us to have our partners come in and commit to the project and if they commit to the project we will go forward and if they don't commit to the project we don't go forward.

Councilwoman Lee said that she has heard that if AstroTurf fields do not have proper drainage there could be problems with viruses and funguses and asked if the Parks and Recreation Department could give us information on this issue.

Mr. Sickels said that they would.

Councilwoman Cangemi asked if the grant information would include anything on this matter.

Ms. Ballard said that she would like to address the health issue and she said in July of this year the U.S. Consumer Product Safety Commissioner released a statement that kids are safe from lead in turf basically saying that these turf fields are safe for children and will not cause health problems and said this is the leading agency in the Federal Government that deals with health concerns regarding turf fields and as far as the drainage for this field has not been designed. She said this is just a preliminary application and there has been no design done and said that they would not move forward with design until the Mayor and Council commit to the project so we do not want to expend any funding now in the event that the Mayor and Council should choose not to move forward with the project. She said what they put together is merely a budgetary number so that we could put together an application to submit for funding.

Councilwoman Lee said that she knows there is a deadline of September 17, 2008 for this application to be submitted and she does not have a problem submitting the application but would like to receive information from the Parks and Recreation Committee about all health concerns with AstroTurf fields.

Councilman Giannell said that he agrees with the Council Members to submit the application but would like more information on the financial aspect of the project.

08-184 Mayor Menna read "AN ENABLING RESOLUTION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES FOR COUNT BASIE PARK."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Monmouth County Municipal Open Space Application Public Hearing

08-185 Mayor Menna read "A RESOLUTION AUTHORIZING APPLICATION TO THE COUNTY OF MONMOUTH FOR A MUNICIPAL OPEN SPACE GRANT FOR COUNT BASIE PARK."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

WORKSHOP

Hydrant Flushing

Councilwoman Cangemi said that hydrant flushing will be starting in October and with the repaving of roads and repairs to the infrastructure residents had problems with discolored water and the standard answer is run your water for 20 minutes and it will clear up. She said it is getting a little crazy and residents are complaining and said we need to think of something besides run your water for 20 minutes. She said she received calls all last week about water in the Harding Road area and said she understands why it happens but when people are expending 50 gallons of water to try to get clear tap water they are paying for it and said she does not know what the answer is.

Councilwoman Lee said that we are dealing with a 100 year old water system and we have to flush, dig up roads and drain tanks.

Ms. Ballard said hydrant flushing is a part of the standard operating procedures for maintaining your water distribution system and said it keeps the system clean and over time iron can deposit along the inside of the pipes and by flushing hydrants it prevents iron from building up which then prevents water from flowing and it also reduces pressure. She said it is really preventative maintenance and said she understands it is a concern and they try to condense the flushing into the shortest time period possible but it is really something that is unavoidable. She said that every water company has hydrant flushing once or twice a year and it is recommended by the American Water Association.

Councilwoman Cangemi said she does not know what we have done in the past about notifying our businesses because last time there was a problem with some of the businesses that have ice machines and do not have filtration and said that we have to be on top of it. She said that when our electricity does not work we do not pay for it and when our water is not good we still have to pay for it. She said she does not know what the answer is but her phone keeps on ringing about it and said she also wants to comment about when we recently had to go over to the New Jersey American Water system and parts of the Westside had incredibly bad chlorine smells and Councilman Murphy witnessed one of the samples. She said that samples were taken by Mr. Watson and they were supposed to be tested by the Engineer to see if these high levels of chlorine were acceptable but she did not receive any information about the testing.

Mr. Kosenski said when the Department of Public Works does the hydrant flushing they put a public notice in the paper to announce the areas and the dates that they will be flushing so there is an attempt to notify the public.

Councilwoman Cangemi said that she is wondering if we should also go through RiverCenter on this as well because she doesn't know about anyone else but she does not always read all the public notices.

Councilman Murphy said that we usually flush the water system twice a year but we have had a road program for the last 18 years and maybe there were water problems but he has not heard of them until now. He said that when we are digging up a road the hydrants get opened for water use or we replace water lines in town the pipes get disturbed and the water comes out brown and said that because we have an extensive road program now people get noticed twice a year that the fire hydrants are being flushed out and when we are working on the roads the same thing happens. He said this is the price we have to pay to

do infrastructure work in Red Bank and said that he would suggest that if we knew this was going to happen while working on the roads we should send a letter to the residents.

Councilwoman Lee said that we have always placed a public notice in the newspaper and when we are working on a street in the road program we also send a letter to the residents on the street that we are working on to tell them what is going on.

Ms. Ballard said the difference between this road program and many previous programs is that we actually have many roads that are being upgraded from 4 inch water mains to 8 inch water mains. She said that is why we are getting so many calls this time because there is more replacement of water mains.

Councilwoman Horgan said that we are moving forward on our website and this would be the ideal place to announce this to the public.

APPROVAL OF MINUTES – November 12, 2007

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

ROLL CALL:

AYES: Cangemi, DuPont, Lee, Murphy

NAYS: None

ABSTAIN: Horgan, Giannell

There being four ayes, no nays and two abstentions, the minutes were declared approved.

APPROVAL OF MINUTES – August 25, 2008

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

MAYORAL APPOINTMENTS

Mayor Menna appointed Rosemary Minear to Zoning Board of Adjustment as Alternate #1 for an unexpired 2-year term expiring 12/31/09.

Mayor Menna appointed Simone Bendary to Zoning Board of Adjustment as Alternate #2 for an unexpired 2-year term expiring 12/31/08.

Mayor Menna appointed Manuel T. Carabel to Zoning Board of Adjustment as Alternate #4 for an unexpired 2-year term expiring 12/31/09.

Mayor Menna appointed Linda Clark and Peter Noble to the Community Center Task Force Committee.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman DuPont said the salary ordinance proposes a 3.5 percent increase for employees and the Mayor and Council would not be receiving an increase. He said that we have consolidated and eliminated

positions and we are requesting and requiring our employees to do more and we run a very efficient operation and our employees do a wonderful job and said that this increase is less than the cost of living and said he would ask that the Mayor and Council consider this.

Councilwoman Cangemi said that the Shade Tree Commission has 38 new trees going into town and said she would like to thank the Members of the Shade Tree Commission for all of their hard work. She said the trees were ordered and we have received them and when the Department of Public Works has the time they would be planting the trees and she also thanked the Department of Public Works for always doing a great job.

Councilwoman Horgan said we are working on the website and said she would have something more to report on in a month.

Mayor Menna said that he sees that Nancy Adams is here and just wants to thank Nancy and the Steering Committee for working so hard on a wonderful community celebration on Sunday. He said there were thousands of people on Broad Street and Monmouth Street and it was a glorious day for the Street Fair and everyone had a good time and said that the merchants that were open were doing a lot of business and thinks that all the stores should be open. He said people that attended the Street Fair had a great time and said that he thinks they will all come back. He said that he also wanted to thank RiverCenter for coordinating the opening of 2 new stores this week and next week and said one is in the downtown district and the other is in the Bridge Avenue train station area. He said we are also expecting another new business on Front Street that will probably have about 20 employees in a brand new building and said that even in a very difficult climate he thinks we are holding our own and still looking forward to the future. He said that he has a meeting with RiverCenter this week about other retail possibilities in Red Bank and is very thankful. He said he is also very thankful to RiverCenter for coordinating the visit of the 9th Earl of Spencer who is going to be introducing a new line of furniture on Broad Street tomorrow.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from St. Anthony of Padua Parish to close Herbert Street from Bridge Avenue to the eastern end of their property line to hold their annual block party on Sunday, September 14, 2008 from 7 a.m. to 7 p.m., approved by the Special Events Committee.

Councilwoman Lee offered a motion to approve the request, seconded by Councilwoman Cangemi.

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read requests from St. James Grammar School PTA, Count Basie Theatre and Jason's Dreams for Kids, Inc. for raffle licenses.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from RiverCenter for a rain date of Sunday, November 30, 2008 for the Holiday/Town Lighting and Concert.

Councilwoman Horgan offered a motion to approve the request, seconded by Councilwoman Lee.

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Balizza, 48 Broad Street, to block off two parking spaces in front of their store for valet parking on September 11, 2008 from 7 p.m. to 11 p.m. for their grand opening fashion show, pending approval of Chief Fitzgerald.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Firefighter John P. Ziemanis to transfer membership from Independent Engine Company to Navesink Hook & Ladder of the Red Bank Volunteer Fire Department.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from the Parker Family Health Center to place a 40x60' tent in their parking lot from Friday, October 3, 2008 to Monday, October 6, 2008 to hold a party on Sunday, October 5, 2008 from 5 p.m. to 7 p.m., pending approval of Chief Fitzgerald and the Construction Official.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna read a request from Red Bank Regional High School to hold a parade on September 26, 2008 at 5:45 p.m. comprising of the Red Bank Regional High School Band, cheerleaders and alumni, as well as, the band and cheerleaders from Red Bank Catholic from Broad Street to Drs. James Parker Boulevard to the Athletic Field at Count Basie Field.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

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

Philip Scaduto – Red Bank Foodtown – said that he sent a letter to all of the Council Members dated August 14, 2008 about proposed Ordinance #2008-20 which eliminates the use of all plastic bags and mandates the use of paper bags or compostable bags only. He said that he sees that a lot of that has been eliminated from the new proposed ordinance and there is no mention of paper or compostable but just eliminating the use of recyclable bags and requiring the mandated use of reusable bags, he asked the Mayor if that was correct.

Mayor Menna said that is correct and the effective date has been pushed back from January 1, 2009 to July 1, 2009 if the Council approves the ordinance.

Mr. Scaduto said that as a Co-owner of 2 businesses in town, Super Foodtown on Broad Street and Spirits Unlimited on Newman Springs Road, he finds this ordinance to be very restraining to our businesses in particular and said not only from a business perspective but also from an environmental perspective. He said recyclable plastic bags have proven to be a tremendous use in having a second generation of life to the community and the environment as a whole. He said it keeps products out of the landfill such as paper bags and compostable bags which really only end up in the ground and have no second life or benefit for anything that can be redeemed back into society unlike a recyclable bag which has alternative uses such as using it for your bathroom garbage bag, picking up your dog's waste and you can recycle the bag. He said that when you recycle the bag we can make other recyclable bags out of them or plastic items such as Trex lumber that you see on the boardwalks or in different businesses such as construction. He said that he feels by eliminating the use of a recyclable product the Borough might be taking a step backwards in an environmental measure to become greener because really in essence we are advocating landfill usage and on a secondary note he thinks that if we mandate the use of reusable bags he does not think that it really fits into the lifestyle of a lot of people today. He said that he had that conversation with some Members of the Council about that and said their stores have offered reusable bags for sale for over a year now in all of our supermarkets and there are people that are interested in participating in this program but said that he has to be honest with everyone and most people do not really like to use a reusable bag and that's just the reality of the population and more people tend to like to use recyclable plastic bags. He said there is a lot of information in the proposed ordinance that he feels is not quite accurate and we have some other individuals in the crowd that are experts at the chemical composition of a plastic bag and recyclable bag and said that he is sure that they will be willing to talk about it. He said Rocco DeAntonio from Penn Jersey is here and he has been an advocate of recyclable plastic bags throughout the State and he has testified before the Legislature often about the benefits of recycling. He said there are also 8 other bills that are in the legislature pending later in the session and he said that could have a dramatic spin on what you might be trying to accomplish here. He said that he suggests that it may be better to wait and get more information about the pros and cons of eliminating recyclable products and mandating the use of reusable products only because he really thinks that eventually that may put the Borough in a place that they do not want to be. He asked if anyone had any questions because he has had a lot of conversations individually with Council Members but if anyone had any questions he would be more than happy to answer them if not he would like to ask Rocco DeAntonio to come up and speak about this subject.

Rocco DeAntonio – Penn Jersey Paper – said that his company is a distributor of packaging materials, paper bags, plastic bags, reusable bags and a lot of other items used by the food industry.

Mayor Menna asked where is company is located.

Mr. DeAntonio said his company is located in East Philadelphia and said his company is a fairly substantial recycler of plastic bags. He said they got into the recycling business primarily to service our supermarket customers and to address some of the environmental issues. He said, as a distributor, seeing issues like bag bans or restrictions on packaging makes it very difficult to conduct business and very, very expensive to do business in areas where they ban specific products and to give you some idea, when shipping a case of plastic bags it occupies ½ of 1 cubic foot of space in our warehouse and on our trucks to deliver to a store and if he had to ship a thousand paper bags it occupies about 6 cubic feet over a ten fold increase in space and this means 10 times more warehouse space, ten times more trucks and the 10 times more fuel and emissions from the extra trucks and 10 times more warehouse space needed once they arrive at the store and this is much more costly because a plastic bag costs 2 cents and a paper bag costs 8 to 12 cents. He said this cost is passed onto the consumer and is not environmentally friendly because of the extra fuel needed to ship paper bags and the emissions created from these trucks. He said that as a recycler of plastic bags he is finding that his company receives a lot of requests from businesses that use these plastic bags to produce numerous other products. He said that you would never be able to eliminate plastic bags in Red Bank because not all consumers shop in Red Bank and they will be bringing plastic bags into the town and by eliminating plastic bags you would also be eliminating the recycling of plastic bags and you will increase the cost of shopping in Red Bank and create an inconvenience to the customers by promoting the use of reusable bags and will only make them go to another store. He said that we should promote recycling of plastic bags because when the customers become educated on the subject they tend to use less plastic bags and recycling more and this is much better for the environment. He said that he would encourage the town to look into educating the customers about plastic bags and how they can be recycled to create other products and promote everyone to recycle plastic bags and said his company has donated collection bins to numerous sites in the Borough and people are using them to recycle their plastic bags. He said there have been collection bins placed in the schools and there is a group that is going around educating the kids and the collection in these bins has been growing rapidly. He said education is the best way to deal with plastic bags and is the best thing for Red Bank and the environment.

Mayor Menna said that he appreciates his presentation and said that he gave us a very thoughtful analysis. He asked Mr. DiAntonio if his company has done any research on how businesses on the West Coast, especially in the area of San Francisco or Seattle, are dealing with their ordinances regulating the use of plastic bags.

Mr. DiAntonio said Seattle is too new and San Francisco implemented the use of compostable bags and since this is a relatively new bag and there were a lot of problems with the bags breaking very easily and the companies have continued to try and make them stronger but since the bags continue to break customers have started to use more paper bags. He again stressed the extra cost of using paper bags because of the amount of space they take and the cost of transporting them and the increase of emissions created by the trucks and said that this cost will be passed onto the shopper and make shopping more expensive.

Mayor Menna asked if Mr. DiAntonio is aware of any bans on plastic bags in this area.

Mr. DiAntonio said that there have been numerous ordinances that have been introduced banning plastic bags but other than San Francisco he does not know of any other town that has actually passed an ordinance and most towns, once they start looking into the alternatives, agreed that education is the way to go.

Councilman Giannell said that there is tremendous knowledge here about the cost of the bags and about 20 years ago we thought of the destruction of trees and started using plastic bags and asked Mr. DiAntonio if he knew how many bags the average tree produces.

Mr. DiAntonio said that he does not have a clue but the trees that are used for wood pulp for paper making or bag making are cropped and said it is not like you are leveling the forest and said it is like a crop that is harvested and replanted but the problem with paper is that the paper industry are industrial users of energy and water in the manufacturing process and that it is very costly.

Councilwoman Cangemi asked what it would be in terms of expense from the least expensive option. She said she probably thinks it would be a plastic bag. She said the stores might say since they can't use plastic they're going to use something else and asked what the might be.

Mr. DiAntonio said the least expensive will always be the reusable bag and is encouraging them whenever possible and said next would be the conventional plastic bags that are used in the supermarkets today and said it is very inexpensive, easy to make, easy to recycle and said it is very efficient and convenient. He said the next product would be a paper bag without handles and this would be a substantial increase. He said he would just like to say again how important it is to recycle the plastic bags because there is such a high demand for plastic resin and so many other products could be made from them.

Councilman Murphy said that we should be recycling the plastic bags like we recycle our household goods instead of bringing them to a bin.

Mr. DiAntonio said that these bins have been in the supermarkets for a long time but people did not notice them until now.

Councilman Murphy asked if any of the supermarkets give any kind of a refund if you bring in the bags to carry your groceries.

Mr. Scaduto said that his store offers cash back if you bring in your bags for a second use.

Councilwoman Cangemi said that she has found out that in our standard landfill and, according to what she is looking at right here, in a modern landfill paper does not degrade or break down at a substantially higher rate than plastic does due to the lack of water, light and oxygen needed for degradation to occur. She said that landfills are built for stability and are not built for things to compose and are not built for things to degrade, so in fact when she spoke to Larry Zaayenga from the County Recycling Program he said the significantly largest component of our landfill was paper and it does not substantially degrade in any way.

Councilman DuPont said that he appreciates everyone's information and said that he had sat down with Mr. Scaduto over the passed few months and certainly appreciates Councilwoman Cangemi spearheading some other alternatives. He said that according to the research he has done, a plastic bag breaks down over a thousand years and said a paper bag breaks down over 2 to 5 years. He said that he thinks the brightest thing that has been mentioned was the cheapest alternative and that was the reusable bag, but he said that he wondered if everyone used a reusable bag if we would receive the benefits in the reduction of operating costs of the business. He said that he knows the alternative would apply if we only used paper bags that it would increase the costs and said that he thinks Mr. Scaduto hit the nail on the head and that is

there is an alternative to plastic and that is reusable and he said he also thinks that in Foodtown they have been wonderful in educating the public on the need for recycling. He said the truth to the matter is that there are not a lot of plastic bags that are recyclable and said that a very small percentage of plastic bags are recyclable. He said another alternative that he saw in Foodtown that some customers are doing just like they do in Costco because they do not give paper or plastic bags and the customers put their items in the carriage and bring them out to the car and put them in their own containers that are in the car. He said that there are some alternatives, but in making this ban not only are you making the environment a priority but are also making education a priority of the environmental soundness of this practice and then also promoting reusable which in fact is cheaper and said that he is hoping that if education is successful and Mr. Scaduto, through all of his efforts, has been very helpful in educating our children, as well as the public, that maybe the public will see some of the offsets for those expenses. He said that he wants to thank everyone for their comments and said that he also sat down with RiverCenter and explained where he wanted to go and said he does believe that going green is good for business and we have received a number of positive comments from RiverCenter and said it is not a perfect ordinance but he does think that it is necessary to protect our environment and that is why he supports it. He said that someone mentioned that the Legislature is working on laws concerning this matter but we could be waiting a long time for this to happen and Red Bank has always been a leader in many areas and he said that it is time to stand up and say we are not just doing this for the environment but also for the betterment of Red Bank.

Mr. Pringle asked Mr. DiAntonio if he knows if there are some stores that give refunds for using a reusable bag and asked if he knows any stores that charge for using the store bags.

Councilwoman Cangemi said she spoke about it with Mr. Hall and it is considered a tax and therefore as a Borough we could not do this.

Mr. Pringle said that the Borough could not collect the tax. He said his point was that the stores charge a fee for whatever the cost of the bag is and it would educate the public and reduce the cost of groceries and let people know how much these products cost and then people might think of using reusable bags.

Mr. Scaduto said that if he was to charge a nickel for every bag that he issued to a customer he would be out of business in a 4 month period.

Mr. Pringle asked why.

Mayor Menna said that people would go shop somewhere else.

Mr. Scaduto said that the supermarkets in all of the surrounding municipalities are not doing this. He said that if it was a broad based initiative done on a County, Statewide or a nationwide level it would be an opened playing field, but for a supermarket or a liquor store to charge a fee for an expected product to take your groceries out would not be business friendly.

Mr. Pringle asked if it would work the other way if you gave them a discount for each bag that a person brought instead of 2 cents perhaps 5 cents.

Mr. Scaduto said that Foodtown is giving back 3 cents per bag when the customers bring their own and we do advertise this and ask the cashiers to tell the customers about this program.

Mr. Pringle said that if charging a customer 5 cents per bag would deter a customer from shopping in the store wouldn't giving them back 5 cents for each bag they bring back to pack their groceries bring them into the store.

Councilwoman Lee said that she does not understand why our ordinances always have to be about a negative and commends Mr. Scaduto for going so far out of his way to try to find a better way to deal with this problem. She said if his store comes up with a better way, instead of penalizing patrons or the store owner, whether it be a small bodega or a large store, we should try to come up with a better idea every month to make this work. She said that we have come up with reusable bags because plastic bags are going to choke this nation and said we have to figure out how we are going to get around it and said that she does not want to crush any businesses in our town to get these rules passed. She said she just wants someone to come up with some creativity because there are a lot more people than the people on this Council regarding this subject and said she wants someone to say there is another way and we should do it with positive reinforcement instead of implementing a fine and said that she wants the store owners and the companies in the plastics industry to come up with something that is going to work.

Mr. Scaduto said that he thinks Councilwoman Lee is 100 percent right that we need to all get together and come up with something that is more environmentally friendly, but he said that he believes that education is the key component and we have to teach our children at an early age and serve as role models to make sure everyone does the right thing for the community that we live in and that is the key

component to anything. He said that you can put anything into effect but unless we believe in what we are trying to accomplish it's not going to happen.

Councilwoman Lee said we want to do something about these plastic bags because they don't breakdown and they are a problem and it is something that we are going to have to deal with eventually. She said the question is how we are going to deal with them as a society because in 20 years we are going to look back and say that was a simple idea and we did not think of that and somebody is going to think of how to deal with this problem someday but we have to set forth a standard and say we would like this to stop and said that she does not want to penalize the businesses to stop and wants everyone to put their thinking caps on and come up with a solution. She said the businesses that produce these products should think of a way to find an alternative.

Mr. Scaduto said that he would be more than happy to work with an Ad-Hoc Committee if the Council formed one with all of the different groups in town and the businesses because he said that it is not fair to penalize a business like his because it is one of the most competitive businesses in the County that works on a razor thin margin.

Councilman Giannell said that he is a lifetime shopper at Mr. Scaduto's store and said that he does not know anyone that is in favor of this ordinance and was wondering if Mr. Scaduto would consider some kind of polling over the next few weeks just to see how people feel. He said he knows how some of the Council Members feel about this ordinance and how some of his friends feel about the issue and asked if Mr. Scaduto could do something on a little card and ask people to put it in a little box so we get some kind of an idea of what the general population of the town is thinking. He said that he would even like to put this question on the ballot and ask the people of Red Bank if they want this in position.

Mr. Scaduto said that he thinks he could put something in place at the store to see what people think.

Councilwoman Lee said that most people are going to say plastic bags are bad for the environment and we want them out but we also have an obligation to the business district. She said we want to see our businesses thrive and do not want to ban plastic bags but want the stores to come up with bags that people would like to use over and over. She also said that she thinks the little bodega stores are the ones that are really going to suffer.

Councilwoman Cangemi said that she thinks Councilwoman Lee is absolutely right and said that she and Councilwoman Horgan worked very hard on a education initiative and from everyone that she has spoken to it is the most progressive education initiative on this topic in the State. She also said the bottom line is reduce, reuse, recycle and said how do we get the reduction going and how do we get people to reuse a reusable bag over and over again and she said that this is the real goal here and it is the thing the Environmental Commission has continually discussed. She said that the option is that we are not eliminating single use bags we are eliminating plastic bags and the next cheapest option is paper and said that if she forgets her reusable bag then she would get a paper bag and a paper bag is a much more grievous offender to the environment and said she has concerns about this and thinks that our education initiative was exciting and has not been finished and said Penn Jersey Paper had put them in touch with a company that made the Red Bank bags and she said they had a contest and the bags looked good and people wanted them and the Environmental Commission was distributing the bags to residents of Red Bank at Jazz in the Park and people from other towns wanted them because they looked good. She said RiverCenter is contemplating making these bags and making Red Bank bags generally available at their member stores and making them an attractive item and promoting them through an educational initiative. She said the people from Go Rise Up, who are the people that have the educational program, have not yet been to the Charter School and they are going there this year and the project continues to grow in terms of education. She said that her friend's daughter came home from Saint James School and discussed with her mother how she should be recycling.

Councilman Giannell asked if it is our responsibility to try and dictate peoples' behavior.

Councilman DuPont said that it might be intrusive but it is more than just that and said that in the 1970s there was a big education effort to stop littering and that was a big initiative not just by the local municipalities but by States and the Federal Government and people stopped but they did not completely stop and the next step that was taken was enforcing the laws about littering and the only reason we are here today is because we are banning something that is business friendly but not environmentally friendly. He said that there are not any alternatives that have been proposed up to this date and said we are just here on the cusp of doing something different and until today no one has thought of an alternative and we are taking a step to protect the environment and also promoting different ideas and said it has already been said that reusable is the least expensive and said that he has a number of Foodtown reusable bags in the back of his car and said there are other alternatives and things that this ordinance needs to consider. He said that Councilman Giannell indicated that the public needs to have a voice and by introducing this ordinance and allowing the public to comment on this. He said this ordinance is just up for introduction and said we have received comments from Mr. Scaduto and also the plastic industry. He said that

Councilman Giannell said that he has spoken to a number of residents who are in opposition and he would like to hear about that because he has been approached by residents who extremely in favor of this and said that there is probably going to be more discussion and more public awareness and he thinks that this ordinance needs to be introduced even if it is just to spur discussion and further education and said that is what democracy is about. He said that there has not been any personal animosity exhibited here and it has really been a fact finding mission for everyone to determine what is best for the natural resources not only for Red Bank but also for the businesses of Red Bank. He said with that in mind he would like to make a motion to introduce this ordinance and allow for further public discussion at the next meeting.

Mr. Scaduto said that he would like to just say one more thing and the fact that we are living in a very difficult time right now and the economy has effected a lot of things and said his business is a very horizontal business it is not a vertical business and said by that he means that he deals with people that can't make ends meet and live on food stamps and that are welfare recipients and he deals with the people that live on Navesink River Road because everyone has to eat and said he is not a Coco Pari and for the Governing Body to mandate the fact that now somebody has to come in and spend \$1.00 instead of buying a package of chicken legs and said that he knows this is a little dramatic but some people cannot go out and spend \$5.00 for 5 usable bags and we see that everyday and that is why we give back to our communities the way we do and the way that we have for over 50 years. He said that you have to take into consideration economic hardship and we deal with that everyday.

Councilman DuPont said that Foodtown has been a very good neighbor for Red Bank and has been a community activist and knows that Mr. Scaduto has personally given up his time, energy and money to very charitable causes. He said that he is just asking that this be allowed for the public to discuss and he said that he has heard and Mr. Scaduto has told him personally the consequences that it may have on his business but he is saying that he knows Mr. Scaduto is a very successful, smart businessman and said that he knows there are alternatives out there and he knows that the education initiative will promote the reusable bags which is the least expensive bag as mentioned by Mr. DiAntonio and he is hoping that there are some other alternatives at least deserving a discussion.

Councilman Giannell asked if Mr. Scaduto would consider distributing a card for shoppers to fill out and put in a box about this matter.

Councilman Murphy asked if there is anything on the County or State level that is looking into the recycling of plastic bags.

Councilwoman Cangemi said that the State is looking into it on a number of levels.

Councilman Murphy asked if we were going to be the first municipality on the entire East Coast to implement this.

Councilman DuPont said that he does not know about that.

Gary Morris – 96 River Street – said that it is not often that he agrees with Councilwoman Lee and said he shops in Foodtown all of the time and also shops at Aldi's and Costco and if Foodtown has to put their prices up he cannot afford to shop there and will go to stores that are cost effective because he has five children. He said that he has talked to store owners today and yesterday and people think that the Borough is trying to impose their will on them and he feels this is another law that he and the store owners do not need.

Councilwoman Lee said that she feels like her job on Council may not be about today and said her job is to see that Red Bank has better conditions years down the road. She said today we are talking about plastic bags and said she knows that we have to do something about that and she does not know what that is going to be but hopes that someone will come up with some other alternatives but she does not want to see our businesses taxed, fined or have some kind of surcharge or penalties when they are trying to survive in this market and she said that she just wants them to think smart and she thinks they can do it but she thinks we as a Council have to act on it for the future of the environment but would like to see it done in a positive fashion where we are not damaging someone business.

Mr. Morris said that today he counted 9 stores closed and 2 going out of business so bringing a bag issue to force them to change their bags and go to another direction seems like you are just putting more pressure on these stores during an economically challenging time.

Councilman DuPont said that he spoke to RiverCenter last night and had an opportunity to discuss the ordinance and it may need revisions and the worst case scenario that is going to happen here is that it is going to spur education and spur discussions for recycling.

Mr. Morris said that it would be great if they went to the schools.

Councilwoman Cangemi said that they did not go to the Charter School.

Councilwoman Lee said Mr. Watson has put recycling bins in every school for recycling at this point and she believes we have made huge leaps and bounds in the passed three months through the education initiative.

Mr. Morris said that he is glad we are recycling but is against the ban to use plastic bags.

Councilwoman Lee said that everyone has to keep in mind that we can always do something better and find a way to recycle. She said that she uses plastic bags all the time for different things around her home but does not like the idea of all of these plastic bags in the landfills for her grandchildren to try and figure out what do to with them.

Mr. Morris said that he thinks we should listen to what the experts have to say regarding this matter.

Councilman DuPont said that we should listen to experts but the people that are here tonight represent a specific industry and said what he is trying to do is create an ordinance that is best for our community and that is why he has simply introduced this ordinance for the reasons he has outlined but he does think that it deserves at least a public discussion and again the worst case scenario if it is not passed at least we have spurred discussions on recycling and education and have spurred one of the largest businesses in our community to think outside the box by eliminating plastic bags.

Councilman Murphy asked Mr. Morris if he has talked to any residents.

Mr. Morris said that if he said he talked to a lot of residents he would be lying but he is going with the way he shops.

Councilman Murphy said that he finds most of the residents are in favor of this ordinance but he can understand a business' point of view because it is going to raise the almighty dollar and that is going to get passed onto the consumer.

Mr. Morris asked Councilman Murphy if he spoke to a lot of residents.

Councilman Murphy said that when he is at parties and has people at his house and at Pop Warner practice and people are talking about the plastic bag ordinance but people do not understand and we are probably going to have a dividing line and we have residents that are pro-Green and some that are not educated on this subject.

Steven Rosario – Director of the Northeast Regional Office for American Chemistry Council – said they are a national trade association and represent the plastics industry.

Mayor Menna asked where his office is located.

Mr. Rosario said his office is located in Albany, New York. He said that he lives here in the region and said in terms of the plastics industry New Jersey is ranked #3 in the nation in the chemical business and the plastics industry. He said that what we have to remember when we talk about the plastics industry is that a lot of our neighbors are employed in this industry. He said one of the things that he does is participate in these types of hearings at the State level, the County level and the Municipal level to educate Legislators and Policymakers and to address some of the misunderstandings about plastic bags and one thing is that plastic bags are not made out of petroleum and said 80 plus percent of plastic bags are made by natural gas. He said that he is a 17 year veteran of this industry and has also been dealing with recycling and said when he first started 95 percent of all plastics were made out of petroleum but because of the cost of petroleum and public policy and that people wanted cleaner air and cleaner water we as an industry moved ourselves to natural gas.

Mr. Pringle said that is still a fossil fuel just not petroleum.

Mr. Rosario said it is a fossil fuel and a limited resource but it is one that provides greater benefits than oil and said one of the other issues that he talks about is that there are no silver bullets and there is no right answer and no matter what we do we are going to have an impact. He said that one of the other things he talks about is the lighter carbon footprint and that is what a lot of people talk about and said we use 70 percent less energy to create plastic bags and create 80 percent less waste because a lot of it gets dumped on the floor and usually put back into their products and said that they produce 50 percent less greenhouse gases and use 6 percent less water. He said so when you look at that carbon footprint in terms of the environment these factors cannot be easily dismissed. He said there has been a lot of talk about recycling and said plastic bags do not have a history for recycling than most of the items we have been recycling for quite some time and we have some catching up to do and said they recycle roughly 1 to 2 percent but in 2006 they recycled 812 million pounds. He said that number could only go up because there are four

states that will be coming online and 19 municipalities that are coming online and everyday more and more are dismissing bans and looking at recycling. He said that San Francisco was brought up and part of what is going on in San Francisco is they do require the use of compostable bags or paper and it has been about a year since the program was started and local television stations did a survey and they found out that only 21 percent of the population was actually using compostable bags or reusable. He said of the 54 stores that are impacted by the law only 4 are actually using compostable and all the others are using paper. He said that we as a nation and municipalities like Red Bank have spent millions in the past two decades educating people about recycling and said we have all gotten lazy about recycling and we are just starting to gear up with recycling and it is starting to go up. He said it is a commodity and there is value in recycled material. He said there is the rule of thumb in our business that 20 percent of the population is going to recycle no matter what and said 20 percent are not going to do anything and then there is a large number of people where you have an opportunity to change their behavior. He said that 19 percent of individuals reuse their bags for something else. He said that in Sturbridge, Massachusetts the issue of banning plastic bags was brought before the residents at a Town Meeting and they were the ones that voted on this issue and they said they did not want any kinds of bans. He said he wants to thank everyone for letting him speak and said that he would be happy to answer any questions about the matter discussed here this evening.

Mayor Menna thanked Mr. Rosario and asked if there were any questions.

Councilman Giannell asked Mr. Rosario why the citizens said no and what were the reasons.

Mr. Rosario said part of it was the burden of the extra costs in having to use paper, the loss of the ability of choosing themselves and a lot of residents said that they use a number of plastic bags for various reasons in their homes.

Councilman Giannell asked if Mr. Rosario could provide the Members of the Governing Body with a written brief but to the point 1-page report on the reasons the residents did not want to have any bans on plastic bags.

Mr. Rosario said that he would.

Councilwoman Horgan said that Mr. Rosario sent an e-mail to all of us today with a lot of information.

Mayor Menna said that he had received it and it was very informative.

John Ross – 66 Leighton Avenue – said that as a concerned citizen he started monitoring retailers and residents and asking questions about what people are carrying their purchases in and found out that we could reduce the use of plastic by 4 percent immediately by closing Best Liquors.

Les Hathaway – 44 Ambassador Drive – said that 20 years ago he was head of distribution for the Northeast United States for an international cosmetic company and the gentlemen that spoke tonight are correct. He said that basic Distribution 101, space and weight cost money and it is a burden on any industry. He said that he has learned something here tonight and said that it looks like we have a commodity. He said Foodtown in Freehold pays 5 cents if you bring your recyclable bag and he just found out here in Red Bank it is 3 cents and said that what he would like to see at the checkout counter is the option to give the credit they receive for bringing their own bags to the Red Bank Parks and Recreation Department as a donation.

Councilman DuPont said that we asked our Borough Attorney about doing something like this and he said we could not do that.

Mr. Pringle said that he did not say that he said the Borough could not collect any money as a tax but Foodtown could give the money to anyone they wanted to.

John Holub – President of the New Jersey Retail Merchants Association as well as head of our affiliate of the New Jersey Council of Chain Drug Stores – said that he has two of his members joining him this evening that are from businesses here in Red Bank. He said that his membership consist of 3,500 member retailers throughout the State and they consist of everything from the small Main Street retailer to the large multi-State chains and said he has Andy Lloyd from Tiffany's and Michele Jogga from Rite Aid. He said that this is a significant issue to retailers not just in New Jersey but throughout the country and it is a huge issue and probably one of the top priorities facing retailers today and a lot of them are addressing it and said for retailers it is now cool to be Green. He said it is not only good for the environment but it is becoming increasingly better for your business and said businesses that are viewed as Green are doing better. He said that he just wanted to touch on a couple of quick issues and does not want to drag this on any longer than it needs to go on, but with regards to the issues and legislation that we are dealing with in Trenton there are 8 pieces of legislation and said they vary from an outright ban, to taxing bags, to mandatory recycling and said there is legislation that we as an industry support and there

is one mandating the Department of Environmental Protection to do a thorough study of this issue. He said that he could assure us that there are usually two options but this is one of those issues where there seems to be 5 or 6 different directions that we can go in and said that it is absolutely imperative that this be studied further. He said just to touch on Councilwoman Lee's point about penalizing existing businesses in your Borough, he said he also wants us to consider the disincentive that this will be to businesses wishing to relocate or open a new business in your town and said that there are 566 municipalities in this State and a lot in the surrounding area that are very attractive to retailers and you might as well put a scarlet P on your town seal for plastic because he assures the Borough that retailers will know that if they have more than two locations and if they can use plastic bags in one town but if they open a store in Red Bank they will not be able to use plastic bags they will chose the other town. He said that retailers are addressing this issue today and said everything from placing receptacles in the stores and having other retailers that engage schools for the children to collect bags and bring them back to that retailer and they are providing grants to the schools and said another retailer is putting the Top 10 Ways to Reuse a Plastic Bag printed on their plastic bags. He said retailers are trying everything they possibly can do to address this issue and said that he thinks we need more time to address it. He said he appreciates the opportunity to speak and would be happy to sit down with anyone to further discuss this issue.

Mayor Menna thanked Mr. Holub for his presentation.

John Tyler – 69 Leighton Avenue – said that we are talking about recycling and one of the things he would really like to do is recycle his neighborhood if that was possible. He said we have an issue with plastic bags and his issue is on the Westside and said that he would love to have a Police Sub-Station on the Westside and said since he knows one of the issues that comes up is money and maybe the stores could give the money to the Police Department that is given to people that bring their own bags in. He said that the reason he would like a sub-station for the Westside is because if you ever try to make a phone call to the Police Department and you happen to get a train blocking the tracks the Police Officers are stuck there and they cannot get to the Westside in time and it could make a difference in a life and death situation. He said that we are doing a lot with the recycling and he thinks that is great but he also thinks this Council has to start looking at a lot of other issues and start working with the residents on the Westside. He said the people on the Westside would laugh if he told them we spent all of this time talking about plastic bags and they would like to see more police, cleaner streets and better garbage pick-up and everything else.

Nancy Adams – Red Bank RiverCenter – said that she just wanted to make everyone aware that Councilman DuPont did meet with the RiverCenter Board of Directors last night and there was a general consensus that the business community, at least those present, would like to see Green initiatives done and said they are not necessarily opposed to this ordinance but they are not Foodtown either. She said from a perspective as Director of the organization she could relay to everyone what the Board of Directors discussed last night. She said there were two things and said the first was they realize that there are Green Initiatives they have to follow and the world is changing and this is probably going to be the way of the world in the future and they would be willing to comply but most of them that were there were the higher-end retailers who do not necessarily use the cheaper plastic bags and there were a couple of businesses that do utilize those and they said they would do what they have to do and they would use up what they have and they will not reorder them if this ordinance passes. She said there was also an issue brought up that they would like to see some recycling containers in the Downtown for garbage if we are going to be consistent across the board and said that is something they would like the Borough to consider. She said that in regards to attracting businesses to the town she said she would add parking to the scarlet P that was mentioned and parking is one of the main problems that makes it difficult to recruit businesses to the town. She said that she thanks Councilman DuPont for bringing this up but she said that we need to sit down and brainstorm with ideas before this ordinance is passed because we have to make it serve everybody to the best of our abilities.

Councilwoman Cangemi asked Ms. Adams if anyone from Racioppi's was there last night.

Ms. Adams said Marie Racioppi was there last night.

Councilwoman Cangemi asked if anyone was there from Delfini's, Jacks, Gramann's.

Ms. Adams said there was someone there from Readies.

Councilwoman Cangemi said that she had spoken to a number of those people who were not there last night.

Ms. Adams said they were all notified about the meeting last night.

Councilwoman Cangemi said that she knows some businesses felt differently and said that she does not think there were a whole lot of applaudees from the business community.

Ms. Adams said she was talking about the RiverCenter Board of Directors and the business community was notified about the meeting and was notified that it would be on the Council agenda tonight. She said that she did not have many members contact her outside of the Board Meeting and she said there has been information in the newsletter and information sent out about the meeting tonight saying these are ordinances that are being discussed and they should come to the meeting if they oppose it or contact Council Members.

Councilman Giannell asked who the members of the RiverCenter Board are.

Ms. Adams said the Board is comprised of 30 members.

Mayor Menna asked if anyone else would like to speak because this is the actually the general public comment because we have not even gotten to the introduction of the ordinance and said that he presumes that everyone who may have wanted to comment on the plastic bag ordinance as done so and we should move on. He said that the way it is done in New Jersey is that an ordinance that is introduced on first reading does not become law it merely puts the public on notice that if this particular ordinance is introduced, which is 2008-20 which is called the plastic check-out bag ordinance which would prohibit the plastic bags is merely on for introduction and that sets the chain of mechanism which some Council Members have indicated that they would like further dialogue and further discussion. He said that he would like to compliment the people that have spoken tonight and they offered us some very important factual information which may have gotten overlooked in some of our administrative discussions and said that if this ordinance is introduced it would extend the period of comment and discussion and set a public hearing and final adoption. He said so the vote taken this evening if it passes would only set forth a further reading of the ordinance at which time it would become law or it would fail. He said so having said that is there a motion to introduce the ordinance.

ORDINANCES – First Reading

2008-20 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER IXX, “STREETS, SIDEWALKS AND SANITATION” BY ADDING NEW SECTION 19-14, “PLASTIC CHECKOUT BAGS PROHIBITED.”

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

Mayor Menna asked if there were any other discussion from the Council Members.

Councilman DuPont said there have been a lot of discussions about this ordinance but he is planning on continuing discussions with Nancy Adams and Mr. Scaduto.

Councilwoman Cangemi said that she would like to commend Councilman DuPont for bringing the issue up and she and Councilwoman Horgan and Councilwoman Lee all worked on this project together in various forms but she said that she thinks we need to look at it a little differently. She said that litter was the first way this ordinance came up because there was a discussion about the bags blowing around and getting in the river and it is problem. She said that she is going to site some studies and said she is going to site the ULS Study which is a conglomeration of five different studies from an organization that stands for Use Less Stuff. She said that in terms of litter chewing gum and cigarette butts account for up to 95 percent of the litter generated in the English speaking world. She said that after reading this she looked down at our parks and streets and said that they are littered with cigarette butts so banning plastic bags does not eliminate our litter problem not by a long shot. She said in terms of legislating and quoting a study, because it spoke very clearly to her, “legislation designed to reduce environmental impact and litter by outlawing grocery bags based on the material from which they are produced will not deliver the intended results while some litter reduction may take place it would be outweighed by the disadvantages that would subsequently occur, including increased solid waste and green house gas emissions.” She said that by reducing the use of traditional plastic bags we would not even reduce the reliance on fossil fuel, as we were told, because paper bags consume non-renewable energy. She said that in terms of what it does to our environment it’s not helpful and said that she has looked at it from every angle and said the best thing we can do is reuse our bags and said we need to continue our education program because the economic impact on any level of a negative ordinance as Councilwoman Lee said is a problem because she does not believe it should cost anyone an extra nickel to go to Foodtown. She said people are suffering and our property taxes in the State are punitive and the costs of living allowances are not rising with the actual cost of living and we can’t afford to take that risk with people. She said that when we look at the creative solutions that we have already come up with, having the best, most substantial environmental education program in the State on this issue and we look at the fact that we can continue that program without this legislation. She said she thinks that it is important to have the discussion that the legislation is an ineffective solution and she would motion to table the ordinance.

Councilman Giannell said that he would totally support tabling the ordinance.

Councilwoman Lee said if it is tabled we will probably do nothing about it and it must always remain open for conversation and we have to deal with every issue regarding recycling and said that the one section of the ordinance she is opposed to is the penalty section.

Councilwoman Cangemi said that her concern, other than we don't want to see plastic bags in the town, is that we don't want to see plastic bags substituted for paper bags and said she thinks it is worse to have paper. She said that is a big concern for her because if we go for a single use bag we are going to go to paper and it is going to be environmentally and economically more costly to everyone.

Councilwoman Lee said that she is not in favor of this legislation but if we table the ordinance it will not be addressed at all.

Councilwoman Cangemi said that she is concerned that if we come back in two weeks and we do not pass it, it goes away entirely.

Mayor Menna said that under our parliamentary procedure the motion that was offered was a motion to adopt on introduction and there was a second to table but we must vote on the first motion before another can be offered.

Councilwoman Horgan said that she thinks we should introduce it but she thinks we do need to talk more about it and said she would also like to hear more from the other side from environmentalists because there are two sides to every story so she would like to have more input from that side as well.

Councilman Murphy asked if there was anyone here from the Environmental Committee.

Councilwoman Cangemi said the Environmental Committee's position has been that they just don't want to see a single use bag traded in for another single use bag which is why they did not endorse the last ordinance.

Councilman Giannell said that he would also like to say that he is sitting here and it might be a minor irritant but he said for him it makes things much more difficult and thinks we should be up here trying to make people's lives a little bit easier and he just finds it a major inconvenience for himself and for other people he knows. He said there are a lot more important things to talk about than this and said not that this is not important but it seems to be consuming a lot of time.

ROLL CALL:

AYES: DuPont, Horgan, Lee, Murphy

NAYS: Cangemi, Giannell

There being four ayes and two nays, the ordinance was declared adopted on first reading.

Public hearing and final adoption scheduled for September 22, 2008.

2008-22 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER II, "ADMINISTRATION," SECTION 2-36.7, "ORGANIZATIONAL STRUCTURE OF POLICE DEPARTMENT AND RESPONSIBILITIES OF COMMAND WITHIN DEPARTMENT."

Mayor Menna explained the ordinance.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Public hearing and final adoption scheduled for September 22, 2008.

2008-23 Mayor Menna read “AN ORDINANCE FIXING COMPENSATION OF CERTAIN OFFICES, POSITIONS AND EMPLOYEES OF THE BOROUGH OF RED BANK FOR THE YEAR 2008.”

Mayor Menna said that this is the last year raises will be given to employees across the board and from now on every employee in the Borough will be evaluated at least once or twice a year before any raises are considered.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Public hearing and final adoption scheduled for September 22, 2008.

ORDINANCES – Public Hearing & Final Adoption

2008-21 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM.”

Mayor Menna opened the public hearing and asked if anyone would like to speak, no one appearing he closed the public hearing.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

There being six ayes and no nays, the ordinance was declared adopted on final reading.

RESOLUTIONS

08-183 Mayor Menna read “A RESOLUTION AUTHORIZING APPROVAL OF AMENDED SIDEWALK CAFÉ APPLICATION FOR BUONA SERA.”

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

The Council Members asked Mr. Sickels if they were adding tables.

Mr. Sickels said that they are adding tables.

Councilman Giannell said that during the summer when you walk down there the whole sidewalk is blocked.

Councilwoman Cangemi asked if we could get some clarification on this whether it is moving or adding tables.

The Borough Clerk said that they are adding tables and Mr. Mariani paid for additional seating.

Mayor Menna said that the area where he wants to put the additional seating is a heavily traveled pedestrian corner especially when the theatre is out. He said that where tables are now is fine but he does not think that they should go right up to the corner of Maple Avenue and Monmouth Street.

Councilwoman Cangemi said that she is not going to support tables going all the way to the corner because of pedestrian safety.

Mr. Sickels said we have the plans and he wants five additional tables.

Councilman Murphy also agreed that the additional tables are too close to the corner.

ROLL CALL:

AYES: None

NAYS: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

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

08-186 Mayor Menna read "A RESOLUTION ACCEPTING BIDS FOR SUPPLY AND DELIVERY OF CERTAIN WATER PURIFICATION CHEMICALS."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming September 2008 as National Alcohol & Drug Addiction Recovery Month in the Borough of Red Bank.

PAYMENT OF VOUCHERS

08-189 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,022,093.49."

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

OLD BUSINESS

Councilwoman Cangemi said that she just wants to remind everybody that on the morning of September 11th at 8:30 A.M. the County will be holding a memorial service at Mount Mitchell Overlook and said there would also be a Memorial at 6:30 P.M. at the Middletown Train Station where the Middletown Art Center is sponsored by the Borough of Middletown.

Mr. Sickels said that he would be sending a memo out informing everyone that Andrew Forgione who was a long-time Borough employee in our Public Works Department has passed away and we will be sending out the information and details to the Council.

NEW BUSINESS

AUDIENCE

Robert Jacowitz – 16 West Front Street – said that he purchased the property last August and 2 months later he went to the Parking Utility to apply for parking permits for the residents because there are eight apartments and was told that there weren't any permits but they were working on the problem. He said he went back again last month and he was told that they do not issue off-street residential parking permits to people on Front Street or Broad Street and asked if that could be resolved. He said that there is no place to park at all in Red Bank and the residents there have a problem and said some single women have to park far away and walk late at night back to their apartments.

Mayor Menna asked what building he bought.

Mr. Sickels said that is located right next to the new building on West Front Street that was owned by Ray Smith.

Mayor Menna said that a very simple solution for your tenants would be to pay to park in the parking garage owned by Riverview Medical Center overnight.

Mr. Jacowitz said that the problem is parking during the day.

Mayor Menna said Mr. Watson is here tonight and he might be able to find some constructive solutions because he oversees the Parking Utility.

Mr. Jacowitz said the business owners in the building would appreciate it if during the street fairs and special events we place signs saying there is additional shopping on Front Street. He also said that he would like to commend the Governing Body for bringing the issue of plastic bags because he thinks it's an issue at some point that is going to have to be resolved.

Carl Colmorgen – 67 Oakland Street – said that he feels Red Bank is more progressive than Eatontown and said his brother lives in Eatontown and they have a reverse 911 and they were all called last week when tropical storm Hanna was possibly going to effect our weather conditions. He asked if we are doing anything to implement this system.

Councilwoman Lee said that as part of the Police Committee the Chief presented her with a plan and we are reviewing that.

EXECUTIVE SESSION

08-190 The Attorney read a resolution to adjourn to executive session to discuss personnel; formal action to be taken.

Councilwoman Horgan offered a motion, seconded by Councilman Murphy to adjourn to executive session to discuss personnel; formal action to be taken. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Mayor Menna appointed John Gurzo as Senior Center Director until December 31, 2008.

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Cangemi, Giannell, DuPont, Horgan, Lee, Murphy

NAYS: None

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

Respectfully submitted,

Carol A. Vivona