

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
NOVEMBER 26, 2007  
7:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Mayor Menna and Council Members Curley, Murphy, DuPont and Cangemi.

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

ABSENT: Council Members Bifani and Lee.

**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 January 1, 2007.

**WORKSHOP**

**RiverCenter Outdoor Displays**

Mayor Menna introduced Nancy Adams, the Executive Director of RiverCenter.

Ms. Adams said that this was a request by one of the businesses on Front Street to put displays out in front of their store. She said it is actually in the vestibule so there is kind of a debate if it is in the public right of way, but we put this request in for businesses during the holidays that would want to have decorative displays out. She said that all displays would have to go before the Visual Improvement Committee of Rivercenter and they would discuss the display and make sure they are not impeding the public right of way or interfering with pedestrian safety before they would receive approval.

Mayor Menna said that it is his understanding that the displays would be off the sidewalks by January 15, 2008. He said that during the weekend he was walking around the downtown area a bit and that at least the Brokers do not understand that we do not allow sidewalk sandwich board signs anywhere in town, because he did remove them in the morning and then they put them back again by the afternoon. He said that he did call them and asked them to comply. He said that sandwich board signs are hazardous to our pedestrians and asked Ms. Adams to remind everyone that they are not allowed.

Ms. Adams said that she would also contact anyone that puts out a sandwich board sign and tell them they are not allowed and to remove them.

Mayor Menna said we have a request for the outdoor displays and asked if anyone would like to discuss this.

Councilman Murphy said this is just for the holidays and would end on January 15, 2008.

The Borough Clerk said that the request said that the displays could not extend more than 2 feet from the building.

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

**ROLL CALL:**

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

**Recyclable/Reusable Shopping Bags**

Mayor Menna said that the second item in workshop is on for follow-up and concerns a recyclable and reusable shopping bags ordinance that we discussed at the last meeting and he knows it had been on the agenda for regular action and he had spoken with Councilman DuPont and since we are still waiting for some feedback from some of our commercial entities, especially the Greater Eastern Monmouth Area Chamber of Commerce, RiverCenter and also some of our resident groups, he thought it would be best to just get a follow-up and not take any formal action on it tonight.

Councilman DuPont said that he had the opportunity to meet with Councilwoman Cangemi, who is liaison to the Environmental Commission, as well as Mr. Watson and Mr. Sickels and our Assistant Attorney Tom Hall, and there are some relevant facts that Councilwoman Cangemi has pointed out, as well as Mr. Sickels and Mr. Watson, and that the elimination of these plastic bags is not going to happen over night and so what we are thinking about doing is staggering the implementation of this ordinance and there is a draft that has been given to everyone predominately and if we could have somewhat of a time line, almost 18 months, where the plastic bags would be eliminated it gives merchants the opportunity to promote reusable bags, as well as biodegradable bags, and also you would have some implementation over a period of time which will give RiverCenter, as well as small businesses, an opportunity to implement the ordinance and the plan is through education and the staggering of the ordinance would assist in the elimination of these plastic bags. He said that Councilwoman Cangemi assisted with this and helped him out and pointed out that there was a recent Assembly Bill that was introduced in the State Legislature that proposed an immediate ban, but he said that this does not coincide with our plan of education and then over a period of 18 months the elimination of these plastic bags. He said the Environmental Commission and Councilwoman Cangemi pointed out that on the global level the production of plastic bags has significant environmental impact each year, including the use of over 12 million barrels of oil and the deaths of thousands of marine animals through the ingestion of these plastic bags and in addition each year an estimated 500 billions of 1 trillion plastic bags are used worldwide, which is over 1 million bags per minute with most ending up as litter each year. He said that as part of this implementation we are going to have a trash can just for plastic bags and we are also going to help promote this through education and also through staggering of the ordinance and we are hoping with this idea that by June 1, 2008 we would have bins in the stores that would help us dispose of the plastic bags and will have bins in the Borough Recycling Center where you can dispose of your plastic bags and then for immediate action there would be bins in Foodtown and said that he thinks Shop Rite is paying 2 cents for each bag you bring back. He said that Councilwoman Cangemi has been in contact with Foodtown and he is hoping 7-11 will be accommodating by putting these bins at their stores and said we will have bins at our Recycling Center just for plastic bags by June 1, 2008 and all businesses will make available plastic bags, biodegradable bags or reusable bags and then by June 1, 2009 there will be no plastic bags permitted here in the Borough of Red Bank and said that that is kind of the plan and we are asking that people to take a look at the ordinance and said that he had e-mailed it to a couple of businesses and a couple residents. He said that we are paying about 17 cents per bag that Red Bank disposes of in the landfill so we are going to be saving money and said that he does not have the exact amount at this point and time and said we are trying to put a ban plan in place and are trying to promote the idea of putting canvas bags on the holiday shopping list this year and Councilwoman Cangemi said that maybe on some of the canvas bags we could have the Centennial logo and said that there is about an 18 month plan that we are looking into and do not want to introduce this until after January 1, 2008 so it gives the businesses an opportunity to look at and review the ordinance and said that if you look at all of the information and all of the effects it has on the environment and then the costs to the Borough and from an environmental sense as well as through cents it makes sense. He said he is asking everyone to look at the ordinance and look at the plan and think about the staggering of the implementation of the plan that we have. He asked Councilwoman Cangemi if he left anything out.

Councilwoman Cangemi said that was pretty much the discussion so far and the idea was to start at the holiday season, as Councilman DuPont suggested, with getting people on board with buying the canvas bags and said she would also suggest that perhaps it makes sense to have RiverCenter come to the Environmental Commission with any other business owners that might be interested and sit down with us and take a look at what makes the most sense. She said this ordinance is a good place to start but there are certainly going to be problems with some of the businesses in terms of what we are going to do with these recyclable containers and things like that so we really need to take a look at it and said this is a win for the environment and a win for the Borough and we need to make it a win for the vendors as well and said she thinks we could do this if we all sit down together. She said that she discussed this with Councilman DuPont and the Environmental Commission has expressed an interest in meeting with RiverCenter and any other interested parties to get this thing going in a way that we are sort of leading the pack environmentally but not damaging our own businesses.

Councilman Curley said that he has some grave concerns about legislating on a local level and does not think it accomplishes anything and said that he had mentioned at the last Council Meeting that we look at a resolution to the State of New Jersey. He said that he thinks we have to be very careful when we throw the burden on our local merchants because we have enough trouble keeping businesses in town and this is something that does not exist in other municipalities in the area and to think that we are actually thinking that we are putting the slightest bit of a dent in the situation is ludicrous to even believe this and we are misleading ourselves and said he appreciates the work that Councilman DuPont has done and said that he knows Councilman DuPont is very earnest in the ordinance and he has read the ordinance and it is very comprehensive but he just thinks that with the local sphere we are dealing with he is very concerned about enforcement and said our Code Enforcement Officers are stretched left and right and we need more Police Officers and said he does not know how we are going to do something like that where you send a Code Enforcement Officer down to move a mannequin off of Broad Street and now somebody is selling candy from a store with a plastic bag. He said that it is something that has to be done on a State level and all 21 counties, and hopefully regionally and then nationally, but he just wants to share with everyone and will read this to everyone as quickly as he can. He said there was a very comprehensive editorial that was written by the Asbury Park Press and was in last week's paper and said he would read it as quickly as he could. He said that it said "Think canvas when shopping. State Assemblymen Herb Conway, Jr., Democrat, Burlington and Jack Connors, Democrat, Camden want to outlaw plastic shopping bags at supermarkets and large retail stores within the next 3 years. The goal of removing plastic from the way stream may be commendable but the approach is wrong headed and fraught with unattended consequences. Plastic bags have been cheap and convenient since they were introduced in the late 1970s. Up to 80% of them get a second life as wastebasket liners or doggie pooper scoopers and 70% are reused at stores for rebates such as Shop Rite offers. Nonetheless plastics of all sorts are a problem in the natural environment because they are not biodegradable, they pollute the soil and water and are made with non-renewable

petroleum, but a law banning plastic bags in the absence of a well conceived alternative plan can do more harm than good. The bill could well result in manufacturing and use of more paper bags which are equally polluting and the deforestation required in their production removes the very foliage that cleans the atmosphere of hydrocarbons contributing to global warming. If lawmakers want to address the problem of plastics it should be done through incentive and education and I applaud that part of your ordinance but again I feel it must be on a much broader scale. Many retailers have responded on their own, Cosco Warehouse Stores do not permit bags at all. Aldi Grocery Stores offer heavy reusable plastic bags but customers have to ask for them and pay a few cents for each, which makes it more likely they would come back with the bags on future visits. Wild Oates Supermarkets and others use biodegradable cornstarch plastic in their delicatessens. Instead of trying to find more ways of trying to save us from ourselves the legislatures should be writing laws to control it's own overspending, jump start the State's economy and get us out of the debt crisis. Note to self...put canvas bags on the holiday shopping list year." Councilman Curley said that his business supplies canvas bags through his automobile dealership. He said that what he would truly rather see other than this ordinance is a resolution to the State of New Jersey and all of us in an earnest effort to stop it within the State because he thinks we are just being ridiculous in trying to stop plastic bag use in such a local parameter.

Councilman DuPont said that he read that editorial and has the clipping here but up until now, since this Mayor and Council have been talking about this issue, there was no store in Red Bank that offered a place to recycle the plastic bags or talked about reusable plastic bags and said that it was only after the Environmental Commission promoted reusable bags that we started having this. He said a resolution is fine but he thinks that this ordinance has a plan of action and has an implementation plan and more importantly it has already promoted environmentally safe business practices and said that although he agrees with Councilman Curley in some aspects he thinks that we need to lead in this issue and there is a fine in this ordinance and he believes we can enforce it and believes that any fees associated with this ordinance we can certainly direct to the Environmental Commission, the Parks and Recreation Department or the hiring of additional Police Officers. He said it is a start and a start we need to begin and he thinks it promotes the environmentally safe Green Environment practices here in Red Bank.

Mayor Menna said that as he indicated earlier he thinks that all of us should review the parameters of the ordinance but he also thinks its important for us to hear from our stakeholders, the people that are going to be most affected by the ordinance, so therefore he would really like to give it some time for the business owners, as well as residents, to respond and thinks it has to be out there in the public domain so that even though this is a wonderfully crafted ordinance that some people might see things in it that would merit review and said that before we start introducing the ordinance we need to get as many comments as possible and take it from there.

Councilman DuPont said that he and Councilwoman Cangemi wanted some public comment on it.

Mayor Menna said that he also took a look at the Assembly Bill version of the proposed bill and there have been questions in terms of the parameters of that particular Bill to see whether or not there is another parallel Assembly or Senate Bill that is probably going to be offered that would speed up the implementation maybe in a different way and said that we should still look at our options but more importantly we should get the comments from the people who are going to be most affected by this ordinance. He said that he has spoken to some of the food stores and they have called him and they are aware that we are being fair about this and looking at it comprehensively.

#### **APPROVAL OF MINUTES – June 14, 2007**

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

#### **MAYORAL APPOINTMENTS**

Mayor Menna appointed Bruce Siegel to the Environmental Commission as a Regular Member for an unexpired 3-year term expiring 12/31/07.

Ms. Cangemi offered a motion to approve the appointment, seconded by Mr. DuPont.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

## REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Menna said that he wanted to express his very strong appreciation on behalf of all of us in Red Bank for such a wonderful holiday tree lighting and said RiverCenter was instrumental with Holiday Express, our Parks and Recreation Department and also the Public Schools. He said the Middle School Jazz Band began a holiday tradition that is going to be repeated in the future and said the kids were terrific and they were the opening act for Holiday Express and they stole the show. He said he would like to express his appreciation to Mr. Hurd, as well as the kids that performed, and said it was a very cold night and all of you know it was absolutely packed in downtown Red Bank and everyone had a great time. He said Friday was also a very cold day in Red Bank but he is pleased to note that New Jersey Tourism and the Department of Commerce were filming in most of the downtown and train station area, in terms of film slots for promotions in our area, and Red Bank is fortunate enough to be part of that and said it was really great having them in town and filming a lot of what we have to offer.

Councilman Murphy said the Fire Chiefs' Election is on December 4, 2007 and it is at Westside Hose Company and all the Council, as well as members of the public, that wish to come for the celebration of the new Chiefs for the Volunteer Fire Department and the celebration would be held between 7 P.M. to 10 P.M.

Councilman DuPont said that he had met with the Board of Education and the Superintendent and also the Borough Administrator regarding their perception of zero-based budgeting and it looks like they do a very similar fashion of zero-based budgeting that we do and they do not get down into the minutia such as if he used 14 papers clips last year he's only going to use 10 this year but he thinks with the implementation of the budget worksheet that Mr. Mason sent out last week that he thinks they will see the concept of zero-based budgeting being used and see what they have to show in terms of results.

Councilman Curley said it is an exciting time of year for everyone. He said we have the meet Santa experience next week at the Senior Center from 1 P.M. to 3 P.M. and that he does not have the exact date listed on that. He said we also have phone calls from Santa on December 11, 2007 and would let the newspapers know the date of meeting Santa and everyone is invited to it. He said that he was pleased to hear that the Engineer had completed a report on Count Basie Park and said the playground there is presently closed because of many years of decay and we are looking into a potential grant program to pay for new park equipment there. He said that also on our agenda tonight we have a resolution to support new playground equipment for Count Basie and that again is something that is in dire need and said that he took the job over in January and he hopes to bring our parks, with help of the Council, into the 21<sup>st</sup> Century. He said that we are also looking long-term at a project for the Count Basie Football Field with a partner and we don't have things set in stone yet, but he thinks we are getting very close and he thinks that it will be a phenomenal opportunity for the Borough and said that he hopes all Members of Council could support our Parks and Recreation Commission recommendation of the park equipment.

Mayor Menna said that he neglected to mention that next Saturday at Gibbs Hall will be a very exciting time because it is the annual NAACP Dinner and they are honoring one of our own as the Public Official of the Year and that is Stanley Sickels for his dedication to the ideals and goals of the NAACP. He said he would also like all Council Members to show their support for KidsBridge next Friday night. He said there will be an exciting event going on at the Children's Cultural Center.

## COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Liberty Hose Company No. 2 of the Red Bank Volunteer Fire Department to hold the annual Robert "Doc" Holiday memorial car show on Sunday, July 13, 2008, with a rain date of Sunday, July 20, 2008, in the White Street parking lot from 7:00 a.m. to 4:00 p.m., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Mayor Menna read a request from the Jersey Shore Jazz & Blues Foundation to place banners on Broad Street and Shrewsbury Avenue from May 12, 2008 to June 1, 2008 to advertise the 2008 Red Bank Jazz and Blues Festival.

Mr. DuPont offered a motion to approve the request, seconded by Ms. Cangemi.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Mayor Menna read a request from Kaboom Fireworks on the Navesink Committee to place banners on Broad Street and Shrewsbury Avenue from June 2, 2008 to July 4, 2008 to advertise the annual fireworks event.

Mr. DuPont offered a motion to approve the request, seconded by Mr. Curley.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

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

Mr. DuPont offered a motion to close the public comment portion of the meeting, seconded by Mr. Murphy.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

**ORDINANCES – First Reading**

**ORDINANCES – Public Hearing & Final Adoption**

2007-39 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY REPEALING ORDINANCE NO. 2007-17 REQUIRING BEER KEGS TO BE REGISTERED PRIOR TO SALE.”

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

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Mr. Murphy offered a motion to adopt the ordinance on final reading, seconded by Mr. DuPont.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

2007-40 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-5, “ONE-WAY STREETS,” SCHEDULE VI; SECTION 7-6.2, “STOP INTERSECTIONS,” SCHEDULE VIII; AND SECTION 7-3.3, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS,” SCHEDULE I.

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

Gene Goellner – 79 Linden Place – said that he does not care if the street is one or two ways but since we changed it now the mailbox is located on the wrong side of the street and a lot of people use this mailbox.

Mayor Menna said that that is a very good point and there was some discussion when this issue first came up and the Postmaster has been notified and as soon as the improvements are made they are going to try and relocate it so that it would be convenient for the public.

Councilman Curley said that he did also speak to the Postmaster and he said it is a heavily used mailbox and it would be located in the proper position.

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

Mr. Murphy offered a motion to close the public hearing, seconded by Ms. Cangemi.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Mr. Murphy offered a motion to adopt the ordinance on final reading, seconded by Mr. DuPont.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

2007-41 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY SETTING SALARIES FOR THE RENT LEVELING BOARD SECRETARY AND HUMAN RELATIONS ADVISORY COMMITTEE SECRETARY FOR THE YEAR 2007."

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

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Mr. Murphy offered a motion to adopt the ordinance on final reading, seconded by Ms. Cangemi.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

## RESOLUTIONS

07-237 Mayor Menna read "A RESOLUTION AUTHORIZING RELEASE OF A DEVELOPER'S AGREEMENT WITH THE TWO RIVER THEATER COMPANY BLOCK 35, LOTS 4, 5, 6 AND 7; BLOCK 36, LOT 8; AND BLOCK 37, LOTS 3.02, 4, 5, 6, 7 AND 10 (NOW KNOWN AS BLOCK 35, LOT 5.01)."

Mr. Murphy offered a motion to approve the resolution, seconded by Mr. Curley.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

07-238 Mayor Menna read "A RESOLUTION REGARDING 2008 REORGANIZATION MEETING OF THE GOVERNING BODY."

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

07-239 Mayor Menna read "A RESOLUTION ENDORSING THE UNITED STATES CONFERENCE OF MAYORS' CLIMATE PROTECTION AGREEMENT."

Mr. DuPont offered a motion to approve the resolution, seconded by Ms. Cangemi.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

07-240 Mayor Menna read "A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 105, LOT 19, 183 BROAD STREET, RED BANK, NEW JERSEY."

Mayor Menna said this is for the Verizon Building on Broad Street and it offers a reduction from \$3,250,000 to \$2,801,900 on the recommendation of both the Borough Attorney as well as the Tax Assessor.

Councilman Curley asked why there was such a reduction in the assessment.

Mr. Hall said this was recommended by the Tax Assessor and our appraiser, Mr. Gagiliano. He said this was a settlement of a Tax Court litigation. He said for further details we would have to get the Assessor in here.

Mayor Menna asked if the building is under utilized.

Mr. Hall said that they only use a quarter of it based on the fact that all of their equipment is so much smaller than it used to be when they first occupied the building.

Mayor Menna said that it was based on the use approach and asked Mr. Hall if we should settle it.

Mr. Hall said that we should.

Councilman Curley said that isn't it the responsibility of the building owner to make sure their building is utilized from an income approach.

Mayor Menna said that what our Borough Attorney is trying to say that in the event of a trial those items are taken into consideration by the trial court.

Mr. Hall said that this is an odd building in that the reason they have to keep using it is that historically since the 1920s all of the trunk lines have run in this building and these cables are about 2 feet thick so they can't really move it and as technology has advanced what used to take 4 floors to produce all of the analogue switching equipment now takes half of 1 floor. He said that they have tried to use the building in other ways and have some offices in there but essentially it really only serves as 1 purpose and it is the physical location of those trunk lines coming into the building.

Councilman Curley said that they have to make some hard business decisions as to what their future looks like and what they are going to hold because every time we give a tax break somewhere the other taxpayers are forced to pay more and this is approximately a \$250,000 reduction in the assessment.

Mr. Hall said that once we got into Tax Court the feeling was that they were probably going to prevail and we felt this was a fair compromise.

Councilman DuPont asked if the judge gave any validity to the arguments Verizon was giving.

Mr. Hall said that she was certainly receptive of their arguments.

Councilman Curley said that he has an objection to it and he understands what they are saying about going to Tax Court and dealing with all of the attorneys but he is going to vote no.

Councilman DuPont said that he does not have any trouble having the attorneys bring this matter to trial and we may get more and we may get less.

The Members of the Governing Body discussed the fact that the trial could go in either direction but decided that they would like the resolution pulled from the agenda.

Mayor Menna said that with the Council's consent that we would go to trial.

Mr. DuPont offered a motion to table the resolution, seconded by Mr. Murphy.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

There being four ayes and no nays, the resolution was declared tabled.

07-241 Mayor Menna read "A RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR COUNT BASIE PARK."

Mr. Curley offered a motion to approve the resolution, seconded by Ms. Cangemi.

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

07-242 Mayor Menna read "A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO APPLY TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF A FOUR-WAY STOP SIGN AT THE INTERSECTION OF BRIDGE AVENUE AND CHESTNUT STREET."

Mayor Menna said that he just wanted to give a little background information on this resolution and said that 18 years ago he made a request for T&M Associates which was forwarded to New Jersey Transit for a traffic control device at the intersection of Bridge Avenue and Chestnut Street and that was in 1989 and we have been trying as a Borough in different phases to have a light at that intersection. He said traffic counts have been done and they were all forwarded to the New Jersey Department of Transportation and they said there were not sufficient traffic counts to warrant a light and since that time they closed Oakland Street so we thought we would have a good shot at getting a traffic light to slow traffic down on Bridge Avenue and came back to us again and said no because the traffic counts still do not warrant a traffic light however they will accept a four-way stop sign intersection where all traffic will have to slow down and stop. He said it is a start and it does have the added benefit of slowing traffic down.

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

## **PROCLAMATIONS**

### **PAYMENT OF VOUCHERS**

07-243 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$973,586.65."

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

**OLD BUSINESS**

Councilman Curley said that he would like to revert back to his Committee Report about the Meet Santa date and said the flyers would go out to the school children this week with a specific date.

Councilman DuPont said that Mr. Sickels had requested a report from Mr. Evans on the use of Riverside Gardens Park and asked if that was done.

Councilman Curley said there is a report and it has not been formally presented.

Councilman DuPont said that when he spoke earlier last week it was his understanding that this has been done in the past since 2001 and said he does not know if that is the case.

Councilwoman Cangemi said that she has received some of the back up information on this matter that she passed along to Mr. Sickels.

Councilman DuPont asked if that report also contained information as to where the fees went when they were paid.

Councilwoman Cangemi said that it does.

Mr. Sickels said that some of the information Councilwoman Cangemi gave to him on Wednesday is in addition to information he had and he is putting that together and hopes to have a completed report for Council by the next meeting.

Councilman Curley said there were permits issued going back to Linda Sharkey's days as Parks and Recreation Director.

Mayor Menna said those permits were to have a ceremony only and did not allow for any items to be set up in the park especially 300 chairs on the lawn.

Councilman Curley said that he does not believe when Mr. Evans gave permits that he expected a mass to take place.

Mr. Sickels said we have an ordinance that any use of the park must be approved by the Members of the Governing Body.

**NEW BUSINESS**

**AUDIENCE**

Mr. DuPont offered a motion open the audience portion of the meeting, seconded by Mr. Murphy.

**ROLL CALL:**

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

**EXECUTIVE SESSION**

07-244 The Attorney read a resolution to adjourn to executive session to discuss litigation.

Mr. DuPont offered a motion, seconded by Mr. Murphy to adjourn to executive session to discuss litigation. Minutes to be made public in 180 days.

**ROLL CALL:**

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Attorney Pringle left the meeting before the close of executive session.

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

**ADJOURNMENT**

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

ROLL CALL:

AYES: Curley, Murphy, DuPont, Cangemi

NAYS: None

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

Respectfully submitted,

Carol A. Vivona