

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 11, 2008
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council President Murphy and Council Members Curley, Lee, DuPont and Horgan.

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

ABSENT: Mayor Menna, Councilwoman Cangemi and Borough Clerk Vivona.

SUNSHINE STATEMENT

Council President Murphy requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the 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, 2008.

WORKSHOP

Change of Council Meeting – February 25, 2008

Councilman Curley offered a motion to change the date of the February 25, 2008 meeting to Wednesday, February 27, 2008 at 5:30 pm, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

MAYORAL APPOINTMENTS

Council President Murphy appointed Karen Waldman to Zoning Board of Adjustment as a Regular Member to an unexpired 4-year term expiring 12/31/08.

Ms. Horgan offered a motion to approve the appointment, seconded by Ms. Lee.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Curley reported that the Parks and Recreation Sport Shorts program for 3 to 5 year olds was finishing up this week. He said the program had 25 children participate and said it was a success. He noted that the Department Basketball League had three teams in the playoffs. He said the Recreation Department will also host a program at the Red Bank Middle School to train referees for soccer.

Councilwoman Lee reported that the Library has reopened. She called the facility spectacular and urged everyone to go on a tour. She said the Department of Public Works was moving forward with the road program. She said plans are also moving forward to realign funds for removal of the smoke stack and that they are looking to create a larger recreation area and more fields. She said the Department is also working with RiverCenter for more trash and recycling receptacles. She noted they are also working on the townwide garage sale.

Councilwoman Horgan, reporting on the Education/Technology Committee, noted that Administrator Sickels is working with Fair Haven to write an RFP regarding website improvements. She said she met with Police Chief Fitzgerald to discuss technical issues and reported that the Police Department now has email for all of its employees. She said there will be a meeting of the Ad Hoc Citizens Participation Education Committee on

February 21 with representatives of both the Charter and Public schools. She said they are looking for ways to focus on sharing programs and services.

Councilman DuPont said he had met with Chief Financial Officer Frank Mason and reported that it was going to be a tough budget year. He said after the budget is presented there will be public meetings scheduled. He said he had attended his first meeting regarding the Community Center and said it was very fruitful. He said the next meeting is scheduled for February 25. He said he also hopes to introduce a plastic bag ordinance at the next Council Meeting.

COMMUNICATIONS AND PETITIONS

Council President Murphy read a request from Red Bank Fire Department Executive Council for use of Broad Street and Monmouth Street on September 7, 2008 for the annual street fair, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Council President Murphy read a request from Red Bank Fire Department Executive Council to hang a banner on Broad Street in the RiverCenter location from August 25, 2008 to September 8, 2008 to advertise the annual street fair.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Council President Murphy read requests from The Company of Dance Arts and New Jersey State Youth Orchestra for raffle licenses.

Ms. Lee offered a motion to approve the requests, seconded by Mr. DuPont.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Council President Murphy read a request from Belfer Communications for valet parking at Garmany, 121 Broad Street, on Monday, April 14, 2008 from 6:30 p.m. to 9:00 p.m., pending approval of the Chief of Police.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Council President Murphy read a request from Riverview Medical Center to place banners on Broad Street and Shrewsbury Avenue for the month of March to announce the receipt of the prestigious J.D. Power and Associates Distinguished Hospital Award.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

There being five 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 Ms. Lee.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

ORDINANCES – First Reading

2008-4 Council President Murphy read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XX, SEWER AND WATER, SECTION 20-4.10, “PROHIBITED DISCHARGE INTO SEWER SYSTEM,” AND SECTION 20-5, “PENALTIES.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2008.

ORDINANCES – Final Adoption

2008-1 Council President Murphy read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SUBSECTION 2.3, “DEFINITIONS.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

ORDINANCES – Public Hearing & Final Adoption

2008-3 Council President Murphy read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS, SUBSECTION 8.27, “SIGNS.”

Council President Murphy 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. Horgan.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Mr. DuPont offered a motion to table the ordinance on final reading, seconded by Ms. Lee.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

There being five ayes and no nays, the ordinance was declared tabled on final reading.

RESOLUTIONS

08-47 Council President Murphy read “A RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF MONMOUTH FOR SOCIAL SERVICES FOR SENIOR CITIZENS.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

08-48 Council President Murphy read “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 AND FINAL RELATED TO THE CONTRACT WITH INNOVATIONAL CONSTRUCTION AND DESIGN, INC. FOR THE COUNT BASIE PARK CONCESSIONS BUILDING.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

08-49 Council President Murphy read “A RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

08-50 Council President Murphy read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$5,903,703.40.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

OLD BUSINESS

Audrey Oldoerp, 56 South Street, reviewed a meeting she had had with Acting Director of Public Works Gary Watson to finalize the time of year the Townwide Garage sale would be held. The date of September 20 was decided on because it was a slow time for bulk pick up. She spoke about the positive aspects of the event and said it would be promoted through maps, on the Borough website and through redbankgreen.com. She added that a list of participants would be given to public works for a bulk pick up reference.

Councilman Murphy asked if copies were available for the Council.

Ms. Oldoerp said copies had been emailed to the Council.

Councilman DuPont asked if Mr. Watson was okay with the plan.

Mr. Watson reported that he had spoken with Belmar's Public Works and they had alleviated his concerns.

Administrator Sickels said the next step for the plan was to go before the Special Events Committee.

Councilman Curley questioned health issues such as bedbugs.

Mr. Sickels noted that a member of the Monmouth Regional Health Commission sits on the Special Events Committee.

Mr. Curley asked Attorney Pringle if Belmar and Red Bank were comparable communities.

Mr. Pringle reviewed the Belmar event and noted that most of the town is comprised of year round owner occupied residences.

Ms. Oldoerp noted that renters benefit from the event as shoppers. She added that part of the fee will go to offset costs at Public Works and the flyer will have information on it regarding organizations that will take goods to repurpose.

Councilman Murphy requested that Mr. Watson make sure that all Council Members get a copy of the report.

Councilman Lee reported that she had had a meeting with Mt. Zion House of Prayer and Pilgrim Baptist Church and said the organizations have decided to donate land for a Community Center. She asked Administrator Sickels to follow up with Rev. Porter. She stressed the importance of a non-profit willing to donate the land for use as a Community Center and said that they would possibly also be stewards for it.

Mr. Sickels asked if it could be brought to the Council in writing.

Ms. Lee said Rev. Porter had announced the intention and asked Mr. Sickels to follow up on it.

NEW BUSINESS

AUDIENCE

David Prown, 44 Hillside Place, thanked Councilwoman Lee for bringing up the offer of land for a Community Center noting that it was extremely generous and definitely worth following up on. He also asked for clarification on the sign ordinance on tonight's agenda.

Administrator Sickels reviewed details of the ordinance.

Mr. Prown asked Councilwoman Horgan if Rev. Elmer Jackson of the Westside Christian Academy was on the Education Committee.

Ms. Horgan read a list of the complete membership of the committee.

Mr. Prown said he just wanted to clarify that it wasn't just representatives from the Borough Schools. He also asked for clarification on the comments about the Administrator working with Fair Haven to develop an RFP.

Mr. Sickels said it was regarding the Fair Haven website. He noted that there have been many positive comments about it and that Red Bank may use it as a template.

Mr. DuPont offered a motion to close the audience portion of the meeting, seconded by Ms. Lee.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

EXECUTIVE SESSION

07-50a The Attorney read a resolution to adjourn to executive session to discuss security issues.

Mr. DuPont offered a motion, seconded by Ms. Lee to adjourn to executive session to discuss security issues. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi