

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 14, 2008
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Curley, Lee, Cangemi and Horgan.

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

ABSENT: Councilmen Murphy and DuPont.

Councilman DuPont arrived at 5:40 p.m.

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, 2008.

SUSPEND REGULAR ORDER OF BUSINESS

Ms. Lee offered a motion to suspend the regular order of business, seconded by Ms. Horgan.

ROLL CALL:

AYES: Curley, Lee, Cangemi, Horgan

NAYS: None

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

Presentation by Peter Efros of Pictures & Paintings to the Borough of Red Bank

Councilman DuPont arrived at 5:40 p.m.

RESUME REGULAR ORDER OF BUSINESS

Mr. Curley offered a motion to resume the regular order of business, seconded by Mr. DuPont.

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

WORKSHOP

MAYORAL APPOINTMENTS

Mayor Menna appointed Michaela Ferrigine to the Historic Preservation Commission for an unexpired 3-year term expiring 12/31/08.

offered a motion to approve the appointment, seconded by

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

Mayor Menna appointed Scott Breslow to the Navesink River Municipalities Committee for an unexpired 1-year term expiring 12/31/08.

offered a motion to approve the appointment, seconded by

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

Mayor Menna appointed Christopher Ferrigine to the Parks & Recreation Committee for an unexpired 3-year term expiring 12/31/09.

offered a motion to approve the appointment, seconded by

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Red Bank RiverCenter for a raffle license.

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

Mayor Menna read a request from Al'Marques Haynes for membership to Westside Hose Company of the Red Bank Volunteer Fire Department/First Aid Squad.

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

2008-3 Mayor Menna 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.”

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 Ms. Cangemi.

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

RESOLUTIONS

08-76 Mayor Menna read “A RESOLUTION AWARDED CONTRACT FOR SPONSORSHIP AND PROMOTION FOR THE 2008 RED BANK SUMMER SERIES, PRODUCED BY THE RED BANK PARKS & RECREATION DEPARTMENT.”

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

ROLL CALL:

AYES: Curley, Lee, Cangemi, Horgan

NAYS: DuPont

There being four ayes and one nay, the resolution was declared approved.

08-82 Mayor Menna read “A RESOLUTION SUPPORTING *CLICK IT OR TICKET* SAFETY BELT MOBILIZATION.”

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-83 Mayor Menna read “A RESOLUTION APPOINTING ADELE JOHNSON AND CHARLES BRZYSKI AS SPECIAL OFFICERS CLASS I.”

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-84 Mayor Menna read “A RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-85 Mayor Menna read “A RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL WARDEN SERVICES WITH THE TOWNSHIP OF SHREWSBURY.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-86 Mayor Menna read “A RESOLUTION AUTHORIZING APPROVAL OF SIDEWALK CAFES.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-87 Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO ADVERTISE FOR BIDS FOR THE 2007/2008 ROAD PROGRAM.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-88 Mayor Menna read “A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 13.01, LOT 11, 17 BUENA PLACE, RED BANK, NEW JERSEY.”

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

AYES: Curley, Lee, Cangemi, Horgan

NAYS: None

ABSTAIN: DuPont

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

08-89 Mayor Menna read “A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL COUNSEL.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-90 Mayor Menna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN INTERLOCAL SERVICES AGREEMENT WITH RED BANK RIVERCENTER FOR THE HIRING OF A DEDICATED PUBLIC WORKS EMPLOYEE TO WORK WITHIN THE SPECIAL IMPROVEMENT DISTRICT.”

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

AYES: Lee, DuPont, Horgan

NAYS: Curley, Cangemi

There being three ayes and two nays, the resolution was declared approved.

08-91 Mayor Menna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTING A MAINTENANCE GUARANTEE REGARDING LEONARD MARTELLI, 257 MAPLE AVENUE, BLOCK 100, LOT 1.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-92 Mayor Menna read “A RESOLUTION AUTHORIZING RELEASE OF DEVELOPER’S AGREEMENT WITH THE GEMINI GROUP, L.L.C. AND THE TWO RIVER THEATRE COMPANY.”

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

AYES: Curley, Lee, Cangemi, Horgan

NAYS: None

ABSTAIN: DuPont

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

08-93 Mayor Menna read “A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE BOROUGH’S SEWER CLEANING AND TELEVISION INSPECTION FORCE ACCOUNT.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-94 Mayor Menna read “A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE 2008-2009 PARK MAINTENANCE CONTRACT.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-95 Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE A WATER QUALITY TREATMENT WORKS APPROVAL APPLICATION NO. 08-0146 TO BE SUBMITTED TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN RELATION TO REPLACEMENT OF THE RIVER STREET PUMP STATION AND ELIMINATION OF THE GARFIELD PLACE PUMP STATION.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

08-96 Mayor Menna read “A RESOLUTION TEMPORARILY DENYING ISSUANCE OF A SIDEWALK CAFÉ PERMIT TO BUONA SERA RESTAURANT.”

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

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

PROCLAMATIONS

Mayor Menna read a proclamation proclaiming April 25, 2008 as Arbor Day.

PAYMENT OF VOUCHERS

08-97 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,597,065.17.”

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

ADJOURNMENT

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

ROLL CALL:

AYES: Curley, Lee, DuPont, Cangemi, Horgan

NAYS: None

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

Respectfully submitted,

Carol A. Vivona