

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman DuPont and Assistant Attorney 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 January 1, 2008.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

Presentation by Michael Fasana of a Painting of the Olde Union House Painted by His Father Ernest Fasana

Monmouth County Engineers Office Presentation Regarding Hubbard Bridge

08-146 Mayor Menna read “A RESOLUTION AUTHORIZING 2008 MUNICIPAL BUDGET AMENDMENT.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

WORKSHOP

APPROVAL OF MINUTES – June 25, 2007

Councilwoman Lee offered a motion to resume the regular order of business, seconded by Councilman Curley.

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi

NAYS: None

ABSTAIN: Horgan

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

APPROVAL OF MINUTES – August 27, 2007

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi

NAYS: None

ABSTAIN: Horgan

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

APPROVAL OF MINUTES – September 10, 2007

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi

NAYS: None

ABSTAIN: Horgan

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

MAYORAL APPOINTMENTS

Mayor Menna appointed the following individuals to the Affordable Housing Design Review Committee:

Mayor Pasquale Menna
Borough Administrator Stanley Sickels
Planning Board Chairman John Cash
Borough Engineer Richard Kosenki
Council President Arthur Murphy
Edmund Gaunt, a Resident and an Architect
Benny Roundtree, Resident at Large

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from RiverCenter for free parking at all meters within the downtown business district on Friday, July 25th and Saturday, July 26th, 2008 for the 54th Annual Sidewalk Sale.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

Mayor Menna read a request from John Modlin for membership to Liberty Hose Company of the Red Bank Volunteer Fire Department/First Aid Squad.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

Mayor Menna read a request from the Nathan J. Williams Craftsmen Club, Inc. to hold a Motor Cycle Rally on August 16, 2008 and to close Drs. James Parker Blvd. from 11:00 a.m. to 6:00 p.m., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, 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

ORDINANCES – First Reading

2008-12 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE CONVEYANCE OF A LICENSE TO INTRUDE ON THE BOROUGH’S RIGHT OF WAY TO TAINA CORPORATION (T/A BUONA SERA RESTAURANT) UPON CERTAIN PORTIONS OF THE BOROUGH OWNED RIGHT OF WAY ALONG MONMOUTH STREET AND MAPLE AVENUE, ADJACENT TO BLOCK 43, LOTS 5 AND 6.”

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

ROLL CALL:

AYES: Murphy, Lee, Horgan

NAYS: Curley, Cangemi

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

Public hearing and final adoption scheduled for July 28, 2008

2008-14 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, "TRAFFIC," SECTION 7-6.1, SCHEDULE VII, "THROUGH STREETS" AND SECTION 7-6.2, SCHEDULE VIII, "STOP INTERSECTIONS."

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, 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 July 28, 2008

ORDINANCES – Public Hearing & Final Adoption

2008-13 Mayor Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE CONVEYANCE OF A LICENSE TO INTRUDE ON THE BOROUGH'S RIGHT OF WAY TO STUART PAER ENTERPRISES, L.L.C. UPON CERTAIN PORTIONS OF THE BOROUGH OWNED RIGHT OF WAY ADJACENT TO 25 BROAD STREET, BLOCK 28, LOT 7."

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

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

RESOLUTIONS

08-143 Mayor Menna read "A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES 2008/2009."

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

08-144 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES 2008/2009.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

08-145 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES AND INSPECTION ESCROW REGARDING FOOD CIRCUS MARKET OF MIDDLETOWN, 15 WIKOFF PLACE, BLOCK 98, LOT 10.02 AND BLOCK 99, LOTS 26, 27 AND 28.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

08-147 Mayor Menna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH SUNESYS, L.L.C. PERTAINING TO THE USE OF THE PUBLIC RIGHT OF WAY FOR THE INSTALLATION AND OPERATION OF FIBER OPTIC CABLES.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

08-148 Mayor Menna read “A RESOLUTION AWARDING BID FOR 2007-2008 ROAD PROGRAM.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

08-149 Mayor Menna read “A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CHESTNUT STREET PHASE I PROJECT.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

08-150 Mayor Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,118,148.31.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

ADJOURNMENT

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

ROLL CALL:

AYES: Curley, Murphy, Lee, Cangemi, Horgan

NAYS: None

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

Respectfully submitted,

Carol A. Vivona