

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Councilman Bifani.

Councilman Bifani arrived at 8:05 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, 2007.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Curley, Murphy, Lee, DuPont

NAYS: None

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

**Swearing in of Councilwoman Mary Grace Cangemi**

Mayor Menna issued the Oath of Office to Councilwoman Cangemi.

Councilwoman Cangemi said that it has been a bit of a circuitous route to end up on this side of the table. She said that this route goes back to the campaign trail last year when she had the pleasure of campaigning with John Curley and David Pallister and she thanked all the people that supported her along the way especially her family and friends that stood by her through a tough campaign. She said she wanted to comment on Steve Fitzpatrick and Anthony Tamburri who were also nominated for this position and would have made an excellent Council Person and she is honored to have her name put up there with theirs. She said that she would like to thank everybody that advised her along the way and hopes she can fill the shoes of Councilwoman Ernest and work as hard as Councilman Curley whose service to his community is truly exemplary. She also said that she would like to thank all the residents for extending their courtesy to her while she was campaigning and everyone was willing to converse with her about Red Bank because they truly share the passion of what is best for the town regardless of what party they are affiliated with. She said that everybody wanted to tell her how they felt about Red Bank and the passion that people share about Red Bank and their visions of Red Bank in the future and the past and their hopes for Red Bank in the future are something that everyone has been willing to share. She said this information has been invaluable to help her guide a community like ours. She said that she has a great deal of respect for Mayor Menna and she looks forward to being a part of his administration and hopes the entire Governing Body can work together for what is best for Red Bank. She said that her commitment is to the people of Red Bank and what she does as a Council Person is between her and them. She said that she looks forward to the input of the residents and thanks the Council and the residents of Red Bank for this opportunity and she hopes to serve them well.

Mayor Menna asked if the Council had any remarks.

Councilman Curley said that he has had the most wonderful opportunity of serving this Borough for the last four years and he has had some wonderful running mates but he has had the pleasure of working with Councilwoman Cangemi over the last year an a half formulating policy and that policy would be the best for the taxpayers to provide services at the lowest possible cost and the most efficient services possible. He said Councilwoman Cangemi is an exceptionally articulate human being and that was proven to him the first day they walked up and rang a door bell. He said that when he was campaigning last year all the candidates worked off each other's strengths and she will be a magnificent member of this Council in representing all of the people of the community. He said that Councilwoman Cangemi has listened to so many people and traveled this Borough house by house three times and listened to the people of Red Bank and that he can

guarantee that this articulate, passionate, intelligent person will serve the community well in the coming years and he congratulated her and thanked her for everything.

Councilman Murphy said that he would like to wish her luck and said that he has been up here four years himself and it is a learning process and that there is a wealth of information amongst the Council and he has always said to everyone that is on the Council that if they have a problem feel free to call and wished her the best of luck.

Councilman DuPont welcomed Councilwoman Cangemi and said that if there are any questions about the finance department and the budget for this year to contact him.

Mayor Menna said on behalf of everyone a warm and special welcome and said that he thinks they made the right decision because she has shown commitment and passion and thinks that she will be a credit to the residents of Red Bank as we all work together for everyone's best concern. He said that he wanted to welcome Councilwoman Cangemi's parents and all of the members of her family, friends and Councilwoman Ernst.

07-76            Mayor Menna read "A RESOLUTION CONGRATULATING RALPH JOHN GATTA OF JOHNNY'S JAZZ MARKET."

Mayor Menna welcomed Ralph Gatta to the meeting and said that for those who do not have the pleasure of knowing him, he is an institution in the Borough of Red Bank. He said Mr. Gatta personifies all that is good about Red Bank and his market, Johnny's Jazz Market, is still at the same location and he lived most of his life on the second floor. He said he is a warm individual who welcomes everyone in his shop and was honored last month at the Two River Theater by the Source Foundation for all that he does for young people and was presented many accolades for keeping jazz alive in Red Bank and that he is a one person encyclopedia of what is best in jazz. He said his market has seen many changes on the Westside of Red Bank and that he explains things about what he is selling and all the items in his store and it is so wonderful that he focuses on the children and was honored by the Source Foundation. He said that he would like to read the resolution so people know who he is and what he has been doing all these years.

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

ROLL CALL:

AYES:            Curley, Murphy, Lee, DuPont, Cangemi

NAYS:            None

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

The Members of the Governing thanked and commended Mr. Gatta.

07-77            Mayor Menna read "A RESOLUTION APPOINTING PROBATIONARY POLICE OFFICERS."

Councilman Murphy read a brief biography on James DePonte and Paul Perez.

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

ROLL CALL:

AYES:            Curley, Murphy, Lee, DuPont, Cangemi

NAYS:            None

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

The Borough Clerk issued the Oath of Office to each individual.

Mayor Menna and the Council Members congratulated the new Police Officers.

Chief Fitzgerald welcomed the new Police Officers and said that he is looking forward to working with them.

#### **RESUME REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

AYES:            Curley, Murphy, Lee, DuPont, Cangemi

NAYS:            None

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

Councilman Bifani arrived at 8:05 p.m.

## **WORKSHOP**

### **APPROVAL OF MINUTES** – February 12, 2007

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

#### **ROLL CALL:**

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

## **MAYORAL APPOINTMENTS**

Mayor Menna said that he would like to appoint a committee to work on the Borough's 100<sup>th</sup> Anniversary celebration that would be held in 2008. He said that it would be appropriate to appoint a citizen's committee that would be able to advise the Council and our Department Heads on appropriate celebrations for 2008 and he has spoken to a number of individuals from various parts of the town that are willing to serve on this committee. Mayor Menna appointed the Honorable Michael J. Arnone, the Honorable Edward J. McKenna, Jr., Maria Gagliano, Paulette Roberts, George Bowden, Evelyn Leavens, Maeble Hairston, Esquire, Timothy Hogan and Pasquale Menna, Ex-Officio to the 100<sup>th</sup> Anniversary Committee 2008.

Councilman DuPont said that he knows that this is a direct Mayoral appointment but he knows that there are additional people that have lived here many years who might be able to assist us and what he would like to do is to include anyone from the community that would like to participate than limit it to ten people.

Mayor Menna said that we have to have a fundraising committee because his philosophy is that the taxpayers should not fund this celebration and that this committee would work on fundraising and finding corporate sponsorship and anyone would be welcomed to make comments on this event.

Councilman DuPont said that there could be a sub-committee within the committee to deal with the finances and he did not know if the general public was invited to be on the committee and thinks our senior citizens that have been here for many years should be able to participate in the committee.

Mayor Menna said that anyone from the community is welcomed to contact the Administrator's Office and ask to be put on a list if they are interested in participating in this celebration.

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

#### **ROLL CALL:**

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

## **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman DuPont said that we have introduced the 2007 budget and said that he would be willing to sit down with any Council Members that had any questions about the budget and asked that they contact him if they would like to do this. He also reported that the Finance Committee was directed by the Mayor to look into Council Members receiving health benefits provided by the Borough. He said that he has contacted the League of Municipalities to ask for compensation and health benefits for elected officials throughout the State. He said that his initial findings indicate that 80 percent of municipalities offer health benefits to their elected officials and that in the Borough any new employees must pay for a portion of the cost. He said there are a number of issues to be discussed and the Finance Committee is working on this matter. He said that he has heard comments from a number of individuals that we are sending out the wrong message to those that are not independently wealthy and have time on their hands to participate and that we may have to reevaluate our compensation package in general. He said he hopes to have additional information within the next few weeks. He also said that he has seen a resolution that was adopted by the Borough of Sea Bright opposing an increase by New Jersey Natural Gas and that he would like to add this resolution to the agenda and the resolution sent to the New Jersey Board of Public Utilities.

Mayor Menna said that this could be added to the agenda.

Mayor Menna said that he would like to appoint Councilwoman Cangemi to take over all duties that were assigned to Councilwoman Ernst.

Councilwoman Cangemi said that she was privileged to be at the Marine homecoming of the Red Bank Armory Marines 6<sup>th</sup> Motor Division on Saturday with an organization that does homecomings and send-offs for troops and Colonel Hagen asked her to thank the Members of the Governing Body and the residents of Red Bank for making his troop feel so welcomed in our community.

Councilwoman Lee said that we are looking at the sale of a piece of Borough property on the Westside that is currently used by the YMCA and she would like to see some of the funds from this piece of property used to support the children of the area.

Councilman Bifani said that the Finance Committee is looking at using some of the funds for taxes but would like to see some of the money used for programs that were originally offered by the Count Basie Learning Center.

Councilwoman Lee and Councilman Bifani both agreed that some of the money should be used to replace programs that were offered to the children in the current YMCA building and the building on the corner that are no longer offered and suggested some of the money be given to the Parks and Recreation Department to come up with some kind of programs for the children in this area.

Councilman Curley said that we have to look at this money when we are dealing with taxes that this is a one-time fund and we would not be able to depend upon this next year. He said that we have a lot of capital expenses coming up and one of those is a new firehouse because we have three fire houses that are falling apart and he does not want to see this money divided up so much that we do not get one positive thing accomplished and looks forward to further discussion.

Mayor Menna said that he would like to congratulate Trish Rumola and the Members of RiverCenter on the spectacular announcement that Tiffany and Company is opening a store in downtown Red Bank. He also said that through RiverCenter's efforts he continues to also welcome small shops in town and has done numerous store openings of family owned businesses and wants to congratulate and thank Red Bank RiverCenter for being so successful. He also said that a month ago he was asked to submit a petition to the New Jersey Business and Industry Association, a statewide business association, for a Good Neighbor Award and said that he is happy to announce that the 2007 Good Neighbor Award winners were announced and Hovnanian Enterprises Incorporated of Red Bank was one of ten winners throughout the State. He said he submitted the application to the New Jersey Business and Industry Association because Hovnanian chose Red Bank to be the location of their corporate headquarters and they built a beautiful building that is esthetically and environmentally pleasing to the area and employ 345 in the building. He also reported that he will be cooking lunch for Mrs. Moss's pre-school class on April 18<sup>th</sup> at 12:15 p.m. and that they sent him a menu of what they would like prepared.

## **COMMUNICATIONS AND PETITIONS**

Mayor Menna read requests from Jason's Dreams for Kids, Inc., Two River Theatre Company and Special Improvement District Borough of Red Bank, Inc. for raffle licenses.

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

### **ROLL CALL:**

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Mayor Menna read a request from Fitness Together, 25 Mechanic Street, to place a sandwich board sign on the corner of Broad and Mechanic Streets to advertise their Grand Opening on Saturday, March 31, 2007 from 10:00 a.m. to 3:00 p.m.

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

### **ROLL CALL:**

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

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**

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

Ms. Lee offered a motion to close the public comment portion of the meeting, seconded by Mr. Curley.

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

**ORDINANCES – First Reading**

2007-11 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, “POLICE DEPARTMENT,” SUBSECTION 2-36.4, “RULES AND REGULATIONS ESTABLISHED” AND SUBSECTION 2-36.7, “ORGANIZATIONAL STRUCTURE OF THE POLICE DEPARTMENT AND RESPONSIBILITIES OF COMMAND WITHIN DEPARTMENT.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Public hearing and final adoption scheduled for April 9, 2007.

2007-12 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-3.6, “PARKING TIME LIMITED ON CERTAIN STREETS,” SCHEDULE IV, “TIME LIMITED PARKING” AND SECTION 7-3.9, “PERMIT PARKING IN DESIGNATED AREAS,” SCHEDULE XIX, “RESIDENTIAL PARKING DISTRICT NUMBER TWO.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Public hearing and final adoption scheduled for April 9, 2007.

2007-13 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2007-4 EXPANDING THE SPECIAL IMPROVEMENT DISTRICT.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Public hearing and final adoption scheduled for April 9, 2007.

2007-14      Mayor Menna read "AN ORDINANCE FIXING COMPENSATION OF CERTAIN OFFICES, POSITIONS AND EMPLOYEES OF THE BOROUGH OF RED BANK FOR THE YEAR 2007."

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

Councilman Curley said that he is adamantly opposed to the Deputy Administrator receiving a \$10,000 raise. He said that he disagrees with the reasons why the Deputy Administrator should receive a \$10,000 because an Administrator has responsibilities in every department and believes the Director of Parks and Recreation should take responsibility of his department and should not rely on Mr. Watson. He said that he would also like to see the Planning Board and Zoning Board attorneys taken off the salary ordinance because that salary goes into the state pension plan and this type of activity is ruining the state pension plan. He said with the reassessment this year he does not feel that anyone should receive such a big raise. He said that Mr. Watson is an Administrator and should be overseeing every department and that he is appalled as a taxpayer that in this day and age Mr. Watson is receiving a \$10,000 raise.

Councilman DuPont said that he knows Councilman Curley has complained about Mr. Sickels and Mr. Watson's salaries in the past and asked Mr. Sickels to advise him on how much we are saving by these two individuals wearing many hats. He said Mr. Watson manages public works, recycling and the parking utility and has received his certification from the State and asked Mr. Sickels to look at what other towns are paying their public works directors.

Mr. Sickels said that he was serving as Acting Director of Public Utilities and had interviewed five candidates for the position of Director of Public Utilities and the lowest salary that was asked for was \$98,000. He said Mr. Watson was hired as Deputy Administrator at a salary of \$60,000 and is a retired Deputy Chief from the Red Bank Police Department and was familiar with Red Bank so he was placed in the position and has done a tremendous job reorganizing and computerizing the department and making everything much more efficient in every aspect and has taken training and completed certification for the Public Works Certification Program and recycling and when Mr. Burnip left the parking utility we had four employees that needed day to day supervision. He said he did check on the salaries from ten municipalities in the area and Mr. Watson at \$80,000 a year is one of the lowest plus we do not have to pay for health benefits.

Councilman Bifani said that the Parking Utility is a busy department and needs supervision and we are not paying Mr. Burnip's salary of \$59,000 plus benefits. He said that he does not think it is fair to put this added responsibility on him and not compensate Mr. Watson for the additional responsibility.

Mayor Menna said that it makes a lot of sense to put Mr. Watson in this position and someone had to manage that operation and everyone was complaining that we did not need the position of a full-time parking manager.

Councilman Bifani said that the Parks and Recreation Department had a lot of problems and Mr. Watson stepped in and helped a department with a lot of problems and thinks he should be compensated and suggested that Councilman Curley as Chairperson of that Department also assist Mr. Evans.

Councilman Curley said that he believes that when a professional is hired that person should be qualified to do the job because they are getting paid by the taxpayers and that in his business when a person fails to do their job they are out the door. He said that he believes that upper management is well taken care of and there are a lot of employees on the lower end of the pay scale that take on additional responsibilities and are not given monetary compensation. He said that Mr. Watson was not hired as Director of Public Works but as an assistant to Mr. Sickels. He said that Mr. Watson was sent to Rutgers University to take courses to be certified as a Public Works Manager and the taxpayers of the Borough of Red Bank paid for his schooling and now he has taken all of the courses but is not qualified to take the exam because he has not been in the position for five years as an intern. He said that Mr. Watson has been in this position for quite some time and has not been certified and he thinks that giving him a \$10,000 raise in these trying times is ludicrous.

Councilman DuPont said that he urges Councilman Curley to sit down with him and look at the budget to see if there is anything that could be cut and he has looked at all of the positions of the employees and he also believes that the number one issue in the State of New Jersey is taxes and he believes that this is a good budget and that the operating expenses are down \$160,000 and the debt that we are carrying is flat and that we have eliminated positions. He said that he listens to Councilman Curley's comments about cost effectiveness and management and that last year we had over expenditures in the budget and we do not have this in this budget. He said that he has listened to Councilman Curley's comments about Mr. Sickels having too many jobs and he looked at this situation and thinks this is a savings for the Borough.

He said that three and a half percent of Mr. Watson's raise is from a contract the Borough has entered with the employees.

Councilman Curley said that the appointed officials are not covered under the employee's union contract and Mr. Watson's raise includes a three and a half percent increase plus an additional \$10,000 raise.

Councilman Bifani said that Mr. Burnip's salary plus his benefit's package would have been approximately \$62,000 and now we would be paying \$10,000. He said that is a big savings.

Councilwoman Cangemi said that he thinks Mr. Watson should receive a three and a half percent raise but believes \$10,000 is a lot of money and commends Mr. Watson for the course work he has completed but the

courses were paid for by the taxpayers and she thinks if he receives an additional raise it should be something more reasonable.

Mr. Sickels said Mr. Watson plus three other employees from the Public Work's Department attended those classes and the other employees have received a similar increase. He said that Mr. Watson not only completed the classes but is also taking on the responsibilities of the Parking Utility operation. Mr. Sickels said that we are saving \$99,000 by Mr. Watson's performing the duties of Director of Public Utilities and Parking Manager if we added up the salaries that the former employees that were holding these positions plus their benefits.

Councilman DuPont asked Mr. Curley if he thinks we should hire a Recycling Coordinator and another Parking Manager.

Councilman Curley said that he is not suggesting that we hire additional employees at this time because we can not afford to do that and that he would like to see no increase in the municipal budget if that were possible and not be dependant on state aid because we get less every year.

Councilman DuPont said that we received extraordinary aid and received an increase last year.

Councilman Curley said that at one time the parking utility was under the purview of the police department and said they did a wonderful job but then we added the bureaucracy of a parking coordinator and nothing was accomplished.

Mayor Menna said that the parking administration was never under the purview of the police department because if it was the municipal revenues from that department would have to go into the court fund and that was never the case and wanted to state that the first parking coordinator was a gentleman from Sea Bright hired by Mayor Arnone and that person was let go and we hired retired Lt. Robert Kennedy to oversee the department not as a police officer but to coordinate the parking division so we could keep the unappropriated funds that would have gone to the court fund. He said he was paid approximately \$30,000 a year quite some time ago and said that we have always paid someone to manage that division for 18 years. He said now we are paying someone \$10,000 to do a job that was receiving approximately \$70,000.

Councilman Curley said that he remembers Pete DeFazio and Ernie Van Pelt being involved with the parking utility.

Mayor Menna said that they were just in charge of scheduling and the funds remained outside of the Police Department. He said that the ordinance is just for introduction and there are a couple of issues he would like to look into.

Councilman Curley said that he does not think it is fair to the taxpayers to give someone a \$10,000 raise.

**ROLL CALL:**

AYES: Bifani, Murphy, Lee, DuPont, Cangemi

NAYS: Curley

There being five ayes and one nay, the ordinance was declared adopted on first reading.

Public hearing and final adoption scheduled for April 9, 2007.

**ORDINANCES – Public Hearing & Final Adoption**

2007-10 Mayor Menna read "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14.)"

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 Ms. Lee.

**ROLL CALL:**

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

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

ROLL CALL:

AYES: Bifani, Murphy, Lee, DuPont

NAYS: Curley

ABSTAIN: Cangemi

There being four ayes, one nay and one abstention, the ordinance was declared adopted on final reading.

## RESOLUTIONS

07-78 Mayor Menna read “A RESOLUTION REQUESTING PARTICIPATION IN COUNTY-LED RECORDS MANAGEMENT NEEDS ASSESSMENT.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-79 Mayor Menna read “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 RELATED TO THE CONTRACT WITH LUCAS CONSTRUCTION GROUP, INC. FOR THE 2005/2006 ROAD PROGRAM.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-80 Mayor Menna read “A RESOLUTION SETTING TIME AND PLACE FOR SPECIAL MEETING.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

ABSTAIN: Bifani

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

07-81 Mayor Menna read “A RESOLUTION AUTHORIZING THE SALE OF BOROUGH OWNED PROPERTY TO THE HIGHEST BIDDER.”

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-82 Mayor Menna read "A RESOLUTION AUTHORIZING PAYMENT CERTIFICATE NO. 4 RELATED TO THE CONTRACT WITH LUCAS CONSTRUCTION GROUP, INC. FOR THE 2005/2006 ROAD PROGRAM."

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-83 Mayor Menna read "A RESOLUTION AUTHORIZING TRANSFER OF WATER UTILITY APPROPRIATION RESERVE."

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-84 Mayor Menna read "A RESOLUTION AUTHORIZING CHANGE ORDERS RELATED TO THE CONTRACT WITH SANTORINI CONSTRUCTION FOR IMPROVEMENTS TO THE RED BANK PUBLIC LIBRARY."

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-85 Mayor Menna read "A RESOLUTION OPPOSING NEW JERSEY NATURAL GAS COMPANY'S APPLICATION TO THE BOARD OF PUBLIC UTILITIES FOR A RATE INCREASE."

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

## **PROCLAMATIONS**

### **PAYMENT OF VOUCHERS**

07-86 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,161,791.54."

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

## **OLD BUSINESS**

### **NEW BUSINESS**

Councilman DuPont said that a resident's house was hit by a garbage truck.

Mayor Menna said that the Administrator has been authorized to deal with this situation and assured the resident of the condominium that was hit that the matter would be resolved.

Councilman DuPont asked Mayor Menna if the Planning Merit Award's could include a Borough employee.

Mayor Menna said that it could.

Councilman DuPont said that he believes our Director of Planning, Donna Barr, should be nominated if she is permitted to because she has made the Planning and Zoning Department one of the most efficient in the State and that department does not get enough credit for all of the work they do.

Mayor Menna said that he would be happy to discuss this with Councilman DuPont.

## **AUDIENCE**

Gary Morris – 186 River Street – said that he would like to see a referendum placed on the ballot asking the residents of the Borough of Red Bank if they think the Council Members should receive health benefits. He said there is a lot of discussion among the residents on this subject and it is a big expense to the taxpayers and thinks it is not fair that the taxpayers have to pay for this.

Councilman DuPont said the Finance Committee was assigned the task of looking into this expense in February and was working on the introduction of the budget. He said that he is waiting for some information from the League of Municipalities regarding compensation for elected officials and is working on a report.

Mr. Morris said that out of the 53 municipalities in Monmouth County only 13 offer health benefits to their elected officials.

Councilman Curley said that he and Councilwoman Cangemi do not take the health benefits and he does not think the Members of the Governing Body should receive them.

Mr. Morris said that he does not think Gary Watson should be running the Parks and Recreation Department and that the Director of Parks and Recreation should be doing this.

Mr. Sickels said Mr. Watson and his staff are assisting the Parks and Recreation Department because there is a lot of work they do together and he has the office staff to assist him in daily operations.

Councilman Curley said that one of the criteria for giving Mr. Watson a raise was that he assists the Parks and Recreation Department and he thinks this should not be criteria for giving him a raise.

Sean Murphy – 44 Throckmorton Avenue – said that since Mr. Watson has assisted that department he found discrepancies in the recreation department and asked if this was true.

Mr. Sickels said that he would like to caution the Members of the Governing Body that these are personnel issues and they should not discuss employees' performance in public.

Councilman Curley said that when he became Chairperson of the Parks and Recreation Department in January there was a situation that was found to be troublesome that culminates back four years ago and asked if anything could be done to correct this.

Mr. Murphy said that he thinks Mr. Evans does a good job in that department but he needs someone to assist him.

Councilman Curley said that is the job of the Administrator and he should oversee all departments in the Borough.

Councilwoman Cangemi said there are other solutions beyond direct oversight and if you talk to Human Resource and Personnel people they will tell you that rather than say you do not have to do that part of your job there are other creative human resource solutions that may be appropriate to look at if there is a problem there and she does not think that anyone is suggesting that Mr. Evans can't do his job.

William Meyer – 12 Monmouth Street – said that he is concerned about the sale of borough owned property and thinks the Borough should restrict the type of use on that property to something that would not impact the Borough's school system.

Mayor Menna said that it could be used for any use that is allowed in that zone and that is established by state statute.

Mr. Meyer said the Borough has the ability to put restrictions on the deed.

David Prown – 44 Hillside Place – said that it is sad that the Count Basie Learning Center property is going to be sold. He said there are still some children that use that facility and that the Borough should invest in the children of Red Bank and suggested that the Parks and Recreation Department use the facility for after school and summer programs. He also said that there should be more information available on the Parks and Recreation website. He also suggested that Councilman Murphy be reappointed to serve on the Parks and Recreation Committee. He said that he is running a program at Saint Anthony's for Latino children every Sunday and last week he had 52 children there and that is only because Saint Anthony's let him use their space, he said the Borough needs places where programs for children could be held.

Steve Fitzpatrick – 32 Chestnut Street – asked why the Borough is selling the Count Basie Learning Center.

Councilman Bifani said the facility is not being used the way it was intended to be used and that only a few programs are being held there with a minimal amount of children.

Mr. Fitzgerald asked if it was being sold because of all of the development in the area.

Mayor Menna said the facility is being sold because there are only a couple of programs being held at the facility by the YMCA and it is not being used to its full potential.

Councilman DuPont said that the Finance Committee reviewed all of the Borough owned properties and agreed that this property was under utilized. He said Councilwoman Lee had some reservations about selling the property but was assured some of the money from the sale would go towards programs for the children of Red Bank.

Mr. Fitzgerald asked if anyone could bid on the property.

Mayor Menna said that it is a public sale and anyone can bid on the property.

Virginia McGuire – 54 Leroy Place – asked why the Borough's residents could not use the Monmouth County Library.

Mr. Sickels said that the Borough of Red Bank does not contribute to the Monmouth County Library system because we have our own library but have some agreements with other municipal libraries.

Mayor Menna said that we are currently looking into a temporary facility where people can order and pick up books until construction at the library is completed.

Councilman Murphy said that Mrs. Terry has been scheduling trips from the Red Bank Senior Center to the Long Branch Public Library.

Mayor Menna said he will ask the Administrator to ask the Freeholders if we could use the County facility until construction at the library is completed.

Tony Busch – 32 W. Front Street – said that Mr. Watson should be compensated for all of his training because he might decide to look for another job.

Val DeFazio – 56 Tower Hill Avenue – asked if the new Hovnanian building is on the tax rolls.

Mayor Menna said that it is.

## **EXECUTIVE SESSION**

07-87            The Attorney read a resolution to adjourn to executive session to discuss potential litigation.

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

### **ROLL CALL:**

AYES:            Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS:            None

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

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

**ADJOURNMENT**

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

ROLL CALL:

AYES: Bifani, Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Respectfully submitted,

Carol A. Vivona