

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JUNE 11, 2007
5:30 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, Attorney Pringle, Assistant Attorney Hall and Engineer Kosenski.

ABSENT: Council Members Bifani and Cangemi.

Councilwoman Cangemi 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, 2007.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont

NAYS: None

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

Presentation of Certificates of Achievement to the Charter School Community Intern Program

Councilwoman Cangemi arrived at 5:40 p.m.

Mayor Menna thanked and congratulated all the students from the Charter School that participated in the Intern Program. He asked Meredith Pennotti, the Principal and Bruce Whitaker to join him for the presentation.

Mayor Menna presented Certificates of Achievement to the Charter School children and thanked Mrs. Pennotti and Mr. Whitaker for attending the meeting.

Presentation of Certificates of Achievement to the Red Bank High School Creative Writing, Commercial Art, Commercial Photography and the Visual and Performing Arts Academy

Mayor Menna said that Red Bank is very fortunate to have a program at Red Bank Regional High School headed by Dr. Greta Wilkinson with all of her associates, as well as active encouragement from the Principal, which is a really dynamite program where young adults through their creative arts program are fully engaged with our Senior Center. He said 3 students are attached to one senior and we have approximately 15 seniors participating with the students. He said each group studied a senior and their class project was to either do a photo shoot or write a short story or a poem about the senior and said that presentations were made at Red Bank Regional and were fabulous and it was a really great creative program. He said this empowered the children to write and be creative and paint and unifies young adults with our senior population and also makes the seniors feel as important as they should always feel. He said the seniors and the students both got a lot out of the program and wonderful relationships were developed and he would like to have twice as many participants in the program next year.

Mayor Menna and Dr. Wilkinson presented Certificates of Achievement to the students that participated in the program.

Dr. Wilkinson thanked the Members of the Governing Body for the acknowledgement.

The Members of the Governing Body thanked everyone from Red Bank Regional that participated in the program and also thanked the Members of the Board of Education for attending the meeting.

Mayor Menna said that they would be adopting resolutions promoting individuals in the State's best Police Department and are so happy to see so many colleagues and family members attending the meeting.

Police Commissioner Murphy said it is great to see so many individuals attending the meeting to honor the individuals being promoted and read a brief biography on each individual.

07-131 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT LIEUTENANT STEPHEN MCCARTHY TO RANK OF CAPTAIN.”

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 Captain McCarthy.

Captain McCarthy thanked the Members of the Governing Body on behalf of all of the individuals being promoted tonight and said it is an honor for them to serve the Borough.

07-132 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT SERGEANT MICHAEL CLAY TO RANK OF LIEUTENANT.”

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 Lieutenant Clay.

07-133 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT SERGEANT JOSHUA BERBRICK TO RANK OF LIEUTENANT.”

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

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 Lieutenant Berbrick.

07-134 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT DETECTIVE ELIOT RAMOS TO RANK OF SERGEANT.”

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

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 Sergeant Ramos.

07-135 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN MICHAEL FURLONG TO RANK OF SERGEANT.”

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

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 Sergeant Furlong.

07-136 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN MICHAEL FRAZEE TO RANK OF SERGEANT.”

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

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 Sergeant Frazee.

07-137 Mayor Menna read “A RESOLUTION PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN JOEY FIELDS TO RANK OF DETECTIVE.”

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

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 Detective Fields.

Chief Fitzgerald thanked all of the Members of the Governing Body for their support and said that all of the promotions are well deserved.

The Members of the Governing Body thanked and congratulated everyone on their promotions.

Ms. Cangemi offered a motion to adjourn the meeting so the Mayor could perform a wedding ceremony, seconded by Mr. Murphy.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

WORKSHOP

Tower Hill Avenue

Councilman Curley asked what the status is on prohibiting left-hand turns from Harding Road onto Tower Hill Avenue.

Mr. Kosenski said the County has approved the ordinance but we are still waiting for approval from the New Jersey Department of Transportation.

Marine Park Lighting

Councilman Curley said that he has received several complaints about a light being out on the extended part of the bulkhead at Marine Park.

Mr. Sickels said the light has been out for 6 years and has asked an electrical contractor to look at this problem and said that he is waiting for an estimate to be submitted so we could see if we want to proceed with the repair. He said that if the estimate is high he is recommending that we wait until the complete renovation of the bulk head is done to work on this problem.

APPROVAL OF MINUTES – March 26, 2007

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Curley reported that we have a resolution on the agenda awarding a contract for the Summer Food Service Program that is a part of our summer camp. He also reported that on June 27, 2007 at the Elk's Lodge between 6:30 and 8:00 p.m. there is Volunteer Recognition Night and said that all Borough residents are welcomed to join and hopefully we could pick up some volunteers. He also reported that Summer Camp starts on June 25, 2007 and Jazz in the Park starts on June 28, 2007.

Councilwoman Lee reported that the Library Annex is opened and operating smoothly and that we have more updates to our website and we would be looking at the possibility of some shared services agreements for our website design.

Councilman Murphy reported that RiverCenter would be holding their annual holiday lighting fundraiser called the Tiki Party on Wednesday, June 20, 2007 from 6:00 to 10:00 p.m. at the Red Bank Elks and said it is always a great event.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from Red Bank Elks Lodge No. 233 for raffle license.

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

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 Mr. Curley.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

ORDINANCES – First Reading

2007-26 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY CORRECTING THE CONVEYANCE OF AN ACCESS AND DRAINAGE EASEMENT UPON CERTAIN PORTIONS OF THE BOROUGH OWNED PROPERTY KNOWN AS BLOCK 29, LOT 22.01 TO RIVERWALK COMMONS, L.L.C.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Public hearing and final adoption scheduled for June 25, 2007.

2007-27 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XI, BUILDING AND HOUSING, SECTION 11-6.3, “REGISTRATION” AND SECTION 11-6.6, “AMENDED REGISTRATION FORM.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Public hearing and final adoption scheduled for June 25, 2007.

ORDINANCES – Public Hearing & Final Adoption

2007-20 Mayor Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-3.3, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS”, SCHEDULE I, “NO PARKING.”

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. Lee.

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

RESOLUTIONS

07-138 Mayor Menna read “A RESOLUTION PETITIONING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO CONDUCT AN INVESTIGATION TO PROHIBIT PARKING ON MAPLE AVENUE (ROUTE 35) IN FRONT OF AND ADJACENT TO THE BUONA SERA RESTAURANT ON THE SOUTHWEST CORNER OF MAPLE AVENUE AND MONMOUTH STREET.”

Mr. DuPont offered a motion to table 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 tabled.

07-139 Mayor Menna read “A RESOLUTION EXTENDING A CONTRACT FOR THE BOROUGH’S SEWER CLEANING AND TELEVISION INSPECTION FORCE ACCOUNT.”

Ms. Lee 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.

07-140 Mayor Menna read “A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO APPLY FOR FISCAL YEAR 2008 GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE REPAVING OF SPRING STREET, PHASE II.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-141 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES 2007/2008.”

Mr. DuPont 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.

07-142 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES 2007/2008.”

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.

07-143 Mayor Menna read “A RESOLUTION AUTHORIZING RENEWAL OF CLUB LICENSES 2007/2008.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-144 Mayor Menna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE AND INSPECTION ESCROW REGARDING 20 WHITE STREET, L.L.C., 20 WHITE STREET, BLOCK 30.01, LOT 38.”

Mr. DuPont 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.

07-145 Mayor Menna read “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 RELATED TO THE CONTRACT WITH INNOVATIONAL CONSTRUCTION & DESIGN, INC. FOR THE COUNT BASIE PARK IMPROVEMENT PROJECT.”

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-146 Mayor Menna read “A RESOLUTION AUTHORIZING CHANGE ORDERS RELATED TO THE CONTRACT WITH SANTORINI CONSTRUCTION FOR IMPROVEMENTS TO THE RED BANK PUBLIC LIBRARY.”

Mr. DuPont 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.

07-147 Mayor Menna read "A RESOLUTION AUTHORIZING A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF PARKS AND FORESTRY, NEW JERSEY FOREST SERVICE FOR A 2006 COOL CITIES PROGRAM GRANT."

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-148 Mayor Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH AUTHORIZING AGREEMENT WITH THE BOROUGH OF LITTLE SILVER WHEREBY RED BANK SHALL PROVIDE CONSTRUCTION ENFORCEMENT SERVICES PURSUANT TO N.J.A.C. 5:23 FOR A TERM THROUGH JUNE 30, 2011."

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

07-149 Mayor Menna read "A RESOLUTION AWARDING CONTRACT #07-1 SUMMER FOOD SERVICE PROGRAM."

Mr. Curley 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.

07-150 Mayor Menna read "A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE AND INSPECTION ESCROW REGARDING DUBLIN HOUSE, 30 MONMOUTH STREET, BLOCK 31, LOT 15.04."

Mr. DuPont 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

07-151 Mayor Menna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,198,318.78."

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.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

EXECUTIVE SESSION

ADJOURNMENT

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

ROLL CALL:

AYES: Curley, Murphy, Lee, DuPont, Cangemi

NAYS: None

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

Respectfully submitted,

Carol A. Vivona