

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
AUGUST 28, 2006
7:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor McKenna and Council Members Ernst, Lee, Menna, Bifani, Murphy and Curley.

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

SUNSHINE STATEMENT

Mayor McKenna 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 3, 2006.

WORKSHOP

Rent Leveling Ordinance Amendments

The Mayor said the Attorney for the Rent Leveling Board would like to put in a request for some amendments to the Rent Leveling Ordinance and that they would be submitted soon.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from Red Bank Charter School for use of Eastside Park on Thursday, August 31, 2006 with a rain date of Friday, September 1, 2006 from 3:00-8:00 p.m. to hold a welcome picnic.

Mr. Curley offered a motion to approve the request on the condition that they do not close the park to the public, seconded by Ms. Lee.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read requests from St. James Grammar School PTA and Red Bank Catholic High School Booster Club for raffle licenses.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

PUBLIC COMMENT ON RESOLUTIONS ON THE AGENDA AND ORDINANCES ON THE AGENDA ON FIRST READING

ORDINANCES – First Reading

2006-44 Mayor McKenna read “AN ORDINANCE FIXING COMPENSATION OF CERTAIN OFFICES, POSITIONS AND EMPLOYEES OF THE BOROUGH OF RED BANK FOR THE YEAR 2005.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for September 11, 2006.

2006-45 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER II, “ADMINISTRATION,” SUBSECTION 2-65, “PAYMENT OF CLAIMS BY BOROUGH” AND SUBSECTION 2-76, “CONFLICTS OF INTEREST” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for September 11, 2006.

2006-46 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER III, “POLICE REGULATIONS,” SUBSECTION 3-15, “FEES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for September 11, 2006.

ORDINANCES – Public Hearing & Final Adoption

2006-39 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, “PLANNING AND DEVELOPMENT REGULATIONS,” SECTION 25-8.29.-1, “STORMWATER MANAGEMENT AND CONTROL.”

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

Mr. Bifani offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

2006-40 Mayor McKenna read "AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION," SUBSECTION 2-53, "HISTORIC PRESERVATION COMMISSION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK."

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

Mr. Menna offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Mr. Menna offered a motion to adopt the ordinance on final reading, seconded by Mr. Curley.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

2006-41 Mayor McKenna read "AN ORDINANCE AMENDING CHAPTER III, "POLICE REGULATIONS," SUBSECTION 3-9.14, "GRAFFITI" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK."

Mayor McKenna opened the public hearing and asked if anyone would like to speak

Mr. Menna said ...

Mayor McKenna asked if anyone else would like to speak, no one appearing he closed the public hearing.

Mr. Menna offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

2006-42 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-3.9, “PERMIT PARKING IN DESIGNATED AREAS,” SCHEDULE XIX, “RESIDENTIAL PARKING DISTRICT NUMBER TWO.”

Mayor McKenna 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: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

2006-43 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XI(A), “LOW AND MODERATE INCOME HOUSING,” ESTABLISHING NEW SECTION 11A-11, “MANDATORY AFFORDABLE HOUSING FEES AND AN AFFORDABLE HOUSING TRUST FUND.”

Mayor McKenna opened the public hearing and asked if anyone would like to speak.

Steven Fitzpatrick –

Mayor McKenna asked if anyone else would like to speak, no one appearing he closed the public hearing.

Mr. Menna offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Mr. Menna offered a motion to adopt the ordinance on final reading, seconded by Mr. Bifani.

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

RESOLUTIONS

06-178 Mayor McKenna read “A RESOLUTION RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES REGARDING SHREWSBURY MANOR, INC., 67 & 75 RIVERSIDE AVENUE, BLOCK 5, LOTS 6 & 7.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

06-179 Mayor McKenna read "A RESOLUTION AUTHORIZING THE EXTENSION OF THE GRACE PERIOD ON TAXES."

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

06-180 Mayor McKenna read "A RESOLUTION EXTENDING APPOINTMENTS OF VALERIE BLAUVELT, SHEAN OPIE AND ADELE JOHNSON AS SPECIAL LAW ENFORCEMENT OFFICERS CLASS I."

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

06-181 Mayor McKenna read "A RESOLUTION ACCEPTING BIDS FOR 2006 ROAD PROGRAM."

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

06-182 Mayor McKenna read "A RESOLUTION REMOVING JOHN CURLEY AS FINANCE COMMITTEE CHAIRPERSON."

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

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy

NAYS: Ernst, Curley

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

06-183 Mayor McKenna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$555,863.49."

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

06-184 The Attorney read a resolution to adjourn to executive session to discuss litigation.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona