

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
SEPTEMBER 11, 2006  
5:30 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 Mason, Assistant Attorney Hall and Engineer Kosenski.

**MOMENT OF SILENCE**

**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**

**Ordinance Establishing Minimum Bids for Easements & Contributions in Lieu of Active Recreation Space**

The Borough Attorney said he is working on an ordinances establishing fees for easements and recreation space.

**MAYORAL APPOINTMENTS**

Mayor McKenna appointed Toni Brown to the Zoning Board as Alternate #4 for an unexpired term expiring 12/31/07.

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

**ROLL CALL:**

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

**NAYS:** None

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

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

**COMMUNICATIONS AND PETITIONS**

Mayor McKenna read a request from National Wrestling Superstars to hold a fundraiser at the Red Bank Middle School, with all proceeds going to the Parks and Recreation Department, on Friday, October 13, 2006, pending approval of the Special Events Committee.

Mr. Menna offered a motion to approve the request, 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 Monmouth Medical Center Foundation, Count Basie Theatre and the Red Bank Elks Lodge No. 233 for raffle licenses.

Mr. Curley 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.

Mayor McKenna read a request from Monmouth Plastic Surgery, 264 Broad Street, to hold the Beauty Ball fundraising event for the Jacqueline M. Wilentz Comprehensive Breast Center at Monmouth Medical Center on Sunday, October 22, 2006 from 6:00 p.m. to 11:00 p.m., pending approval of the Special Events Committee.

Mr. Curley offered a motion to table the request, seconded by Mr. Murphy.

ROLL CALL:

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

NAYS: None

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

Mayor McKenna read a request from Westside Hose Company for use of White Street Parking Lot to host the 8<sup>th</sup> Annual Red Bank Volunteer Fire Department and Blue Collar Cruisers Car Show on Sunday, June 10, 2007 from 9 a.m. to 4 p.m. with a rain date of Sunday, June 24, 2007, pending approval of the Special Events Committee.

Mr. Menna offered a motion to approve the request, 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.

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

**ORDINANCES – First Reading**

2006-47 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY FOR AFFORDABLE HOUSING PURPOSES.”

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

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy, Curley

NAYS: Ernst

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

Public hearing and final adoption scheduled for September 25, 2006.

**ORDINANCES – Public Hearing & Final Adoption**

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.”

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 Mr. Bifani.

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. 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.

2006-45 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."

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. Bifani.

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.

2006-46 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."

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 Mr. Curley.

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. 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

06-185 Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE REGARDING ROBERT CHIAFULLO/REDBANK PIZZA, 15 N. BRIDGE AVENUE, BLOCK 4, LOT 13."

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

ABSTAIN: Menna

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

06-186 Mayor McKenna read "A RESOLUTION APPOINTING FRANK MASON TO REPLACE TERENCE WHALEN AS FUND COMMISSIONER TO THE MONMOUTH COUNTY JOINT INSURANCE FUND."

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

ROLL CALL:

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

NAYS: None

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

06-187 Mayor McKenna read "A RESOLUTION APPOINTING FRANK MASON TO REPLACE TERENCE WHALEN AS FUND COMMISSIONER TO THE CENTRAL JERSEY HEALTH INSURANCE FUND."

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

ROLL CALL:

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

NAYS: None

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

06-188 Mayor McKenna read "A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN EXTENSION TO THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF LITTLE SILVER TO PROVIDE A SHADE TREE ENFORCEMENT OFFICER."

Mr. Bifani offered a motion to table the resolution, seconded by Ms. Ernst.

ROLL CALL:

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

NAYS: None

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

06-189 Mayor McKenna read "A RESOLUTION AUTHORIZING A FINAL PAYMENT CERTIFICATE, CHANGE ORDER NO. 1 AND ACCEPTANCE OF A MAINTENANCE BOND RELATED TO THE CONTRACT WITH PRECISE CONSTRUCTION FOR COUNT BASIE PARK SITE IMPROVEMENTS."

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

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy, Curley

NAYS: None

ABSTAIN: Ernst

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

06-190 Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE A SUSPENSION OF THE MUNICIPAL CONSENT APPLICATION SUBMITTED BY VERIZON FOR A CABLE TELEVISION FRANCHISE.”

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

ROLL CALL:

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

NAYS: None

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

06-191 Mayor McKenna read “A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 113, LOT 22.01, 165 BRANCH AVENUE, RED BANK, NEW JERSEY.”

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

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy, Curley

NAYS: Ernst

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

06-192 Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO APPLY FOR AND ACCEPT NEIGHBORHOOD PRESERVATION BALANCED HOUSING FUNDS FOR THE PURPOSE OF ACQUIRING LAND FOR AFFORDABLE HOUSING PURPOSES.”

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

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy, Curley

NAYS: Ernst

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

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

06-193 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,389,446.44.”

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.

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

**EXECUTIVE SESSION**

**ADJOURNMENT**

Mr. Bifani offered a motion, seconded by Mr. Murphy 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