

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
SEPTEMBER 25, 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 Mason,  
Attorney Pringle, 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.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

NAYS: None

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

06-193 Mayor McKenna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PROPERTIES LISTED ON THE HISTORIC PRESERVATION COMMISSION’S 2005 ANNUAL REPORT.”

Mr. Menna 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.

**Presentation by the Red Bank Music Community**

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

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

NAYS: None

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

**WORKSHOP**

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

**MAYORAL APPOINTMENTS**

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

### **COMMUNICATIONS AND PETITIONS**

Mayor McKenna read a request from Liberty Hose Company for use of the White Street Parking Lot to host the 5<sup>th</sup> Liberty Hose Firefighter Car Show on Sunday, July 8, 2007 from 9 a.m. to 4 p.m. with a rain date of Sunday, July 15, 2006, pending approval of the Special Events Committee.

Mr. Menna offered a motion to approve the request, seconded by Mr. Curley.

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**

2006-48 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER II, “ADMINISTRATOR,” SECTION 2-6.5(b), “STANDING COMMITTEES APPOINTED AT ANNUAL MEETING.”

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption scheduled for October 9, 2006.

2006-49 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XII, “OPEN HOUSING PRACTICES; RENT CONTROL; PROTECTED TENANCY,” SECTION 12-2.1, “RENT CONTROL, DEFINITIONS.”

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

ROLL CALL:

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

NAYS: None

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

Public hearing and final adoption scheduled for October 9, 2006.

#### **ORDINANCES – Public Hearing & Final Adoption**

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.”

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

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

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 table the ordinance on final reading, seconded by Mr. Menna.

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

ABSTAIN: Bifani

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

## **RESOLUTIONS**

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."

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.

06-194 Mayor McKenna read "A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT."

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.

06-195 Mayor McKenna read "A RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL WARDEN SERVICES WITH THE TOWNSHIP OF SHREWSBURY."

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.

06-196 Mayor McKenna read "A RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL WARDEN SERVICES WITH THE BOROUGH OF LITTLE SILVER."

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.

06-197 Mayor McKenna read "A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION."

Mr. Menna 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.

06-198 Mayor McKenna read "A RESOLUTION REQUESTING PARTICIPATION IN COUNTY-LED RECORDS MANAGEMENT NEEDS ASSESSMENT."

Mr. Menna 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.

06-199 Mayor McKenna read "A RESOLUTION AUTHORIZING AN AGREEMENT WITH DR. MICHAEL KAHN OF EMPLOYEE CONSULTING ASSOCIATES."

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

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.

06-200 Mayor McKenna read "A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL LABOR COUNSEL."

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.

06-201 Mayor McKenna read "A RESOLUTION REJECTING ALL BIDS FOR A CONTRACT RELATED TO THE COUNT BASIE PARK REHABILITATION PROJECT."

Ms. Lee 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.

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

06-202            Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,652,559.82.”

Ms. Lee 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**

06-203            The Attorney read a resolution to adjourn to executive session to discuss settlement of litigation; action may be taken.

Mr. Menna offered a motion, seconded by Mr. Murphy to adjourn to executive session to discuss settlement of litigation; action may be taken. 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.

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

**RESOLUTIONS**

06-204            Mayor McKenna read “A RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION BETWEEN THE BOROUGH OF RED BANK AND CUSTOM FIRE APPARATUS, INC.”

Mr. Menna 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.

**ADJOURNMENT**

Mr. Menna 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