

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
OCTOBER 9, 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 Kosenksi.

Attorney Pringle arrived at 6:00 p.m.

**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**

**MAYORAL APPOINTMENTS**

Mayor McKenna appointed Ivan Polonsky to the Library Board as a Regular Member for a term expiring 12/31/08.

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

**ROLL CALL:**

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

NAYS: None

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

Mayor McKenna appointed Jeanne Cash to the Library Board as a Regular Member for a term expiring 12/31/06.

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

**ROLL CALL:**

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

NAYS: None

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

Mayor McKenna appointed Rosemary Kopka to the Library Board as Mayor's Alternate for a term expiring 12/31/06.

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

**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 RiverCenter for free holiday parking for all of the downtown on-street parking meters in the RiverCenter District from December 16, 2006 through December 27, 2006.

Mr. Curley offered a motion to approve 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 approved.

Mayor McKenna read a request from the Westside Community Group for use of the park located at Shrewsbury Avenue and Drs. James Parker Boulevard for the annual winter holiday and tree lighting event on Saturday, December 2, 2006 from 4:00 to 5:00 p.m., pending approval of the Special Events Committee.

Ms. Lee offered a motion to approve 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 approved.

Mayor McKenna read a request from St. Anthony of Padua Church for raffle license.

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 a request from Pilgrim Baptist Church to hang a banner on Shrewsbury Avenue from October 12, 2006 to October 31, 2006 to advertise their 110<sup>th</sup> Anniversary.

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 a request from LJ's Fashions, 80 Broad Street, in honor of their 1<sup>st</sup> Anniversary, to have between the hours of 12:00 p.m. and 7:00 p.m. a radio station broadcast outside followed by a DJ, to display a large balloon from the rooftop and block off a parking space for the radio station van in front of the store, pending approval of the Special Events Committee.

Mr. Murphy 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.

Mayor McKenna read a request from the Red Bank International Film Festival for two parking spaces to be blocked off for valet parking in front of Riverside Café, 35 Broad Street, between 9:00 p.m. and midnight on Friday, October 13, 2006 and between 8:00 p.m. and midnight on Sunday, October 15, 2006 and to place a red

carpet and roping outside the entrance to the restaurant not to exceed the outside seating area, approved by the Special Events Committee.

Mr. Murphy 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.

Mayor McKenna read a request from the Red Bank International Film Festival to have a 20'x9' trailer in parking spaces adjacent to Clearview Cinema from Friday morning, October 13, 2006 through Monday morning, October 16, 2006, approved by 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**

2006-50 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV, “PLANNING AND DEVELOPMENT REGULATIONS,” SECTION 25-3.4, “FEES” AND SECTION 25-8.19, “MULTI-FAMILY DWELLINGS.”

Mr. Menna 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 October 23, 2006.

Borough Attorney Pringle arrived at 6:00 p.m.

2006-51 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XVI, “FIRE PREVENTION AND PROTECTION,” SECTION 16-8, “ADDITIONAL REQUIRED INSPECTIONS AND FEES REQUIRED BY THE NEW JERSEY ADMINISTRATIVE CODE,” SECTION 16-9, “REGISTRATION; PERMITS; FEES” AND SECTION 16-10, “TECHNICAL AMENDMENTS.”

Mr. Menna 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 October 23, 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. Menna 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. Menna offered a motion to adopt the ordinance on final reading, seconded by Mr. Murphy.

ROLL CALL:

AYES:      Lee, Menna, Murphy

NAYS:      Ernst, Curley

ABSTAIN:      Bifani

There being three ayes, two nays and one abstention, the ordinance was declared adopted on final 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.”

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 Ms. Lee.

ROLL CALL:

AYES:      Ernst, Lee, Menna, Bifani, Murphy

NAYS:      Curley

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

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.”

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 Ms. Lee.

**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**

06-205       Mayor McKenna read “A RESOLUTION APPROVING THE BYLAWS OF THE CENTRAL JERSEY HEALTH INSURANCE FUND.”

Ms. Ernst 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.

06-206       Mayor McKenna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE AND INSPECTION ESCROW REGARDING WALLACE STREET PARTNERS, L.L.C., 25-27 WALLACE STREET, BLOCK 29, LOTS 24, 25, 25.01 AND 26.”

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

**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.

06-207       Mayor McKenna read “A RESOLUTION AUTHORIZING CURFEW FOR OCTOBER 30 AND 31, 2006.”

Mr. Curley 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.

**PROCLAMATIONS**

Mayor McKenna read a proclamation proclaiming October 22, 2006 as a day of recognition for the Pilgrim Baptist Church 110<sup>th</sup> Anniversary.

**PAYMENT OF VOUCHERS**

06-208      Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,316,205.94.”

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.

**OLD BUSINESS**

**NEW BUSINESS**

**AUDIENCE**

**EXECUTIVE SESSION**

06-209      The Attorney read a resolution to adjourn to executive session to discuss personnel and litigation.

Mr. Menna offered a motion, seconded by Ms. Ernst to adjourn to executive session to discuss personnel and 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.

Mr. Menna offered a motion, seconded by Ms. Lee 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**

Mr. Menna offered a motion, seconded by Ms. Lee 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