

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JANUARY 23, 2006  
7:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

ALSO PRESENT: Administrator Sickels, Borough Clerk Vivona, Chief Financial Officer Whalen, Engineer Kosenski and Attorney Pringle.

**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**

**Water & Sewer Connection Fees**

Mr. Kaplan said that the water and sewer connection fees have not been computed for over three years and that this fee is for properties already in the system. He said that any new construction has the right to tap into the system but the theory is it fair for them to do that since the previous users have paid to develop the system and paid the costs of the debt service over many years. He said there is a State Statute that allows municipalities to impose a separate charge to new users of the system and that the formula for computing this charge is in the Statute. He said that in order to impose the fee we would have to hold a public hearing for anyone to ask questions about the computation and once the public hearing is closed we could adopt an ordinance implementing the fee. Mr. Kaplan also suggested this fee be addressed annually.

**MAYORAL APPOINTMENTS**

**REPORTS OF MAYOR AND COUNCIL MEMBERS**

**COMMUNICATIONS AND PETITIONS**

Mayor McKenna read a request from the Count Basie Theatre to hold a pre-concert reception on Monmouth Street in front of the theatre and closure of Monmouth Street from Maple Avenue to Pearl Street on Saturday, June 17, 2006 from 9 a.m. to 10 p.m., pending approval of the Special Events Committee.

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

**ROLL CALL:**

AYES: Ernst, Lee, Menna, Bifani, Murphy

NAYS: Curley

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

**ORDINANCES – First Reading**

2006-1 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XIX, “STREETS, SIDEWALKS AND SANITATION,” SECTION 19-1, “EXCAVATIONS AND OPENINGS IN STREETS.”

Mr. Bifani offered a motion to adopt the ordinance on first 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 first reading.

Public hearing and final adoption scheduled for January 23, 2006.

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

#### **RESOLUTIONS**

06-33      Mayor McKenna read “A RESOLUTION AUTHORIZING THE CHIEF OF POLICE, THE MAYOR AND THE BOROUGH CLERK TO APPLY FOR AND TO EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR A PEDESTRIAN SAFETY EDUCATION AND ENFORCEMENT PROJECT.”

Mr. Murphy 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.

06-34      Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE A DEVELOPER’S AGREEMENT WITH SRA, L.L.C.”

Mr. Menna offered a motion to table 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 tabled.

06-35      Mayor McKenna read “A BOND RESOLUTION PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$950,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2006 AND THE SALE THEREOF TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY, AND DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AUTHORIZED IN AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, NEW JERSEY.”

Mr. Curley 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**

06-36      Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,231,373.55.”

Mr. Curley 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**

06-37        The Attorney read a resolution to adjourn to executive session to discuss property acquisition, litigation and contract negotiations; may take formal action.

Mr. Bifani offered a motion, seconded by Ms. Lee to adjourn to executive session to discuss property acquisition, litigation and contract negotiations; may take formal action. 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 Mr. Bifani 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. Bifani 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