

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 13, 2006
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Bifani.

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

Off-Tract Contributions

Rezoning Request

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from Riverview Medical Center to hang two banners on Broad Street and Shrewsbury Avenue from March 1, 2006 to March 31, 2006 congratulating Riverview Medical Center for being named a distinguished hospital by JD Power and Associates.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from Red Bank Borough Public Schools Board of Education to hang two banners on Broad Street and Shrewsbury Avenue from April 1, 2006 to April 22, 2006 celebrating the Red Bank Primary School's nomination as an NCLB Blue Ribbon School.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from The Two Rivers Antiques Show & Garden Tour Committee to hang a 3'x15' banner on the outside of the Red Bank Armory & Ice Complex from May 9, 2006 to June 11, 2006 to advertise their event and to place 26"x18" signs along Maple Avenue to Chestnut Street and Bridge Avenue to Chestnut Street to help guide their patrons from June 8, 2006 to June 11, 2006.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from St. James Grammar School PTA for raffle license.

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

ORDINANCES – First Reading

2006-2 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER IV, “GENERAL LICENSING,” SECTION 4-12.9, “TOWING – STANDARDS AND QUALIFICATIONS.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

2006-3 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-3.3, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS,” SCHEDULE I, “NO PARKING.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

2006-4 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER VII, “TRAFFIC,” SECTION 7-3.6, “PARKING TIME LIMITED ON CERTAIN STREETS,” SCHEDULE IV, “TIME LIMITED PARKING” AND SECTION 7-3.9, “PERMIT PARKING IN DESIGNATED AREAS,” SCHEDULE XIX, “RESIDENTIAL PARKING DISTRICT NUMBER TWO.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

2006-5 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VII, “TRAFFIC,” SUBSECTION 7-7, “LOADING ZONES” 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. Curley.

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

2006-6 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER IX, “LICENSING OF TAXICABS,” SECTION 9-2.12, “INSURANCE REQUIREMENTS,” AND SECTION 9-3, “PASSENGER RATES.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

2006-7 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY TO AUTHORIZE THE CONVEYANCE OF A PARCEL OF LAND TO HABITAT FOR HUMANITY OF LONG BRANCH, INC.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for February 27, 2006.

ORDINANCES – Public Hearing & Final Adoption

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.”

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

Les Hathaway – 44 Ambassador Drive – said that he did not see anything regarding 800 dig-a-hole.

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. Curley.

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

There being five 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, Murphy, Curley

NAYS: None

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

RESOLUTIONS

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. Murphy.

ROLL CALL:

AYES: Lee, Menna, Murphy

NAYS: Ernst, Curley

There being three ayes and two nays, the resolution was declared tabled.

06-38 Mayor McKenna read “A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING FOOD CIRCUS PROPERTY BLOCK 98, LOT 10.02, BROAD STREET, RED BANK, MONMOUTH COUNTY.”

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

ROLL CALL:

AYES: Lee, Menna, Murphy

NAYS: None

ABSTAIN: Ernst, Curley

There being three ayes, no nays and two abstentions, the resolution was declared approved.

06-39 Mayor McKenna read “A RESOLUTION HONORING 2005 FIRE CHIEF.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

06-40 Mayor McKenna read “A RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF MONMOUTH.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

06-41 Mayor McKenna read “A RESOLUTION REGARDING MOSQUITO EXTERMINATION COMMISSION 2006 AERIAL SURVEILLANCE AND TREATMENT PROGRAM.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

06-42 Mayor McKenna read “A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL CONFLICTS COUNSEL.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

06-43 Mayor McKenna read “A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL COUNSEL TO THE BOROUGH’S WATER AND SEWER UTILITIES FOR THE PURPOSE OF REVIEWING AND REVISING THE WATER AND SEWER CONNECTION FEES.”

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

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

06-44 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,744,205.90.”

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

ROLL CALL:

AYES: Lee, Menna, Murphy, Curley

NAYS: None

ABSTAIN: Ernst

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

06-45 The Attorney read a resolution to adjourn to executive session to discuss litigation and property acquisition; may take formal action.

Mr. Murphy offered a motion, seconded by Mr. Menna to adjourn to executive session to discuss litigation and property acquisition; may take formal action. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

There being five 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, Murphy, Curley

NAYS: None

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

ADJOURNMENT

Mr. Menna offered a motion, seconded by Mr. Murphy to adjourn the meeting.

ROLL CALL:

AYES: Ernst, Lee, Menna, Murphy, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona

I hereby certify the above to be a true copy.

Pamela Borghi

Pamela Borghi, Municipal Clerk