

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 27, 2006
7:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

Presentation of Certificates of Achievement to Pop Warner Little Scholars

RESUME REGULAR ORDER OF BUSINESS

Mr. Curley offered a motion to resume the regular order of business, seconded by Mr. Bifani.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

WORKSHOP

**APPROVAL OF MINUTES – January 3, 2006
January 9, 2006**

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the minutes were declared approved.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from the Red Bank Charter School to use the Senior Center for their Spring Dance on Friday, May 19, 2006, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from the Jersey Shore Jazz & Blues Foundation to hang two banners on Broad Street and Shrewsbury Avenue to advertise their event from May 23, 2006 through June 5, 2006.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from the Jersey Shore Jazz & Blues Foundation for raffle license.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

ORDINANCES – First Reading

2006-8 Mayor McKenna read “BOND ORDINANCE PROVIDING FOR VARIOUS 2006 ROAD IMPROVEMENTS, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$1,210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,149,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, 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 March 13, 2006.

2006-9 Mayor McKenna read “BOND ORDINANCE PROVIDING FOR THE REPAIR AND REPLACEMENT OF SANITARY SEWER LINES AND INSTALLATION OF FIRE HYDRANTS BY THE WATER/SEWER UTILITY, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.”

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, 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 March 13, 2006.

2006-10 Mayor McKenna read “BOND ORDINANCE PROVIDING FOR VARIOUS FACILITY IMPROVEMENTS BY THE WATER/SEWER UTILITY, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$2,425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,425,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.”

Mr. Sickels explained that this work must be completed because of mandates imposed by the New Jersey Department of Environmental Protection to ensure safety measures are in place for water systems.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, 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 March 13, 2006.

2006-11 Mayor McKenna read “ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER II, “ADMINISTRATION,” SECTION 2-37.1, “FIRE DEPARTMENT OFFICERS,” AND SECTION 2-37.6, “GENERAL RULES AND REGULATIONS.”

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, 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 March 13, 2006.

ORDINANCES – Public Hearing & Final Adoption

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.”

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 Ms. Lee.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

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."

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. Bifani.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

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."

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

Mr. Bifani offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

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."

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, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

Mr. Curley offered a motion to adopt the ordinance on final reading, seconded by Mr. Bifani.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

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."

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. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

Mr. Bifani offered a motion to adopt the ordinance on final reading, seconded by Mr. Curley.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

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."

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

Ms. Lee offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

There being five ayes and no nays, the public hearing was declared closed.

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

RESOLUTIONS

06-46 Mayor McKenna read "A RESOLUTION INCREASING THE DEFERRED SCHOOL TAX AMOUNT FOR THE RED BANK REGIONAL HIGH SCHOOL DISTRICT."

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

06-47 Mayor McKenna read "A RESOLUTION INCREASING THE DEFERRED SCHOOL TAX AMOUNT FOR THE RED BANK SCHOOL DISTRICT."

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

06-48 Mayor McKenna read "A RESOLUTION AUTHORIZING EMERGENCY APPROPRIATIONS IN THE 2006 TEMPORARY BUDGET."

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

ROLL CALL:

AYES: Lee, Bifani, Murphy, Curley

NAYS: None

ABSTAIN: Ernst

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

06-49 Mayor McKenna read "A RESOLUTION ACCEPTING BIDS AND AWARDED A CONTRACT FOR ALTERATIONS AND ADDITIONS TO RED BANK PUBLIC LIBRARY."

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

06-50 Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTANCE OF A MAINTENANCE GUARANTEE REGARDING THE TWO

RIVER THEATRE COMPANY, INC., BRIDGE AVENUE, BLOCK 36, LOT 8; BLOCK 37, LOTS 3.02, 3.03, 4. 5, 6, 7, 10 AND 10.01; AND BLOCK 35, LOTS 4, 5, 6 AND 7.”

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

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

PROCLAMATIONS

Mayor McKenna read a proclamation proclaiming March 2, 2006 as Read Across America 2006.

PAYMENT OF VOUCHERS

06-51 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,271,441.74.”

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

ROLL CALL:

AYES: Lee, Bifani, Murphy, Curley

NAYS: None

ABSTAIN: Ernst

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

EXECUTIVE SESSION

06-52 The Attorney read a resolution to adjourn to executive session to discuss personnel.

Mr. Murphy offered a motion, seconded by Ms. Lee to adjourn to executive session to discuss personnel. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

Ms. Lee offered a motion, seconded by Mr. Murphy to adjourn from executive session.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

ADJOURNMENT

Ms. Lee offered a motion, seconded by Ms. Ernst to adjourn the meeting.

ROLL CALL:

AYES: Ernst, Lee, Bifani, Murphy, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona