

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 25, 2005
7:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor McKenna and Council Members Beck, Lee, Menna, Bifani, Murphy and 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, 2005.

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

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

Helicopter Landing Area for Riverview Medical Center

Mayor McKenna said that he knows there are a number of people here tonight that are interested in the proposed helipad located on a barge in the Navesink River. He introduced Peter Reinhardt a Senior Vice President representing Hovnanian Enterprises and said he asked if he could address the Governing Body and the people here tonight that are interested in the helipad.

Mr. Reinhardt said that Hovnanian Enterprises would not be moving forward with the proposal for locating a helipad on a barge at Riverview Medical Center. He said it is more important to them to be a good corporate neighbor and the controversy that followed this very preliminary test is not worth jeopardizing their relationship with the Borough of Red Bank. He said that having said that he would like to comment on a few things and correct a few misconceptions. He said that the idea of exploring a helipad was presented by Hovnanian Enterprises to Riverview Medical Center and whatever costs that were incurred were going to be paid for solely by Hovnanian Enterprises and that there was nothing done in secret or without notice to the Borough. He said the Borough was notified in advance of the test and there were two police officers present and said Irwin's Marina was also notified. He said the helicopter test last Monday was conducted to determine whether further investigation was warranted and that there were no plans prepared, no drawings done or a cost analysis done. He said there would have to be numerous investigations and analysis done before this project was approved by all levels of government and one of the Council Members said in an article in the newspaper that the Borough of Red Bank does not have the resources required to have a helicopter land at Count Basie Field. Mr. Reinhardt said that as a 27-year employee of Hovnanian Enterprises and a resident of Red Bank he is very disappointed in the way this issue was handled and that fair-minded citizens should not automatically reject an idea that has the potential to save lives and that full consideration of the concept might have produced an alternative that would have been satisfactory to all concerned and still have provided a way for the hospital to provide emergency helicopter services when needed. He said that sadly it has become all too common for people to criticize corporations because they might benefit from something in some way and that Hovnanian Enterprises has been at their current location just across the river in Middletown for almost 30 years and they have always tried to be good neighbors and a contributing corporate citizen to Red Bank in numerous ways and on the eve of commencing their move into Red Bank they will continue to do their part.

Councilman Curley said that the residents here tonight just want to make sure the helipad would not be discussed again.

Mr. Reinhardt said that they would not be moving forward.

Councilman Curley said that Mr. Reinhardt said that the hospital and Mr. Irwin were notified but the Council Chambers are filled with residents that knew absolutely nothing about what was transpiring and he does not think it was a very good public relations ploy on behalf of the hospital or Hovnanian Enterprises. He said the residents should have known specifically what was going on because then they could have commented on the proposal.

Mr. Reinhardt said that this was a very preliminary test to determine whether it was feasible to go forward and in their opinion it was a two minute test and if it was to go forward there would have been extensive discussions and that he still believes it is something that could be beneficial to the hospital during times of emergencies.

Mayor McKenna said the Hovnanian Corporation has been very good to Red Bank and we appreciate it and he wants to let everyone know that we will take steps to ensure that a test like this will never happen again and that we have the public comment at the end of the meeting and anyone would be welcomed to speak at that time but if they had specific questions they could contact Mr. Reinhardt.

Mr. Reinhardt said that Tim Hogan would like to speak.

Mr. Hogan introduced himself and said that he is the President of Riverview Medical Center. He said that the construction of a helipad at Riverview is not feasible at this time because of a number of issues including community concerns, but this is still a potential project that could be a great asset to the Red Bank community that could help save lives by transporting critically ill or injured patients directly from the medical center when time is of the essence and should not be underestimated and should be discussed further in the future.

Mayor McKenna said most of the people in this room tonight are here because of community concerns and opposition to the proposed location of the helipad and he thinks a great deal has to do with the river and what a great asset it is to the community. He said in recent years the river has become much cleaner and everyone is worried about the environmental aspect and that he received numerous phone calls this weekend opposing the helipad and he does not think the river is an appropriate place to have this facility and appreciates the fact that Mr. Reinhardt and Mr. Hogan acted so quickly and are here tonight to relieve the minds of the people that are here tonight.

Councilman Menna asked Mr. Hogan if this was still going to be a potential project.

Mr. Hogan said that he indicated that a helipad would be a conceptual discussion that would involve all parties that would like to participate.

Councilman Menna asked what State agency would be directly responsible for initiating those discussions.

Mr. Hogan said he could not even tell him at this time.

Councilman Curley said that there are a number of people in the audience that want to comment on the helipad and he asked if they could speak at this time instead of waiting until the end of the meeting.

Councilwoman Beck said she agreed with Councilman Curley.

Mayor McKenna said the issue is off the table, but if anyone would like to speak they can do so at this time.

The following individuals spoke against placing a helipad in the Navesink River:

Steve Goodman – 3 Vista Place
Grace Greenberg – 95 East Front Street
Barry Bennet – 34 Lexington Avenue, Fair Haven
Roy Goulden – 27 Club Lane, Middletown
Mary Casey – 44 Northshore Drive, Middletown

Mayor McKenna thanked everyone for their comments and said we would not be proceeding with any test for a helipad.

Presentation of Proposed Mural at Riverside Gardens Park

Councilman Bifani said that we had received proposals from numerous artists for painting a mural on the side of the Elks' building facing Riverside Gardens Park. He said that this project is funded by a grant that the Borough had received from the Eisner Foundation and that Mr. Eisner fully supports the project. He said the proposals were submitted to the Parks and Recreation Committee and the Committee is recommending that the mural be painted by three artists. The artists that were chosen to paint the mural are Tara Amelchenko, Jim Fitzmorris and Michele Laferty. Ms. Amelchenko and Mr. Fitzmorris explained how the mural would be painted by all three artists.

Councilman Bifani said it is going to be two different murals painted by Ms. Amelchenko and Ms. Laferty with Mr. Fitzmorris painting the background bringing the whole mural together.

Mr. Fitzmorris said that the wall is in pretty good shape but does require some caulking and sealing before their work would begin.

Councilman Bifani said that we have had great success with the other two murals that were painted and he would like to applaud the three artists that are participating in this unique mural.

Mayor McKenna said that he would like to thank the artists for attending the meeting and also the Elks for letting us use the side of their building to paint the mural.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

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

WORKSHOP

APPROVAL OF MINUTES – March 9, 2005

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

ROLL CALL:

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

NAYS: None

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

MAYORAL APPOINTMENTS

Mayor McKenna appointed Michael Monroe, Architect, as Acting Chairperson and Richard Krug, Electrician to the Construction Board of Appeals.

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

ROLL CALL:

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

NAYS: None

There being six ayes and no nays, the appointments were declared approved.

Mayor McKenna appointed Richard Ashton to the Parks and Recreation Committee.

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

ROLL CALL:

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

NAYS: None

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

Mayor McKenna appointed Chris Braun as a Regular Member to the Zoning Board.

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

ROLL CALL:

AYES: Beck, 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

Councilwoman Beck reported that the Shade Tree Commission had met with JCP&L regarding the replacement of the trees they had taken down.

Councilman Menna reported that the Fire Department Committee is continuing to meet regarding proposed recommendations to the First Aid Department and that a copy of the Red Bank Historical Preservation Commission 2004 Inventory list was distributed to the Members of the Governing Body for their review and comments.

Councilman Curley said the Finance Committee met last Friday afternoon and discussed a hiring freeze and the procedure that would have to be taken to sell the water utility.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from Agostino Antiques, 21 Broad Street, to hold grand opening event on June 11, 2005 and utilize four (4) parking places on Broad Street from 5-11 p.m. for valet parking and to place a red carpet on their sidewalk, pending approval of Special Events Committee.

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

ROLL CALL:

AYES: Beck, 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 Elks Lodge No. 233 for utilization of Riverside Gardens Park from 6:00 to 7:00 p.m. on Tuesday, June 14, 2005 to perform the Elks Flag Day Ceremony, pending approval of Special Events Committee.

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

ROLL CALL:

AYES: Beck, 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 Area CROP Walk to hold the 25th Red Bank CROP Walk for the Hungry on Sunday, October 16, 2005, pending approval of Special Events Committee.

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

ROLL CALL:

AYES: Beck, 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 Friends of Holmdel Open Space for raffle license.

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

ROLL CALL:

AYES: Beck, 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 Hobbymasters, Inc. to use western end of the White Street Parking Lot for radio control car race on August 7, 2005, with a rain date of August 14, 2005, from 8 a.m. to 5 p.m., pending approval of Special Events Committee.

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

ROLL CALL:

AYES: Beck, 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 North of the Border, 176 Monmouth Street, to hold Memorial Day family event on Monday, May 30, 2005 from 11 a.m. to 9 p.m., pending approval of Special Events Committee.

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

2005-18 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION”, SUBSECTION 2-53 “HISTORIC PRESERVATION COMMISSION” 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. Menna offered a motion to close the public hearing, seconded by Mr. Bifani.

ROLL CALL:

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

NAYS: None

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

2005-19 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VIII “PARKING LOTS AND HANDICAPPED PARKING SPACES”, SUBSECTION 8-2 “METERED PARKING AND PERMIT PARKING” 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.

Charles Matches – 28 Throckmorton Avenue – asked why the change is being made and how much it would cost to change the signs.

Mayor McKenna said the business community had asked us to change the time from two hours to four hours because two hours was not enough time for people to eat and shop. He asked Mr. Burnip how much it would cost to change the parking signs.

Mr. Burnip said that it would cost several hundred dollars.

Councilman Murphy asked how much it would cost to adjust the meters.

Mr. Burnip said that he would adjust the meters and the work should be completed in two days.

Mayor McKenna asked if anyone else 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. Curley.

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

2005-20 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VIII “PARKING LOTS AND HANDICAPPED PARKING SPACES”, SUBSECTION 8-2 “METERED PARKING AND PERMIT PARKING” 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.

Linda Cohen – 28 Riverside Avenue – said that the town needs more long-term parking and the only way that is going to be accomplished is by building a parking garage.

Trisha Rumola – 20 Broad Street – thanked the Mayor and Council for increasing the amount of time allowed to park at the meters on the street and also asked when the signs would be changed because they were never changed in the Eastside lots.

Mayor McKenna said they would be changed as soon as possible.

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. Murphy.

ROLL CALL:

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

NAYS: None

There being six 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: Beck, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

2005-21 Mayor McKenna read "AN ORDINANCE AMENDING CHAPTER VII "TRAFFIC", SUBSECTION 7-11 "SPEED LIMITS" 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. Menna offered a motion to close the public hearing, seconded by Mr. Murphy.

ROLL CALL:

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

NAYS: None

There being six 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. Menna.

ROLL CALL:

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

NAYS: None

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

ORDINANCES – Public Hearing

2005-22 Mayor McKenna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS SECTION 10-12, "REGULATIONS CONTROLLING CENTRAL COMMERCIAL-2 DISTRICT."

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: Beck, Lee, Menna, Bifani, Murphy, Curley

NAYS: None

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

Final adoption scheduled for May 9, 2005.

RESOLUTIONS

05-81 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY APPOINTING NICHOLAS MALETTO AND ADELE JOHNSON AS SPECIAL LAW ENFORCEMENT OFFICERS CLASS I.”

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

ROLL CALL:

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

NAYS: None

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

05-82 Mayor McKenna read “A RESOLUTION HONORING MARK BIEL, ESQ. ON HIS RECEIPT OF THE TISCHLER AWARD.”

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

ROLL CALL:

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

NAYS: None

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

05-83 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING SALE OF PERSONAL PROPERTY.”

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

ROLL CALL:

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

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

05-84 Council President Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$982,277.36”.

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

ROLL CALL:

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

NAYS: None

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

OLD BUSINESS

Councilman Menna said that he would like to see receptacles for cigarettes in front of office buildings where employees smoke because the employees litter and just throw their cigarettes on the ground. He said he would like Mr. Sickels and Mr. Pringle to work on an ordinance to stop this littering.

The Members of the Governing Body discussed the various issues they would like to see addressed in this ordinance.

Mr. Pringle said there are a number of issues that have to be addressed and that he would come up with a draft.

NEW BUSINESS

Councilman Menna said that there have been numerous complaints from residents at River Street Commons about large trucks using Bridge Avenue instead of Shrewsbury Avenue and the noise generated by these trucks.

Councilman Murphy said that the Chief of Police is already looking into this problem and that having a weight limit would correct the situation.

AUDIENCE

Cathy Lou Colmorgan – 67 Oakland Street – said she is still having a problem with cars parking on the street all day and gave Mr. Sickels a list of the vehicles that are parking on the street.

John Ross – 66 Leighton Avenue – said there is a section of the Board of Education's property that is like a swamp and there is a lot of debris in this area and it is a breeding ground for mosquitoes.

Councilman Bifani said this area was cleaned up three years ago.

Mr. Sickels said Mr. Ross would have to contact the Board of Education.

Mayor McKenna said that we could also contact the Monmouth County Mosquito Commission.

Steve Fitzpatrick – 32 Chestnut Street – asked if Red Bank is designated as a Transit Village by New Jersey Transit and if we are seeking this designation.

Mayor McKenna said that we had met with New Jersey Transit to talk about the requirements.

Mr. Pringle said that there is a lot of information on their website and that New Jersey Transit is trying to encourage mass transportation and that the Transit Village must be a ¼ mile from the train station and the zoning must allow a higher density of development.

Mayor McKenna said the State had contacted him about the criteria for becoming a Transit Village and Gail O'Reilly had met with them.

Mr. Sickels said he would provide the Members of the Governing Body with a report from Mrs. O'Reilly about her meeting.

Mayor McKenna said that he would appoint a Council Committee to discuss the possibility of becoming a Transit Village and if it would be beneficial for the Borough to do so.

Councilwoman Beck said that she would like to be on that committee.

Tom Fiskin – Readies – 18 Monmouth Street – thanked the Mayor and Council for passing the ordinance extending the time allowed to park at the parking meters but the long term parking must also be addressed.

EXECUTIVE SESSION

05-85 The Borough Attorney read a resolution to adjourn to executive session to discuss property acquisition and contract negotiations.

Mr. Murphy offered a motion, seconded by Ms. Lee to adjourn to executive session to discuss property acquisition and contract negotiations. Minutes to be made public in 180 days.

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Carol A. Vivona