

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 11, 2005
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

05-123 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH APPOINTING A PROBATIONARY POLICE OFFICER.”

Mr. Murphy welcomed everyone in attendance and said that it shows great support for Probationary Police Officer Watson.

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

The Borough Clerk issued the Oath of Office.

The Mayor and Council Members congratulated Probationary Police Officer Watson and commended Chief Fitzgerald and the Red Bank Police Department.

Public Hearing on 2005 Budget Amendment

Mayor McKenna introduced Dave Kaplan, the Borough Auditor.

Mr. Kaplan said a resolution amending the budget was adopted on June 27, 2005 and the public hearing for tonight was advertised in the Courier on June 30, 2005. He said the budget was amended to incorporate three grants and said it also decreases the amount to be raised by taxation and increases the amount of surplus to be used, he said the tax rate increase was 6.84 cents and is going down to 5.39 cents and that these amounts do not include any state aid that we might receive.

Mayor McKenna 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: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

WORKSHOP

Parking Committee Report

Councilman Murphy said that he is presenting a report from the Parking Committee which consists of himself, Councilwoman Lee and Councilman Bifani. He said Desman Howard is here with a picture of the garage and read a prepared statement that said that as determined by previous studies there is a lack of parking in the core business district and that this is due to the fact that the core district was constructed in the late 1880's, prior to the invention of automobiles. He said the lack of adequate parking results in an ongoing conflict between the need for convenient, accessible and regulated short-term parking versus the need for long-term parking for employees and extended-stay customers. He also said the lack of convenient parking in our core business district results in increased traffic congestion caused by cars circulating looking for parking and also results in business and student parking extending into residential neighborhoods. He said the Borough parking inventory is a valuable municipal asset that when efficiently managed provides additional revenue to the Borough that can be used to reduce the amount of funds needed to be raised by taxation to meet municipal needs and that in 2001 a plan was put before the governing body to build a new parking garage facility over the White Street parking lot that was met with skepticism and resident concerns that to construct such a facility would result in increased taxes. He said the parking utility generates surplus revenue for the Borough and has already provided tax relief for our residents. He said the Committee is recommending the introduction of an \$11.6 million bond ordinance for the construction of a 570 car parking facility on White Street over property currently owned by the Borough and resulting in an increase of approximately 400 spaces. He said updated construction and operational cost estimates have been prepared, reviewed and revised with input from Desman Associates, the Borough's Parking Consultant; the Borough Administrator; the Chief Financial Officer; the Parking Utility Operations Manager; the Borough Auditor and our Bond Counsel and that they agree the Parking Utility will be "self-liquidating" based upon these estimates, the current financial performance of our parking utility, anticipated parking utility revenue and projected parking utility operating costs. They also agree that current interest rates further support the timing of this project. He said the design proposed incorporates architectural features characteristic of the downtown and would also include approximately 9,000 square feet of first floor rental space that would enhance the structure's streetscape appearance while providing revenue to the utility. He said the plan includes funding for the installation of additional parking meters and amendments to the fees for parking. He presented a very detailed Parking Garage Pro-Forma and said the plan as outlined would provide significant additional parking, better parking inventory management and significant tax relief to Borough residents and said the Committee believes implementation of this plan would be in the best interest of the Borough.

Mayor McKenna thanked the Committee for the report.

Mr. Kaplan said the revenue projections in the report are conservative and the plan would be in the best interest of the Borough.

The Governing Body discussed development in town and the causes of lack of parking and the positive and negative impact the proposed garage would have in the downtown. They also discussed the additional debt that would be incurred.

Eminent Domain

Councilman Curley said that he is opposed to the Borough using eminent domain for the development of property.

Mayor McKenna said that this has never been done in the Borough of Red Bank.

Globe Petroleum

Councilman Curley said that there is a complaint from Globe Petroleum about the condition of their street.

Mr. Sickels said that he has asked the Borough Engineer to look into the situation because of the excessive heavy truck traffic on the street.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Lee reported that Jazz in the Park has started and is doing very well.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from Leslie Newcomb and Jason Eaton to replace three (3) existing retaining wall planters at the foot of their property located at 16 Arthur Place, Block 100, Lot 25.

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

ROLL CALL:

AYES: Beck, 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. Anthony of Padua Church to hold a picnic on Sunday, July 17, 2005 between the hours of 7:00 a.m. on Herbert Street from Bridge Avenue to the end of the Parish Center property.

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

ORDINANCES – First Reading

2005-32 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE CONVEYANCE OF A SEWER EASEMENT ACROSS BOROUGH PROPERTY TO THE VISITING NURSE ASSOCIATION.”

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

ROLL CALL:

AYES: Lee, Menna, Murphy, Curley

NAYS: None

ABSTAIN: Beck

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

Public hearing and final adoption scheduled for July 25, 2005.

ORDINANCES – Public Hearing & Final Adoption

2005-31 Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR PURCHASE PRICE FOR ACQUISITION OF REAL PROPERTY FOR BOROUGH WATERFRONT PARK, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$540,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

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

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

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

05-120 Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MONMOUTH AND RIVERCENTER, INC. REGARDING THE PURCHASE AND INSTALLATION OF PEDESTRIAN COUNTDOWN SIGNALS AT CERTAIN INTERSECTIONS WITHIN THE BOROUGH OF RED BANK.”

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

05-121 Mayor McKenna read “A RESOLUTION AUTHORIZING CONTRACT FOR DOG WARDEN SERVICES WITH THE BOROUGH OF SHREWSBURY.”

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

05-122 Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN AMENDED DEVELOPER’S AGREEMENT WITH SRA, L.L.C.”

Mr. Menna offered a motion to table the resolution, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

05-124 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,122,997.64.”

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Judy Hathaway – 44 Ambassador Drive – said that she does not think the Borough should build a parking garage.

Robin Norman – 331 Spring Street – thanked Kaboom for the great fireworks display and said that there is a lot of wasted space in Marine Park that is fenced off and cannot be used.

Steve Fitzpatrick – 32 Chestnut Street – said Disclosure Forms should be filed by developers that are being heard by the Planning and Zoning Boards.

Jack Pivnick – 44 Irving Place – said the question of building a parking garage should be voted on by public referendum.

Trisha Rumola – 20 Broad Street – said Public Utilities did a great job cleaning up after the fireworks.

Mayor McKenna said the town was immaculate by 8:30 the next morning.

EXECUTIVE SESSION

ADJOURNMENT

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

ROLL CALL:

AYES: Beck, Lee, Menna, Murphy, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona