

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
SEPTEMBER 12, 2005
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Borough Clerk Vivona, Chief Financial Officer Whalen, Engineer Kosenki 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 Mr. Curley.

ROLL CALL:

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

NAYS: None

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

Presentation of Check for Extraordinary Aid by Assemblyman Morgan

Assemblyman Morgan presented a check for \$100,000 to the Borough of Red Bank for Extraordinary Aid from the State of New Jersey to help with tax relief.

Mayor McKenna thanked Assemblyman Morgan for helping the Borough through tough times and said this shows the State's recognition of all the hard work that is done in the Borough of Red Bank.

Presentation of Mayor's Trophy

Mayor McKenna said the Mayor's Trophy Game was held on August 27, 2005 between the Fire Department and the Police Department and the Police Department won the game. He presented the Trophy to Chief Fitzgerald and the Red Bank Police Department.

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

NAYS: None

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

WORKSHOP

Electrical Sub-Code Official

Mr. Sickels said there is a recommendation from him to hire a part-time electrical inspector. He said his name is Paul Carbone and he has been filling in since the resignation of our last Electrical Sub-Code Official.

Mayor McKenna said that he has received many compliments about Mr. Carbone's work and said it is difficult to find individuals that are willing to serve in this capacity.

Councilwoman Beck said that the Council Committee that oversees the department is also recommending that Mr. Carbone be hired.

Mayor McKenna said that we would add a resolution to the agenda authorizing this appointment.

Council Zoning Review Committee

Councilwoman Beck said that this Committee has been meeting regularly since June and that she and Councilwoman Lee and Councilman Menna have come up with some recommendations. She said that they want to protect the residential neighborhoods from commercial development. She said time is of the essence in some of the neighborhoods because there are a lot of proposals for commercial development and condominiums in some of the residential neighborhoods and we want to protect the quality of life in those neighborhoods. She asked the Borough Clerk to distribute their recommendations to the Planning Board.

Mayor McKenna said that there is a Planning Board meeting next week.

Councilwoman Beck asked the Members of the Governing Body to review the report and get back to her with any comments.

Developer's Disclosure Ordinance

Councilwoman Beck said that she is distributing a copy of a memo regarding the creation of a developer's disclosure ordinance and said there is a copy of an ordinance that was recently adopted in Jackson Township.

She said that developers should not be allowed to give any contributions to any political parties while their applications are pending before any Planning and Zoning Boards or for three years after they are approved. She said there should be a way to limit the contributions of developers and their professionals so there is not an appearance of any conflict.

The Members of the Governing Body discussed the various aspects of the ordinance and said they would review Councilwoman Beck's proposal.

2005 Road Program

Councilman Bifani said that the Committee is recommending Clifford Place, North Prospect Avenue, West Street, Munson Place, River Street, Williams Street, Tower Hill Avenue (circulation study). He asked the members of the Governing Body to review the recommendations and get back to him with any comments and possibly have a bond ordinance introduced at the next Council Meeting.

MAYORAL APPOINTMENTS

Mayor McKenna appointed Jessie Garrison as Alternate #1 to the Zoning Board of Adjustment.

Mr. Menna 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 said the Belle Haven Nature Area is almost completed and that all of the funds have been used that were received from the New Jersey Department of Environmental Protection. She also reported that Mr. Woods has 56 inspections on properties that filed applications for the landlord rental registration ordinance.

Councilman Menna said that yesterday at the Street Fair he had received numerous complaints about the graffiti throughout the town. He said that under our current ordinance the building owners are given 30 days to remove the graffiti and this is not being done.

The Members of the Governing Body discussed the problems in the downtown area with graffiti and how this could be corrected.

Mr. Sickels said that building owners get rid of the graffiti on their buildings and as soon as they do this the graffiti is put on the building again. He also said there have been some arrests by the Police Department and that they would continue to monitor the problem areas.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read requests from Junior League of Monmouth County, Red Bank Elks Lodge #233 and Episcopal Church Women of St. Thomas for raffle licenses.

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

ROLL CALL:

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

NAYS: None

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

Mayor McKenna read a request from Andrew Smith for membership to Relief Engine Company of the Red Bank Volunteer Fire Department.

Mr. Menna 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 Matthew Jastrzemski for membership to Westside Hose Company of the Red Bank Volunteer Fire Department.

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

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

2005-37 Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR PURCHASE PRICE FOR ACQUISITION OF FIRE PUMPER TRUCK, BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$525,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

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

ROLL CALL:

AYES: Beck, 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 September 26, 2005.

2005-38 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE CHAPTER II, ADMINISTRATION SECTION 2-6.4(d), “ORDER OF BUSINESS.”

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

ROLL CALL:

AYES: Beck, 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 September 26, 2005.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

05-148 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AWARDING CONTRACT #05-3 TWO (2) TOW-BEHIND LEAF COLLECTION SYSTEMS.”

Mr. Bifani 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.

05-149 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AWARDING CONTRACT #05-4 ONE (1) LITTER PICKER VACUUM.”

Mr. Bifani 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.

05-150 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. Bifani offered a motion to approve the resolution, seconded by Mr. Murphy.

ROLL CALL:

AYES: Lee, Menna, Bifani, Murphy

NAYS: Curley

ABSTAIN: Beck

There being four ayes, one nay and one abstention, the resolution was declared approved.

05-151 Mayor McKenna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES 2005/2006.”

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.

05-152 Mayor McKenna read “A RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO EXECUTE AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF RUMSON TO PERMIT THE BOROUGH OF RUMSON TO USE THE BOROUGH OF RED BANK’S RADIO TOWER.”

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

ROLL CALL:

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

NAYS: None

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

05-153 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH AUTHORIZING PURCHASE UNDER STATE CONTRACT THREE (3) SELF CONTAINED BREATHING APPARATUS.”

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

ROLL CALL:

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

NAYS: None

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

05-154 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY APPOINTING ELECTRICAL SUBCODE OFFICIAL.”

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

ROLL CALL:

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

NAYS: None

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

PROCLAMATIONS

Mayor McKenna read a proclamation proclaiming October 16, 2005 as Crop Walk Day.

PAYMENT OF VOUCHERS

05-155 Mayor McKenna read "A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$797,483.26."

Mr. Curley 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.

OLD BUSINESS

NEW BUSINESS

AUDIENCE

EXECUTIVE SESSION

05-156 The Borough Attorney read a resolution to adjourn to executive session to discuss land acquisition.

Mr. Murphy offered a motion, seconded by Mr. Bifani to adjourn to executive session to discuss land acquisition. 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. Bifani offered a motion, seconded by Mr. Murphy 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. Beck 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