

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 27, 2004
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Borough Clerk Vivona, Chief Financial Officer Loversidge, Engineer Kosenski and Attorney O'Connor.

ABSENT: Council Members Beck and Hintelmann.

Councilwoman Beck arrived at 5:30 p.m.

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 4, 2004.

WORKSHOP

2004 Road Program

Councilman Bifani said that we have finalized the 2004 Road Program and said that it would include Lake Avenue drainage, Oakland Street from Maple Avenue to West Street, that is being paid for from a \$150,000 grant from the New Jersey Department of Transportation, the continuation of Oakland Street to Shrewsbury Avenue, Carmen Place, Clinton Avenue, Bank Street from Tilton to the dead end, Spring Street, Tower Hill Avenue and Irving Place Traffic Calming. He said there would be two alternate items added to the bid and they would be the resurfacing of Clifford Place and North Prospect Avenue. He said there is a resolution authorizing the Borough Engineer to proceed with the specifications so the project could be put out to bid.

Extension of Time Limited Parking

Mr. Sickels said that Mr. Burnip is recommending that we extend time limited parking on Williams Street, Spring Street, South Street and Brown Place, except for the residents that would have parking stickers that would make them exempt to the time limited parking.

Councilman Menna suggested that it would be a good idea to send letters to all the property owners on those streets to make sure they are in agreement with Mr. Burnip's recommendation and inform them when it would be discussed at the Council Meeting so we could hear their comments.

APPROVAL OF MINUTES – May 25, 2004

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Requests from Red Bank Regional High School Booster Club and Red Bank Elks Lodge #233 for raffle licenses.

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Request from St. Anthony's Church to close Herbert Street from Bridge Avenue east on Sunday, August 8, 2004 from 8 a.m. to 7 p.m. for a family block party for their parishioners.

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

ORDINANCES – First Reading

2004-25 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK AUTHORIZING THE IMPOSITION OF A MUNICIPAL HOTEL AND MOTEL OCCUPANCY TAX AS AUTHORIZED BY P.L. 2003, c. 114.”

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

Mayor McKenna said that he had met with Mr. Barry and he would be happy to continue to support the Red Bank Visitor's Center for another two years.

Councilman Curley thanked Mayor McKenna for negotiating with Mr. Barry and coming up with a plan that would make everyone happy. He also said that he supports the Visitor's Center and thinks that they do a wonderful job but should not be funded by the taxpayers.

Margaret Mass, Director of the Red Bank Visitor's Center said that Mr. Barry wanted it to be made clear that the funding for the Visitor's Center is coming from J.P. Barry Hospitality and not from the hotels.

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for August 10, 2004.

2004-26 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH AMENDING CHAPTER III “POLICE REGULATIONS” SECTION 3-9 “DISORDERLY PERSONS” OF THE REVISED GENERAL ORDINANCES.”

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for August 10, 2004.

2004-27 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY AMENDING CHAPTER II “ADMINISTRATION”, ARTICLE IV “ADMINISTRATIVE OFFICES” OF THE REVISED GENERAL ORDINANCES.”

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

Mayor McKenna said that Mr. Watson does not only serve as Assistant Administrator but also as Acting Director of Public Works.

Councilman Bifani said that he has also been overseeing the Department of Parks and Recreation.

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for August 10, 2004.

2004-28 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY VACATING A CERTAIN MUNICIPAL RIGHT OF WAY RUNNING OFF BOAT CLUB COURT AND PARALLEL WITH FRONT STREET LOCATED IN TAX BLOCK 9.01.”

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for August 24, 2004.

ORDINANCES – Public Hearing and Final Adoption

RESOLUTIONS

04-204 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY APPROVING PLANS AND SPECIFICATION AND AUTHORIZING RECEIPT OF BIDS REGARDING THE 2004 ROADWAY IMPROVEMENT PROGRAM.”

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

ROLL CALL:

AYES: Menna, Bifani, Murphy, Curley

NAYS: None

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

Councilwoman Beck arrived at 5:30 p.m.

04-209 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 75.02, LOTS 159.01 AND 160 COMMONLY KNOWN AS 134 PEARL STREET.”

Councilwoman Beck arrived at 5:30 p.m.

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-210 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING ENCROACHMENT ON THE PUBLIC RIGHT OF WAY ALONG A PORTION OF UNION STREET.”

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-211 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING THE RECORDING OF DEED REGARDING RIGHT OF WAY FOR THE WIDENING OF BOAT CLUB COURT BEING PART OF LOT 7, BLOCK 9.01.”

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-212 Mayor McKenna read “A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION.”

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-213 Mayor McKenna read “A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION.”

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

PROCLAMATIONS

Mayor McKenna read a proclamation proclaiming August 21, 2004 as William “Count” Basie Day in the Borough of Red Bank.

PAYMENT OF VOUCHERS

04-214 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,663,969.14.”

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Cathy Lou Morgan – 67 Oakland Street – thanked the Members of the Governing Body for the proposed improvements to Oakland Street and asked if when the streets are closed for special

events if the residents are notified. She said that her street was closed recently for an event being held by the Charter School and the residents did not know the street was going to be closed.

Mayor McKenna said that whenever streets are closed the residents are notified. He said that he would talk to Chief Fitzgerald to make sure this would not happen again.

David Prown – 44 Hillside Place – suggested that the newsletter be used more often to notify residents about these kinds of events and asked if the Borough ever considered outsourcing the newsletter and sell ads to pay for it. Mr. Prown asked if Bob Evans reports to Mr. Watson.

Councilman Bifani said that Mr. Evans does not report to Mr. Watson but said Mr. Watson is helping him out.

Councilman Murphy said that it has been a good marriage moving Parks and Recreation over to the Public Works building because both departments are always working together.

Jack Pivnick – 30 Irving Place – thanked the Members of the Governing Body for all the Police Department has been doing on the street trying to slow down traffic. He also said that tomorrow night the neighbors are going to have their second meeting regarding the different ideas that could be used for traffic calming. He also asked Mayor McKenna to explain the plan the State is proposing for impact fees.

Mayor McKenna said all of the smart growth legislation is starting to happen. He said that when projects are proposed the developers would have to pay impact fees to contribute towards the infrastructure, roads and schools.

Councilwoman Beck said because so many developers are against this ordinance she suggested that it might be a good idea for all of the residents to get in touch with their legislators.

Councilman Menna said that some local improvements are mandated through Planning and Zoning Board approvals but if we were going to start charging developers for impact fees we would have to adopt an ordinance similar to the ordinance we just adopted charging developers for parking deficiencies.

Mayor McKenna said the State Legislators are trying to come up with a plan regarding impact fees that would make the developers, residents and local officials happy.

EXECUTIVE SESSION

ADJOURNMENT

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

ROLL CALL:

AYES: Beck, Menna, Bifani, Murphy, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona