

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
OCTOBER 26, 2004
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Curley.

Councilman Curley arrived at 5:35 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

2005 Monmouth County Open Space Grant Application

Councilman Murphy said there is a resolution on the agenda authorizing the application to Monmouth County for a Municipal Open Space Grant for renovations to the Marine Park Marina. He said we would be applying for a grant for \$250,000 and this in conjunction with other funding we have received and are in the process of applying for funding to help complete much needed renovations to the Marina. He said the total cost of the project we are applying for this grant, including all matching funds, is \$352,450.

Mayor McKenna said this is good news and hopes we are successful receiving the grant because this area really needs to be renovated as well as other areas of Marine Park.

MAYORAL APPOINTMENTS

Mayor McKenna appointed Patricia Whyte of 127 West Westside Avenue to the Human Relations Committee.

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

ROLL CALL:

AYES: Beck, Hintelmann, 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 George Whelan, the developer for property located next to the Locust Area Nature Area, has submitted a request to clear the vista located in the Nature Area and the Environmental Commission would like time to review the request and seek advice from our Shade Tree Representative. She also said the Environmental Commission is seeking volunteers to help clean the Nature Area and said they have started work there and it makes a big difference in the appearance of the passive park.

Councilman Menna reported that the New Jersey Fire Officials have named the Red Bank Volunteer Fire Department Fire Department of the Year, stating that it is the best Fire Department in the State of New Jersey and said that there would be a celebration this Saturday.

Councilman Murphy reported that RiverCenter would hold their Board of Directors meeting on November 1, 2004 at 5:30 p.m. at Merrill Lynch located on Broad Street and said that this meeting is open to the public.

Councilman Curley said that he would like to welcome Patty Whyte to the Human Relations Commission and said he is looking forward to working with her.

COMMUNICATIONS AND PETITIONS

Request from The Two River Film Festival to hang banners on Broad Street and Shrewsbury Avenue from October 3 through November 6, 2005.

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

ROLL CALL:

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

NAYS: None

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

Request from the Monmouth County SPCA to hold their Annual Pet Walk & Fair at Marine Park on Saturday, October 1, 2005, with a rain date of Sunday, October 2, 2005, pending approval of the Special Events Committee.

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

ROLL CALL:

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

NAYS: None

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

Request from RiverCenter for a rain date of Sunday, November 28, 2004 for the annual Holiday Concert and Tree Lighting to be held on Friday, November 26, 2004, pending approval of the Special Events Committee.

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

ROLL CALL:

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

NAYS: None

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

Request from the Westside Community Group to hang banners and wreaths on light posts down the length of Shrewsbury Avenue for the holiday season.

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading

ORDINANCES – Public Hearing and Final Adoption

2004-40 Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY AMENDING CHAPTER VIII “PARKING LOTS AND HANDICAPPED PARKING SPACES”, SUBSECTION 8-2.5 “PARKING TIME LIMITS” OF THE REVISED GENERAL ORDINANCES.”

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

Mr. Hintelmann offered a motion to close the public hearing, seconded by Mr. Curley.

ROLL CALL:

AYES: Beck, Hintelmann, 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. Hintelmann.

ROLL CALL:

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

NAYS: None

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

2004-41 Mayor McKenna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY TO AUTHORIZE A LICENSE TO RED BANK ARMORY, INC. WITH REGARD TO A HANDICAP ACCESS WALKWAY."

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: Beck, Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Councilman Curley asked if the building owner had submitted the appropriate documents to assure that the Borough is not held liable for an accident that occurs because of the walkway.

Mr. O'Connor said that the agreement states that they must submit a hold harmless agreement and insurance that has to be filed with the County Clerk.

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

ROLL CALL:

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

NAYS: None

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

2004-42 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.

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

ROLL CALL:

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

NAYS: None

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

Councilman Curley asked if the property would go back on the tax rolls.

Mayor McKenna said that it would.

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

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

04-271 Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING CHANGE ORDER NO. 1 AND FINAL REGARDING NJDOT STATE AID PROJECT."

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

ROLL CALL:

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

NAYS: None

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

04-275 Mayor McKenna read "A RESOLUTION AUTHORIZING CURFEW FOR OCTOBER 30 AND 31, 2004."

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

ROLL CALL:

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

NAYS: None

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

04-276 Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING SALE OF PERSONAL PROPERTY."

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

ROLL CALL:

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

NAYS: None

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

04-277 Mayor McKenna read "A RESOLUTION AUTHORIZING APPLICATION TO THE COUNTY OF MONMOUTH FOR OPEN SPACE TRUST FUNDS."

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

ROLL CALL:

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

NAYS: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

04-278 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,356,156.72.”

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

ROLL CALL:

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

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Bob Rooney – 58 Irving Place – asked about the status of the clean-up of 189-191 Maple Avenue and also said the garage is in disrepair and said it is a safety hazard.

Mr. Sickels said that this matter is before the Court and said the owner has applied for a permit to demolish the garage. He said he should see a lot of progress in the next few weeks.

Mr. Rooney also asked about the status of the repairs to the sewer line on Maple Avenue.

Mr. Kosenski said that the mainline work is complete and thinks that everything should be back in place by Friday. He said the contractor did a great job.

Councilwoman Beck asked when the road would be repaved.

Mr. Kosenski said that it would not be paved until the spring because we have to wait for the road to settle.

Tom Williams – 85 Locust Avenue – said that the Environmental Commission has been working hard to clean-up the Nature Area and said that there are neighborhood issues that should be addressed and wanted to be sure the Governing Body realized there are safety issues in this area.

Councilwoman Beck said she has talked to the Police Department and has asked them to watch this area.

Mayor McKenna said that he would also speak to the Police Chief.

Freddie Boynton – 12 Leonard Street – said that people are doing work on their houses without a permit on Saturday and Sunday.

EXECUTIVE SESSION

04-279 The Attorney read a resolution to adjourn to executive session to discuss contract negotiations.

Mr. Curley offered a motion, seconded by Mr. Menna to adjourn to executive session to discuss contract negotiations. Minutes to be made public in 180 days.

ROLL CALL:

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

NAYS: None

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

Mr. Hintelmann offered a motion, seconded by Ms. Beck to adjourn from executive session.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

Mr. Hintelmann offered a motion, seconded by Ms. Beck to adjourn the meeting.

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Carol A. Vivona