

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JANUARY 13, 2004  
5:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

ABSENT: Council Members Beck, Hintelmann and Menna.

**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.

**SUSPEND REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

**Public Hearing Municipal Open Space Grant Program Application to Monmouth County**

Mr. Kosenksi said that we have prepared an application to Monmouth County for the Municipal Open Space Grant Program. He said there were numerous meetings with Linda Sharkey, the Director of Parks and Recreation, Council Members Beck, Bifani and Murphy, Mr. Sickels, Mr. Watson and Mr. Whalen. He said there were various ideas discussed but the one that everyone agreed on was numerous improvements to Count Basie Park. He said the Committee would like to see rehabilitation of the concession stand, the addition of another restroom facility and rehabilitation of the current facility, resurfacing of the basketball court and rehabilitation of the football field. He said the ADA improvements include rehabilitation of the restrooms, accessible routes to all fields, parking, the ticket counter and ADA compliant bleachers.

Mr. Whalen explained a diagram of all of the improvements. He said the bleachers are very old and they must be made ADA compliant by the end of the year. He also said the committee would like to build a state of the art concession stand so that the organizations involved in the recreation programs would be able to use it for fundraising. He also said that the restrooms need a complete renovation because they have not been worked on in over 20 years and the basketball courts need to be resurfaced. He said the Committee would like to see the installation of a remote restroom located in the southwest corner of the property because it is quite a distance to go to the existing facilities. He also said that a lot of the work has to be done so the Borough will comply with the Americans with Disabilities Act.

Mr. Kosenksi said that the total cost of the project is approximately \$645,000 and the Borough would be applying for a grant in the amount of \$250,000 and has already received special legislative grants for \$100,000.

Councilman Murphy said that the maximum amount we can apply for is \$250,000 and this would really help to reduce the impact to the taxpayers.

Mayor McKenna said that all of these projects must be done one way or another. He said that most of them are required by law. He said this would be a good opportunity to try and get \$250,000 and that we have already received \$100,000.

Mayor McKenna opened the public hearing and asked if anyone would like to speak.

Joyce Calabro – 38 North Prospect Avenue – asked if the project would be done in one fiscal year.

Mr. Sickels said the project would be completed in one year but would be bonded for different amounts of time.

Mrs. Calabro asked what would happen if we did not receive the grant.

Mayor McKenna said that we would have to scale back the project.

Mr. Sickels said that we are in the process of renegotiating our lease for the use of Count Basie Field with Red Bank Catholic and the increase in this agreement would help to underwrite the cost of the project.

Mrs. Calabro asked what the term of the bond would be.

Mr. Loversidge said that the bonds are sold for what is considered the useful life of the project and that would probably be for ten years. He said the bond interest rates are very low right now and it would be a good time to take advantage of the situation.

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: Bifani, Murphy, Curley

NAYS: None

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

Councilman Curley said that he has some concerns with this application and has expressed them to Councilman Murphy. He said that he knows there are aspects of this project that are absolutely mandatory consisting of all of the ADA compliance requirements. He said that he knows that Red Bank Catholic will be taking care of our track but the fields are in rough shape and need to be re-sodded. He said that he feels there is potential here for saving money and does not feel it is a necessity to build a concession stand for \$160,000 and a remote restroom for \$114,000, for a total of \$274,000. He said that we honestly don't know when we go out for a grant what we are going to receive from that grant; he said it may look like we are going to receive \$250,000 and we may only get \$50,000. He said he has reservations because he knows that the project needs to be done in the aspects of the ADA requirements and what he mentioned previously but he has reservations about the \$274,000 being spent.

Mayor McKenna said that how the application is received is how we would determine the level of improvements we would move forward on.

Councilman Curley said that isn't it true that once we submit a proposal and the proposal consists of a concession stand at \$160,000 we are obligated to build it if we accept the grant.

Mayor McKenna said that it depends on the terms of the grant and also we could subsequently ask to eliminate a portion of the grant in which case the grant would be diminished. He said that if we were granted the entire amount and chose to accept the entire amount we would have to proceed with the whole project. If we do not receive the entire amount we would have to look at the project and decide what we want to do. He asked Councilman Murphy if the Parks and Recreation Committee is recommending the project that is being submitted.

Councilman Murphy said it is the recommendation of the Committee but said that Councilwoman Beck has some reservations that are basically the same as Councilman Curley.

Councilman Curley said that he would only vote in favor of the project if the \$274,000 were removed from the proposal. He said that he believes we should do what we have to do especially in these economic times.

Councilman Murphy said that if we take out the \$274,000 that would only leave \$416,000 and we could only apply for \$200,000 in grant money. He said we are trying to take advantage of the full amount of \$250,000.

Mr. Sickels said that we are trying to take advantage of a \$50,000 special legislative grant that we received for the sole purpose of replacing the concession stand. He said that we have modified the plans but we are trying to come up with a plan that will provide our residents with the same amenities that they experience when they visit other fields. He said that the money they make at the concession stands in other municipalities helps fund various programs.

Mayor McKenna said that until we renegotiate the lease with Red Bank Catholic that any comments concerning the finances are premature and once this is done we would be in a better position to evaluate what type of contributions could be made toward the costs. He said that it is his understanding that Red Bank Catholic is going to install a new track at a cost of \$200,000 and there is also the possibility of significantly increased rent.

Councilman Curley said that he does not think it is premature from a standpoint that we are voting on applying for this grant. He said that in regard to Councilman Murphy's comment that we may lose \$50,000 of this grant, we are still talking about \$274,000 in expenditures and said that obviously does not balance out.

Mayor McKenna said that the lack of another restroom at the facility has been a complaint from parents for as long as he can remember. He said that if we were to look only at the cost and what it means to benefit the public, we would have never put the lights on the field and putting the lights on the field is one of the best things we ever did. He said the comments we have heard about the lights have only been positive and it is always cost versus service to the public. He said that Councilman Curley has the right to vote any way he wants to and we are going to take the vote this evening.

Councilman Curley said that he thinks it is more palatable to reduce the things that he mentioned and possibly add them to the project at another time.

Mayor McKenna said that he thinks it would be foolish not to apply for the entire grant and see what we get and then make a determination and see how we stand financially. He said that if we get a negotiated increase in the lease that would offset the cost or greatly diminish the cost of the project; we could be getting these amenities at a cost that we will never have the opportunity to get again.

Councilman Bifani said that it is the Committee's recommendation to take advantage of any money we can receive from the County. He said now is the time to take advantage of this especially with the other grants for the ADA improvements and the concession stand.

04-31            Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY APPROVING APPLICATION TO THE OPEN SPACE TRUST FUND."

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

ROLL CALL:

AYES:            Bifani, Murphy

NAYS:            Curley

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

04-24            Mayor McKenna read "A RESOLUTION APPROVING THE 2004 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF RED BANK."

Mayor McKenna introduced the following members from RiverCenter, Chris Cole, Chairperson, Robin Fitzmaurice, Treasurer and Tricia Rumola, Executive Director.

Mr. Cole said that last year was a very successful year and he thanked all of the members of the Governing Body, the Borough Officials and the Borough Employees for their assistance. He said that RiverCenter worked on customer relations, changes in the garbage pick-up, keeping the streets cleaner and making parking easier. He said the operating expenses have gone up but they are taking the money from reserves so the RiverCenter assessment would remain fixed.

Ms. Rumola asked if there were any questions.

Councilman Curley thanked RiverCenter for keeping the budget level. He said the RiverCenter budget is collected from the members of the Special Improvement District and does not come from the residential taxpayers.

Mr. Cole said that a lot of contributions for special events come from donations from the public. He said that some of these generous individuals have already told him not to expect as much this year.

Mayor McKenna thanked the members of RiverCenter for all of their hard work and said that they do a fantastic job. Mayor McKenna said that the public hearing and adoption of the budget are scheduled for February 10, 2004 at 5:30 p.m.

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

**ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

**RESUME REGULAR ORDER OF BUSINESS**

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

**ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

**WORKSHOP**

**Library Improvements**

Ned Gaunt said that he was hired in 2001 to prepare a feasibility study regarding the condition of the library and how to implement all of the changes mandated by the federal government regarding the ADA improvements. He said that Gerald Eisner is here this evening and his family donated the building to the Borough for use as a library. He said that there has not been any major work done on the building for at least 30 years. Mr. Gaunt went through a description of the building floor by floor and said that after meeting with the Library Director, Board of Trustees and Library staff they have developed an understanding of the requirements needed to run an efficient library

Mr. Gaunt said that a lot of the work has to be done so the Library would be ADA compliant and this work must be completed by October 2004. He said the proposed improvements would result in accessibility to all floors and includes the installation of stairways, an elevator, increased aisle widths and updating outstanding building and fire code issues. He said that the library's furnishings are showing signs of wear and the overall appearance should be updated. He also said the children's area should be redesigned to meet current needs of various age groups and the meeting room should also be redesigned to be used by the children. He said the main circulation desk on the entrance level is oversized and inefficient and the second floor is currently underutilized and the third floor is not being used at all. He said that he thinks the entire building should be used and a second means of egress should be implemented. He is suggesting the basement should continue to be used as the children's area but the meeting room next to that area should be used as a multi-purpose room and the second floor should be used by the public, moving the staff area on that floor to the third floor. He said to use these floors and comply with the Americans with Disabilities Act we would have to install a LULA elevator that would go from the basement to the first and second floors. He said that as far as the mechanical systems go they are also in need of upgrading and a sprinkler system is recommended. He also said that the bulkhead should be replaced. He said the general construction cost is \$1,028,000, furnishings \$239,000, the bulkhead \$82,000 for a total of \$1,349,000, plus a 15% contingency fee of \$202,350 and 11% for professional fees in the amount of \$170,649, for a total of \$1,721,999.

Mayor McKenna asked if there were any questions and said that he understands that most of these renovations were a necessity at the time but he had received two telephone calls from Council Members asking the Library Board to try and cut expenses on this project.

Mr. Gaunt said that there are some optional areas in the proposal but there has not been anything done in the library for 30 years.

Mayor McKenna asked if any the members of the Library Board had any comments.

Deborah Griffin-Sadel said that everything in the proposal has to do with meeting the ADA requirements. She said that the installation of the elevator and installation of a handicapped restroom causes a number of walls to be installed or moved. She said that since the last renovation was done to the library over 30 years ago the use of the library has changed. She said a lot of people come in to use the computers and there is also the addition of many Spanish language books and classes. She also said that there is no gold plating on the renovations but simple changes to offer better service to the public in these changing times.

Mr. Sickels said that over the last 10 years we have taken steps to make all of the Borough facilities ADA compliant and this was mandated by the federal government. He said we moved out of 32 and 51 Monmouth Street to this building because there were so many problems with those buildings and also built a new Senior Center. He said the library is the last piece of upgrading the buildings to be ADA compliant. He also said that Ms. Griffin-Sadel has done a wonderful job of adapting the library to its current needs and has also applied and received many grants but these renovations must be done.

Councilman Curley asked Mr. Gaunt if we have the opportunity to take advantage of the work being done at the Hovnanian construction site in regard to the bulkhead.

Mr. Gaunt said that Mr. Kosenki or Mr. Whalen would be more knowledgeable on this subject and perhaps they could coordinate the work with the contractor when he is working at the Hovnanian site.

Father Rosheuvel, a member of the Library Board, said that he agrees with Mr. Sickels' comments. He also said the demographics of the town are changing and the Library adds to the enhancement of life in the Borough of Red Bank.

Mr. Gerald Eisner said that he agrees with what everyone has said and the Library is trying to keep up with the trends and asked the Council to support the renovations.

Mayor McKenna said that he would like to extend his deepest thanks to Mr. Eisner and his family for donating the building to the Borough for use as a Library and also for their generous donations over the years.

Robert Talerico – 98 Harrison Avenue – asked if there would be an elevator on the third floor.

Mr. Gaunt said the LULA elevator is only allowed to go up three floors and it would go from the basement to the second floor.

Joyce Calabro asked if the Borough if going to finance the project.

Mayor McKenna said that the Borough is financing the project and has applied for two grants from the Department of Community Affairs. He said the Borough would adopt a bond ordinance for the project and the bonds would be able to be paid off over a longer period of time.

Mrs. Calabro asked where the proposal would be.

Mayor McKenna said that it would be in the Borough Clerk's office.

Councilman Curley said that most of the renovations are generated from the ADA requirements. He said that if we do not move forward with them we would lose the building.

Mrs. Calabro asked when the building had to be ADA compliant.

Mr. O'Connor said that there must be a substantial amount of work done by October 1, 2004.

Mrs. Calabro asked if Count Basie Field has the same deadline.

Mr. O'Connor said that it did.

Mayor McKenna said that is why we have to move forward with the projects.

Mr. Bifani offered a motion to prepare a bond ordinance in draft form, seconded by Mr. Murphy.

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna thanked Ivan Polonsky for serving as the Mayor's alternate to the Library Board.

### **Park Maintenance**

Mr. Kosenski said that on December 30, 2003 we received bids for the 2004-2005 park maintenance program. He said the bids were for a 21-month period and the lowest bidder was Greenleaf Landscaping in the amount of \$112,000. He said that he has used them in the past and has been very satisfied with their work and is recommending the Borough accept their bid.

Mr. Sickels said the work is seasonal in nature and we usually hire seasonal employees for this job. He said he thinks it is in the Borough's best interest to award a contract for park maintenance because it would save us money. He said that it would do away with one full-time employee, seasonal employees and numerous hours of overtime. He said it would also save wear and tear on our vehicles and equipment.

Councilman Bifani said that we would still need some overtime from the staff but from awarding a contract for maintenance on Riverside Gardens Park we feel that it is the right way to go at this time.

Councilman Curley said that this is a wonderful act of fiscal responsibility.

Mayor McKenna said that we have a great staff that works very hard on the parks. He said hiring a company for general maintenance would give our employees more time for their important duties. He thanked all of the members of public works and said they do a great job.

### **APPROVAL OF MINUTES – December 9, 2003**

December 18, 2003

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

#### **ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

### **MAYORAL APPOINTMENTS**

Mayor McKenna appointed Mrs. Lydia Stathum, 97 Bank Street, Red Bank, NJ to the Red Bank Senior Center Advisory Committee.

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

#### **ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

### **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Bifani said that he participated in a walking tour with members of the Monmouth County Shade Tree Commission and they said they would plant trees on Shrewsbury Avenue in the spring at no cost to the Borough.

Mayor McKenna thanked Councilman Bifani for all he does for the Borough and said that the speed bumps on Leighton Avenue are really doing a good job of slowing down the traffic.

Councilman Murphy said that all of the winter sport programs are up and running.

### **COMMUNICATIONS AND PETITIONS**

Mayor McKenna read a request from St. James Grammar School PTA for raffle license.

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from Cruisin' with the Oldies to hold annual event on May 21, 22, 23, 2004, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from the Count Basie Theatre to hold a pre-concert reception on Monmouth Street in front of the theatre and closure of Monmouth Street from Maple Avenue to Pearl Street on May 8, 2004 from 8 a.m. to 11 p.m., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

Mayor McKenna read a request from St. James Church to hold a sidewalk procession from St. James Church to Newman Springs Road, pending approval of Chief Fitzgerald.

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

### **ORDINANCES – First Reading**

### **ORDINANCES – Public Hearing & Final Adoption**

### **RESOLUTIONS**

04-11 Mayor McKenna read “A RESOLUTION DESIGNATING THE BOROUGH TREASURER AS THE CERTIFYING AGENT IN CONNECTION WITH THE PUBLIC RETIREMENT SYSTEM.”

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-12        Mayor McKenna read “A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT IN COMMERCE BANK AND TO SIGN ALL PAYROLL CHECKS.”

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-13        Mayor McKenna read “A RESOLUTION AUTHORIZING CREATION OF CHANGE FUNDS.”

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-14        Mayor McKenna read “A RESOLUTION DESIGNATING DEPOSITORYES FOR THE BOROUGH OF RED BANK.”

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-15        Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES OF ASSESSMENTS.”

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-16        Mayor McKenna read “A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT FOR MAKING PAYMENTS IN CONNECTION WITH THE REDEMPTION OF TAX TITLE LIENS.”

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-17        Mayor McKenna read "A RESOLUTION APPOINTING STANLEY J. SICKELS AS FUND COMMISSIONER AND VALERIE FERBER AS ALTERNATE FUND COMMISSIONER TO CENTRAL JERSEY HEALTH INSURANCE FUND."

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

ROLL CALL:

AYES:        Bifani, Murphy

NAYS:        Curley

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

04-18        Mayor McKenna read "A RESOLUTION APPOINTING BRUCE E. LOVERSIDGE AS FUND COMMISSIONER AND GARY WATSON AS ALTERNATE FUND COMMISSIONER TO MONMOUTH COUNTY JOINT INSURANCE FUND."

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

ROLL CALL:

AYES:        Bifani, Murphy

NAYS:        Curley

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

04-19        Mayor McKenna read "A RESOLUTION APPOINTING BOND COUNSEL FOR THE BOROUGH OF RED BANK."

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-20        Mayor McKenna read "A RESOLUTION APPROVING CASH MANAGEMENT PLAN."

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

ROLL CALL:

AYES:        Bifani, Murphy, Curley

NAYS:        None

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

04-21        Mayor McKenna read "A RESOLUTION ASKING THE STATE TO DENY COMMUNITY MEDICAL CENTER'S CARDIAC SURGERY APPLICATION."

Mayor McKenna said that this came at the request of Meridian health group and they feel that another cardiac surgery center would seriously dilute the population available to go to their medical facility and if anyone read the letter it seems like a very logical and reasonable request.

Councilman Curley said that he hates to disagree but he does not think it is something that should be on the Borough of Red Bank resolution table and feels we are meddling with corporations and their battle to produce a good product for the public. He said that he also does not think that as a Councilman for the Borough of Red Bank he should be a lobbyist for Meridian Incorporated and he thinks that we have a

responsibility as Council people not to throw our viewpoints on healthcare on the half million people that live in Ocean County.

Mayor McKenna asked Councilman Curley if he read the letter that accompanied the resolution.

Councilman Curley said that he did and the letter was a wonderfully written letter but when it comes to marketing and selling he only believes so much and there is also another side to the story. He said that he contacted the people at Community Medical Center and they presented their side. He said that he thinks they should be able to produce a good service to the public and that he does not want to have any control over the people in Ocean County because he is elected by the residents of the Borough of Red Bank.

Mayor McKenna said that it really does not address providing medical services to the people of Ocean County but more or less establishes a need or abundance of a certain type of medical facility. He said the position of Meridian is that there are more than adequate facilities to serve everyone in Monmouth and Ocean County and that the problem with providing this particular certificate of need is that it is going to result in a dilution of the patient pool which could result in the closing of medical facilities. He said the only reason that he asked that it be put on the agenda is because we have a major medical facility in our municipality that is undergoing a 60 million dollar renovation right now and he wants to protect the citizens of Red Bank from any medical facility closing and is not trying to dictate what happens to the people in Ocean County.

Councilman Curley said that we do not have that cardiac care unit in Red Bank; Meridian's cardiac care unit is located in Neptune. He also said that knowing Route 70, Route 37 and the Toms River area quite well that is a very well populated area and that Ocean County is the fastest growing County in the State; he looks at the ploys being made by corporations as nothing more than profit motivation. He said that Meridian, quite frankly, has never done anything for him and he does not feel the necessity to do anything for Meridian.

Mayor McKenna said that he thinks that is a very sad comment.

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

ROLL CALL:

AYES: Bifani, Murphy

NAYS: Curley

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

Mayor McKenna said just for the record he thinks Meridian does an awful lot for the people of Red Bank and this community. He said that he wants that on record.

Councilman Curley said that he wishes that Meridian would put more than \$200,000 a year in their pilot program because it is stinging everybody.

Mayor McKenna said they are a not for profit organization, if you recall.

Councilman Curley said yeah, please.

04-22            Mayor McKenna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY APPOINTING ATTORNEY TO THE HISTORIC PRESERVATION COMMISSION."

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

ROLL CALL:

AYES:            Bifani, Murphy, Curley

NAYS:            None

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

04-23            Mayor McKenna read "A RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE FOR PROPERTY DESIGNATED ON THE TAX RECORDS AS BLOCK 52.01, LOT 1."

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-25 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROGRAM.”

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-26 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AWARDING CONTRACT TO VISITING NURSE ASSOCIATION TO PROVIDE PUBLIC HEALTH SERVICES.”

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-27 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AWARDING CONTRACT REGARDING 2004-2005 PARK MAINTENANCE.”

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-28 Mayor McKenna read “A RESOLUTION AUTHORIZING TRANSFER OF FUNDS.”

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

ROLL CALL:

AYES: Bifani, Murphy, Curley

NAYS: None

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

04-29 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, REJECTING ALL BIDS – CONTRACT #03-10 ONE (1) DIESEL-POWERED MUNICIPAL/PARKS TRACTOR.”

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

**ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

04-30 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$4,915,541.50”.

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

**ROLL CALL:**

AYES: Bifani, Murphy, Curley

NAYS: None

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

**OLD BUSINESS**

**NEW BUSINESS**

Councilman Curley said that on Saturday he had received a call and Councilman Murphy had received a call from the residents of Sutton Commons that there was a major crisis there because they were without heat. He said that he has to give Councilman Murphy a salute because he got in his car, drove over and got the number and called up immediately and then called the manager who at that time could not be found but the Councilman found him. He said that he made a phone call to the technical company who then sent out a representative and he wanted to thank Councilman Murphy. He said that he is recommending and he has already spoken to Gene Anthony, the attorney for the Rent Leveling Board, who is also recommending that we adopt an ordinance that if tenants are without heat they would have to be put up in a hotel and that the management company would be held responsible for that. He said that Mr. Anthony is willing to write something for Mr. O’Connor’s review and that our residents in multi-family dwellings need to be protected from people that are taking advantage of them profit wise.

Mr. O’Connor said that he would look over the information from Mr. Anthony and also talk to the construction official so we can tighten up our current standards.

Mayor McKenna said that he thinks we are already doing this but if we could make it easier to deal with if it is done by ordinance, he suggested we proceed with the ordinance.

**AUDIENCE**

Richard Johnson – 58 Westside Avenue – wanted to thank whoever is responsible for getting the Hardy property on Leighton Avenue cleaned-up and also the work that is being done at the Mason house. He said he thought the snowplowing job this year was very good and does not understand why the press is criticizing public works. He said that he has lived in Red Bank for 52 years and has never asked for anything put said that they need new curbs on their street and asked if it could be put in the road program.

Mayor McKenna thanked Mr. Johnson for attending the meeting and said we would look into the situation on his street.

David Prown – 44 Hillside Place – said he has been coaching sports for over 30 years and enjoys the recreation programs and has recently been instrumental in starting a number of new programs in the Borough. He gave statistics on the low percentage of Red Bank students that participate in the sports programs compared to Little Silver and Shrewsbury. He said that he had a meeting with the Director of Parks and Recreation and was told to back off because he was causing confusion with leadership in the programs. He said that for years he complained about our parks and recreation programs and decided to help with the problem and was told to back off.

Councilman Murphy said that he attended the meeting with Mrs. Sharkey and Mr. Prown and said that Mrs. Sharkey was just asking Mr. Prown to follow protocol and Mr. Prown abruptly left the meeting.

Mayor McKenna said that Councilman Murphy called him immediately after the meeting to voice his concern. He said that the Borough appreciates everything Mr. Prown has done for the Borough and hopes he continues to attend the Parks and Recreation meetings.

Councilman Bifani said he coached his first basketball game last weekend and said he would like to speak to Mr. Prown.

Councilman Murphy said that he hopes to see Mr. Prown at the Parks and Recreation meeting in January.

Vince Berner – 39 North Prospect Avenue – said he came before the governing body a few months ago regarding the paving of his street and would like to know if it is on the 2004 road program.

Mr. Whalen said the list has been sent to the Public Works Committee and is still being reviewed.

Councilman Bifani said that everyone wants their streets repaired and the Public Works Committee is reviewing the list and prioritizing the streets. He said they would make their selections by the end of February or beginning of March.

Mr. Berner said that Public Works dumps macadam on the street and it ends up in his driveway, he said the road is in terrible condition and asked if it could just be resurfaced.

Mayor McKenna said Councilman Bifani has a map of all of the streets that have been worked on since 1991. He said that part of the problem is that before 1991 there was hardly any work done on the roads for 30 years and now we are trying to catch up but it takes time.

Mr. Kosenki said that North Prospect needs more than resurfacing, it needs a new base.

Mayor McKenna said the Public Works Committee would continue to review the list and make their decision soon.

Freddie Boynton – 12 Leonard Street – said the streets in Red Bank were not plowed properly and the street sweeper never comes down his street. He talked about past policies in the public works department and asked if the new trees being planted on Shrewsbury Avenue would lift up the sidewalks.

Councilman Bifani said that we are changing the type of trees we plant and said they have a different root base.

Mr. Boynton said there is a problem with flooding on Bridge Avenue and Drs. Parker Blvd and said people do not shovel their sidewalks and should receive summonses. He also said Borough vehicles are being used for personal use and that employees have their equipment stored at the end of Sunset Avenue. He asked why the Borough will not let residents park their commercial vehicles there.

Mayor McKenna said that we do not have that kind of vacant land in the Borough.

Mr. Boynton said the Borough is not looking for a boat ramp.

Mayor McKenna said that we have applied for three grants and did not receive enough funding to do the project. He said putting a boat ramp on the Westside of Red Bank is difficult because the tide is very low there. He also said that Mr. Kosenki is looking into the feasibility of placing a boat ramp at the Primary School.

Mr. Boynton said that he was never contacted about the investigation regarding his timecard.

Mr. Sickels said that Chief Fitzgerald called Mr. Boynton back the same day he called him.

Mayor McKenna said the situation is still under investigation.

Ray Livingston – 120 Leonard Street – Neptune – said that he has taken over the operation of the street sweeper and said the street sweeper had broken down because of all of the sand it is picking up from the snow storms and said he has gotten a little behind on some of the streets because he has to go down them numerous times to pick up all of the sand. He said that Mr. Boynton is criticizing Public Works for the poor job he said they did on snow removal but when Mr. Boynton was called to come into work he never showed up. He said that now that Mr. Boynton is retired from the Borough, he is criticizing everyone for

all of the things he use to do. He said all of the employees in Public Works just want to work to make Red Bank a better place.

Mayor McKenna thanked Mr. Livingston for his comments and said we are really lucky to have such great people working in Public Works. He also thanked Mr. Johnson for his comments.

#### **EXECUTIVE SESSION**

04-32            The Attorney read a resolution to adjourn to executive session to discuss property acquisition.

Mr. Bifani offered a motion, seconded by Mr. Murphy to adjourn to executive session to property acquisition. Minutes to be made public in 180 days.

ROLL CALL:

AYES:            Bifani, Murphy, Curley

NAYS:            None

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

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

ROLL CALL:

AYES:            Bifani, Murphy, Curley

NAYS:            None

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

#### **ADJOURNMENT**

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

ROLL CALL:

AYES:            Bifani, Murphy, Curley

NAYS:            None

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

Respectfully submitted,

Carol A. Vivona