

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 24, 2004
7:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council President Menna and Council Members Hintelmann, Bifani, Murphy and Curley.

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

ABSENT: Mayor McKenna, Councilwoman Beck and Chief Financial Officer Loversidge.

Councilwoman Beck arrived at 7:40 p.m.

SUNSHINE STATEMENT

Council President Menna 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

Water Plant SCADA System Installation Contract Award

Mr. Sickels said that the Borough Engineer has solicited competitive quotations for the Water Plant SCADA System installation. He said three companies submitted quotes but the lowest bidder did not submit a bid bond as specified in the Information to Bidders deeming the bid incomplete. Mr. Sickels said that a hearing was held with the lowest bidder informing him that his bid was incomplete and that he would like to award the bid to the next lowest bidder, Quality Electrical Construction for \$19,900.

The governing body agreed to add a resolution to the agenda.

Storm Water System Maintenance Regulations

Mr. Whelan said that the New Jersey Department of Environmental Protection has new regulations regarding the discharge of storm water. He said that every municipality is designated by a Tier and we are a Tier A because the water we discharge enters the Shrewsbury River. He said by March 3, 2004 we must submit a form to the DEP with the name of the person that would be administering the program and he said that would be Mr. Sickels. He said that within the next twelve months the Borough must adopt a Municipal Storm Water Management Plan and that he would report back to the governing body as progress continues on our plan.

Council President Menna thanked Mr. Whelan for the summary of the report and said that we should contact the Environmental Commission for their input on these new regulations. He also said that there should be a Council Committee appointed to work on these regulations; consisting of Councilwoman Beck representing the Environmental Commission, Councilman Bifani representing Public Works and Councilman Curley representing the Finance Committee.

The governing body discussed the financial impact of these regulations on the Borough and discussed the availability of funding that might be available to implement the regulations but certainly would not be enough.

Mr. Whelan said the Borough has the entire storm water sewer mapping done and could apply for funding. He also said the regulations would be phased in over the next two to five years.

Parking Meters on Drummond Place

Councilman Curley said that Enrico Ciabattoni, 46 Peters Place, contacted him regarding the installation of parking meters on Drummond Place. He said that the residents on the street do not want the meters in front of their homes. He also said that he spoke to Mr. Burnip and he said we would be working this out when the meters are in place.

Mr. Sickels said that when the original plan was discussed there was concern from the residents about business people parking there all day.

Council President Menna said that this is a residential street and we should implement two-hour parking except for residents that have parking stickers.

Mr. Sickels said that we have eliminated some parking spaces on Drummond Place toward Monmouth Street and he would report back to the governing body at the next Council Meeting.

Enrico Ciabattoni, 46 Peters Place, said there is no parking on Peters Place and the residents were instructed to park on Drummond Place. He also said that he had attended a meeting when the governing body was discussing the parking garage and a resident of Peters Place asked if there were going to be parking meters on Drummond Place and Mayor McKenna said there were not going to be meters on that street. He also said that homeowners in the area have had problems refinancing their homes because they are in a business district and they were told there would be some zoning amendments. Mr. Ciabattoni said that there is very little enforcement on the street now and the signage is very poor. He said that he does not think the meters would alleviate the problem and said that the children would have to play around them.

Council President Menna said that the Council is in agreement with Mr. Ciabattoni and asked Mr. Whelan to check on the zoning in the area to see if we should amend the ordinance or the master plan.

MEL/JIF

Mr. Sickels said that there was information distributed to the governing body stating that all elected officials must attend a seminar in conjunction with our insurance fund so we can maintain a lower deductible. He also said that we are in the process of revising our personnel policies.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck said that the Environmental Commission would be reviewing the ordinance creating a Shade Tree Commission and that it would be distributed to everyone after that meeting for discussion at our next meeting. She also said that we had adopted an ordinance about six months ago that included five zones that had to contribute money to our parking utility for parking deficiencies. She said she would like the ordinance expanded to include all commercial development.

Council President Menna said that he agrees with Councilwoman Beck and said that this should include projects that have received preliminary approval and also projects that have not received final approval. He said that this would be very helpful and that there should be equality in all zones.

Councilman Bifani reported that a memo was distributed tonight regarding the proposed 2004 Road Program. He said they would like to implement traffic calming on Spring Street, similar to Leighton Avenue; East Bergen Place drainage, with help from NJNG; Lake Avenue drainage; Oakland Street, from Maple Avenue to West Street with a grant of \$150,000; Carmen Place and Clinton Avenue; and pedestrian safety signs for Tower Hill Avenue. He said the alternate streets proposed in this program would be Clifford Place and North Prospect Avenue. He asked the governing body to review the proposal and report back to him with their comments.

Councilman Curley reported that he had met with Donna Barr and she is requesting clerical help in her office from 10 a.m. to 2 p.m. and that the zoning ordinances be updated. He also stated his concern about the lack of a search for a replacement for Mr. Loversidge.

Mr. Sickels said that job is listed on the League of Municipalities website and would also be in their magazine for the month of March. He said the job is posted in the building and we hope to have his replacement start work on July 1, 2004 so he can spend 2 months with Mr. Loversidge.

COMMUNICATIONS AND PETITIONS

Council President Menna read a request from the Jersey Shore Jazz & Blues Foundation for a raffle license.

Mr. Bifani 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.

Council President Menna read a request from the Jersey Shore Jazz Shore Jazz & Blues Foundation to hang two (2) banners on Broad Street and Shrewsbury Avenue and vertical light pole banners on Broad Street from May 24 through June 7, 2004 to advertise the Red Bank Jazz & Blues Festival 2004.

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

ROLL CALL:

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

NAYS: None

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

Council President Menna read a request from the Monmouth County SPCA to hold annual Pet Walk on October 2, 2004 with a rain date of October 3, 2004, pending approval of the Special Events Committee and to hang a banner on Broad Street from September 6 through October 4, 2004 to advertise the event.

Ms. Beck 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.

Council President Menna read a request from the Red Bank Arts and Antique District to hold annual Farmer's Market on Sundays from May to October from 9 a.m. to 2 p.m. in the Galleria Parking Lot and the Santa Express and parade down Monmouth Street to Broad Street to coordinate with the downtown tree lighting on November 26, 2004, pending approval of the Special Events Committee.

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

ROLL CALL:

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

NAYS: None

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

Council President Menna read a request from Kaboom Fireworks-on-the-Navesink Committee to hold annual fireworks on July 3, 2004 with a rain date of July 4, 2004, sole vendor status for Marine Park and Riverside Gardens Park, pending approval of the Special Events Committee and to hang banners on Broad Street and Shrewsbury Avenue from June 8 through July 5, 2004.

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

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

2004-3 Council President Menna read “AN ORDINANCE AMENDING CHAPTER VII “TRAFFIC” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”

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

ROLL CALL:

AYES: Beck, Hintelmann, 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 March 9, 2004.

2004-4 Council President Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AMENDING AN ORDINANCE AUTHORIZING LENGTH OF SERVICE AWARDS PROGRAM FOR VOLUNTEER FIREFIGHTER AND FIRST AID SQUAD MEMBERS.”

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

Councilman Curley asked if we are getting a good response from the volunteers.

Mr. Sickels said we are still compiling the information and said we have to amend the ordinance because we had specific titles for officers in the ordinance and these titles vary with each fire company.

Councilman Curley asked if it had brought more volunteers.

Mr. Sickels said it has not.

ROLL CALL:

AYES: Beck, Hintelmann, 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 March 9, 2004.

2004-5 Council President Menna read “AN ORDINANCE AMENDING CHAPTER XIII, PROPERTY MAINTENANCE, SECTION 13-2 BASIC NATIONAL EXISTING STRUCTURES CODE, 1984, SUBSECTION 13-2.2a.1., AMENDMENTS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”

Ms. Beck offered a motion to adopt the ordinance on first 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 first reading.

Public Hearing and final adoption scheduled for March 9, 2004.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

04-62 Mayor McKenna read “A RESOLUTION AUTHORIZING CONTRACT FOR DOG SERVICES CONTRACT WITH THE BOROUGH OF LITTLE SILVER.”

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

ROLL CALL:

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

NAYS: None

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

04-63 Mayor McKenna read “A RESOLUTION AUTHORIZING CONTRACT FOR DOG WARDEN SERVICES WITH THE BOROUGH OF SHREWSBURY.”

Mr. Curley 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.

04-64 Mayor McKenna read “A RESOLUTION AUTHORIZING CONTRACT FOR DOG WARDEN SERVICES WITH THE TOWNSHIP OF SHREWSBURY.”

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.

04-65 Mayor McKenna read “A RESOLUTION AUTHORIZING CONTRACT FOR DOG WARDEN SERVICES WITH THE BOROUGH OF FAIR HAVEN.”

Ms. Beck 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.

04-66 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING APPLICATION FOR HIGHWAY TRAFFIC SAFETY PROJECT GRANT.”

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

ROLL CALL:

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

NAYS: None

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

04-67 Mayor McKenna read “A RESOLUTION AUTHORIZING THE PUBLIC DISPLAY OF FIREWORKS.”

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

ROLL CALL:

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

NAYS: None

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

04-68 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY REGARDING GRANT AGREEMENT WITH THE STATE OF NEW JERSEY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.”

Ms. Beck 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.

04-69 Mayor McKenna read “A RESOLUTION SUPPORTING INSTALLATION OF TRAFFIC SIGNAL AT PROSPECT AVENUE AND HARDING ROAD.”

Mr. Hintelmann 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.

04-70 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AWARDING CONTRACT #04-4, ONE (1) 2003 OR NEWER CHEVROLET SUBURBAN 2500 OR APPROVED EQUAL.”

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.

04-71 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AWARDING CONTRACT FOR WATER PLANT SCADA SYSTEM INSTALLATION.”

Ms. Beck 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

04-72 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$999,060.42.”

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

Councilman Bifani asked the audience to raise their hands if they attended the meeting because it was at 7:30 p.m.

Ten people raised their hands.

Councilwoman Beck said that you cannot judge the attendance by having one meeting at 7:30 p.m. She said that if we had them consistently at 7:30 p.m. then you could use it for a gauge.

Councilman Hintelmann said that when Mayor Arnone had meetings at 8 p.m. the attendance was very low.

AUDIENCE

Thomas Williams – 85 Locust Avenue – asked who was responsible for replacing items that were in disrepair that were done as part of the Shrewsbury Avenue Streetscape grant.

Councilman Bifani said we are and that they were already addressing some of the issues. He also said that the Shade Tree Commission could also review the trees.

David Prown – 44 Hillside Place – said that the traffic light at the corner of Harding Road and Prospect Avenue is long overdue. He also asked if any representatives from the Borough would be attending a meeting at the PNC Arts Center regarding building better relationships between the school boards and municipalities.

Council President Menna said that he used to serve as the liaison between the school board and the governing body. He said that he no longer serves in that position but would try to send someone to the meeting.

Mr. Prown also said that as a member of the Parks and Recreation Committee he feels disconnected from the Department of Parks and Recreation and feels there is no long-term plans for the department.

Councilman Murphy said that in reference to the resignation of Mrs. Sharkey the Borough has just begun to receive applications and will review this matter with the Parks and Recreation Committee.

Mr. Sickels said that this is a personnel matter and the Parks and Recreation Committee is an advisory board. He said that he thought the Director would have informed the Committee about her resignation.

Council President Menna said that Mr. Prown's point is heard and we will try to have more interactive dialogue with the Committee members.

Councilwoman Beck said that when we get down to the final three candidates we would meet with the Parks and Recreation Committee.

Jack Pivnick – 30 Irving Place – spoke about old sewer pipes on his street and a sewer problem at his home. He also spoke about trucks using his street as a cut-through and creating an unsafe situation.

Councilman Bifani said that he would look into the situation and possibly recommend a weight limit for trucks on Irving Place.

Councilman Curley said that Mr. Pivnick has done the right thing coming to the council to help alleviate his problems.

Mr. Pivnick asked Councilwoman Beck to explain the formula for individuals that have to contribute money to the parking utility for a parking deficiency.

Councilwoman Beck explained the formula and said that she would like the ordinance to include all commercial zones and not just certain zones.

Mr. Pivnick said that he does not think it should be just a one-time fee because once something is paved over it causes continual problems.

John Gozben – 43 Harrison Avenue – said that it is difficult for residents to attend the Council Meetings when they are at 5:30 p.m.

Councilwoman Beck said that she has been harping on this issue for four years and knows it is difficult for the residents to attend 5:30 p.m. meetings.

Mr. Gozben asked about having a bulletin board in front of the Municipal Building informing residents about the meetings and also asked about the Borough posting notices on the website and our e-mail system.

Mr. Sickels said that we are revising our whole Internet system and would be revising our website soon.

Bob Chenal – 33 Drummond Place – asked when we would be doing some improvements to Gold Street.

Councilman Bifani said that improvements would be starting in the spring.

Mr. Chenal also asked about the removal of a dilapidated sign at the southeast corner of Gold Street and Drummond Place.

Councilman Bifani said that Mr. Watson is here from our Public Works Department and asked Mr. Chenal to speak to him after the meeting.

Boris Kofman – 28 Riverside Avenue – said he supports the Council Meetings starting later in the evening and said he is happy to hear the website is progressing.

Councilman Menna commended Fire Chief Soden and said we are really blessed to have such a great Fire Department. He said the Fire Department received a donation and a letter from Reverend Porter commending the Fire Department on behalf of the whole congregation.

EXECUTIVE SESSION

04-73 The Attorney read a resolution to adjourn to executive session to discuss personnel.

Mr. Hintelmann offered a motion, seconded by Mr. Murphy to adjourn to executive session to discuss personnel. 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. Murphy offered a motion, seconded by Mr. Hintelmann 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 Mr. Murphy to adjourn the meeting.

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Carol A. Vivona