

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
MARCH 9, 2004  
5:30 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, Chief Financial Officer Loversidge, Engineer Kosenski and Attorney O'Connor.

ABSENT: Mayor McKenna and Councilwoman Beck.

Mayor McKenna arrived at 7:00 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.

**SUSPEND REGULAR ORDER OF BUSINESS**

Mr. Hintelmann offered a motion to suspend the regular order of business, seconded by Mr. Bifani.

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Councilman Hintelmann read a brief biography on each individual before they were promoted.

04-74            Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT DETECTIVE THOMAS NUCCIO TO RANK OF SERGEANT.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-75            Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN JOSEPH MILKO TO RANK OF SERGEANT.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-76            Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN DANIEL BANNON TO RANK OF SERGEANT.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-77 Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY PROMOTING BOROUGH OF RED BANK POLICE DEPARTMENT PATROLMAN ELIOT RAMOS TO RANK OF DETECTIVE."

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna asked Chief Fitzgerald if he would like to say anything.

Chief Fitzgerald congratulated the police officers on their promotions and said that it was a very competitive process. He said there are many challenges ahead and he knows that each one of them will step up to the plate.

The Members of the Governing Body congratulated everyone on their promotions.

04-78 Council President Menna read "A RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-029-006." (Dublin House)

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

**Introduction of 2004 Municipal Budget**

Council President Menna said that the 2004 Municipal Budget is being discussed for introduction only.

Mr. Loversidge said that the next four resolutions are related to the budget. He said the first resolution is stating the that the budget was delayed for introduction because we were waiting for the figures we would be receiving for state aid, the next two are increasing the amount for school taxes and the last resolution is authorizing the introduction of the budget and setting a date for the public hearing on April 13, 2004 at 5:30 p.m. He said that we are going to have a slight increase because of the contractual agreements with the unions regarding salary increases and this year we would have a new item in the budget for the LOSAP program that was approved by the voters two years ago.

Councilman Curley said that we are looking at increased revenue in the Parking Utility, revenue from the sale of Borough-owned property, COAH money coming in and state aid. He said all of this would be discussed on April 13, 2004 at the Public Hearing.

Council President Menna said that he would like to have a meeting opened to the public and press with the members of the Finance Committee, Mr. Loversidge and Mr. Sickels. The members of the Committee discussed various dates and agreed to have this meeting on March 16, 2004 at 5:30 p.m.

04-79 Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH REASON FOR DELAY OF INTRODUCTION OF MUNICIPAL BUDGET 2004."

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-80 Council President Menna read “A RESOLUTION INCREASING THE DEFERRED SCHOOL TAX AMOUNT FOR THE RED BANK SCHOOL DISTRICT.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-81 Council President Menna read “A RESOLUTION INCREASING THE DEFERRED SCHOOL TAX AMOUNT FOR THE RED BANK REGIONAL HIGH SCHOOL DISTRICT.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-82 Council President Menna read “A RESOLUTION AUTHORIZING INTRODUCTION OF MUNICIPAL BUDGET FOR 2004.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public Hearing scheduled for April 13, 2004.

**RESUME REGULAR ORDER OF BUSINESS**

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

**WORKSHOP**

**Emergency Multiple-Dwelling Fund**

Councilman Curley said this ordinance is being proposed to protect the tenants from hazardous situations caused by landlords that do not maintain their premises properly or do not respond to emergency situations in a timely manner. He said there would be money collected from each landlord and this money would be placed in an interest bearing account and would be distributed by a Board of ten people, headed by the Administrator to correct any emergencies when tenants were without heat, electricity or water. He said that there was a letter written by Gene Anthony that gives a better summation of the proposed ordinance.

The governing body discussed the pros and cons of the proposed ordinance.

Council President Menna suggested that a public meeting be held to discuss the proposed ordinance with himself and Council Members Curley and Beck. He said that he would secure a date and then issue a press release advertising when the meeting would be held.

### **Shade Tree Committee Ordinance**

Council President Menna said Councilwoman Beck has provided us with a copy of the final draft for the proposed ordinance regarding the Shade Tree Committee.

The governing body discussed the importance of having this committee put in place and agreed to introduce the ordinance at the next meeting.

### **Visiting Nurses' Association expansion**

Council President Menna said that the Planning Board approved a 20,000 square foot addition to the Visiting Nurses Association building and they are a tax-exempt property. He voiced his concern about all of the tax-exempt properties located in the Borough, stating that fifteen percent of our ratables are tax-exempt. He suggested that a pilot-program be implemented for this project when the developer's agreement is being developed.

The governing body agreed to discuss this matter in Executive Session.

### **Parking Deficiency Schedule for all Commercial Zones**

Council President Menna said that he would like the ordinance setting the fees for parking deficiencies in certain zones to include all commercial zones. He said that this has been discussed several times and he would like to see an ordinance for introduction on the agenda for the next Council Meeting.

### **Amendment to First Aid Department Ordinance**

Council President Menna said that the First Aid Department is still being called by licensed healthcare facilities for non-emergency calls. He said that there have been discussions with the healthcare facilities regarding this matter and they still call us all the time for non-emergency calls and that not only places a burden on our First Aid Department but also the First Aid Departments in adjacent communities that have to answer our calls. He said he would like the ordinance amended to mandate that all non-emergency calls have to go to an ambulance service. He said the First Aid Department has tried to work this out with the facilities but they are still calling them.

The governing body agreed that the ordinance should be amended and the First Aid Department should not be called for pick up at a healthcare facility for non-emergency transportation.

### **Architect for Library Improvements**

Mr. Sickels said that there is a resolution on the agenda regarding a contract with Ned Gaunt for architectural services for the improvements to the Library. He said that he is recommending that the resolution be tabled because the information was just given to the governing body tonight.

The Council Members agreed with Mr. Sickels.

### **APPROVAL OF MINUTES – February 10, 2004**

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

#### **ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

### **MAYORAL APPOINTMENTS**

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

Councilman Murphy reported that the Parks and Recreation Committee would be holding an open public meeting on March 24, 2004 at the Municipal Building. He said all of the members of the Parks and Recreation Committee would be there, several Borough Employees from the Parks and Recreation Department and Public Works and also the Borough Engineer. He said they would be discussing plans for the future including fundraising for special projects. He invited anyone that is interested in the Parks and Recreation Committee to attend the meeting.

## **COMMUNICATIONS AND PETITIONS**

Council President Menna read a request from RiverCenter to hold Streetlife program on Saturdays from June 5, 2004 to August 28, 2004, pending approval of the Special Events Committee.

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna read a request from RiverCenter to hold Sidewalk Sale on July 30, 31 and August 1, 2004, pending approval of the Special Events Committee.

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna read a request from RiverCenter to hold annual Holiday 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: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna read a request from RiverCenter to hold entertainment from 12 noon to 3 p.m. on Saturdays for the holiday from November 27 to December 19, 2004, pending approval of the Special Events Committee.

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna read a request from the Red Bank Board of Education to use the Red Bank Senior Center on March 11, 2004 from 5:30 p.m. to 7:30 p.m. for "Great Start" program.

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Council President Menna read a request from the Education Foundation of Little Silver for a raffle license.

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

**ORDINANCES – First Reading**

2004-6 Council President Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY AMENDING CHAPTER VII “TRAFFIC” OF THE REVISED GENERAL ORDINANCES.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-7 Council President Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AMENDING CHAPTER VI, ALCOHOLIC BEVERAGE CONTROL, SUBSECTION 6-3.4 LICENSE FEES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-8 Council President Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING SALE OF VACANT LANDS OWNED BY THE BOROUGH OF RED BANK.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-9 Council President Menna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, ESTABLISHING PROCEDURES TO ADOPT PERSONNEL POLICIES AND PROCEDURES AND AUTHORIZING THE BOROUGH ADMINISTRATOR TO IMPLEMENT SAID POLICIES AND PROCEDURES FOR ALL PERSONNEL OF THE BOROUGH OF RED BANK.”

Mr. O’Connor said this ordinance would allow us to adopt our personnel policies by resolution and said that he urges the governing body to adopt the ordinance.

Mr. Sickels said that we have been working on changes to the policies to comply with our insurance company, with comments from the Personnel Committee and review by the union and the Borough Employees.

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-10 Council President Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY AMENDING CHAPTER XX "WATER AND SEWER", SECTIONS 20-3 "WATER DEPARTMENT" AND 20-4 "SEWER DEPARTMENT" 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 Mr. Murphy.

Councilman Curley said that we did not have an increase for ten years, but now we have had two increases in two years.

Mr. Loversidge said the reason we have to have another increase this year is because we had a very wet spring and summer and customers did not have to use a lot of water. He said that the water utility has to be self-liquidating so we must increase the rate.

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-11 Council President Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING THE PLANNING AND DEVELOPMENT REGULATIONS, CHAPTER XXV OF THE REVISED GENERAL ORDINANCES."

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-12 Council President Menna read "AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING THE PLANNING AND DEVELOPMENT REGULATIONS."

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-13      Council President Menna read “AN ORDINANCE AMENDING CHAPTER III, POLICE REGULATIONS, SECTION 3-15 “FEES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY.”

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

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

Public hearing and final adoption scheduled for March 23, 2004.

2004-14      Council President Menna read “AN ORDINANCE AMENDING CHAPTER XIX, “STREETS, SIDEWALKS AND SANITATION” 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 Mr. Murphy.

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

Public hearing and final adoption scheduled for March 23, 2004.

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

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

Council President Menna opened the public hearing and asked if anyone would like to speak.

Lois Bell – 120 Leonard Street – said Mount Street should be one-way and then they could allow parking on one side of the street.

Council President Menna said we would have to check with the residents of the street.

Council President Menna asked if anyone else 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. Bifani.

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

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

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

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 FIREFIGHTERS AND FIRST AID SQUAD MEMBERS.”

Council President Menna 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:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

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

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

2004-5      Council President Menna read “AN ORDINANCE AMENDING CHAPTER XIII, PROPERTY MAINTENANCE, SECTION13-2 BASIC NATIONAL EXISTING STRUCTURES CODE, 1984, SUBSECTION 13-2.2a.1., AMENDMENTS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”

Council President Menna opened the public hearing and asked if anyone would like to speak.

Jack Pivnick – 30 Irving Place – asked if a certificate of occupancy was needed when renting a property and how much it cost.

Mr. Sickels said a certificate of occupancy is needed and it cost \$40.

Council President Menna asked if anyone else 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. Bifani.

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

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

ROLL CALL:

AYES:      Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:      None

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

## **RESOLUTIONS**

04-45      Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, REJECTING LOWEST BIDDER CONTRACT #04-2 ELECTRONIC PARKING METERS.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-83 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AWARDING CONTRACT #04-2 – ELECTRONIC PARKING METERS.”

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

Councilman Curley said that he had originally voted against the resolution for parking meters because he questioned the bonding ordinance and thought the portion for paving should have been taken out of the parking utility funds instead of bonded. He said that he also has concerns because we do not have any long-term plans to improve or expand parking in Red Bank and does not feel we should implement another tax without a plan to improve the situation.

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy

NAYS: Curley

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

04-84 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AWARDING CONTRACT REGARDING PHASE II INSTALLATION OF PARKING METERS.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy

NAYS: Curley

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

04-85 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING PURCHASES IN ACCORDANCE WITH RESOLUTION 03-198.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-86 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING 2004 BUSINESS ASSOCIATE AGREEMENT (HIPAA) FOR GRANT AGREEMENT #13-012.”

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

ROLL CALL:

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-87        Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, AUTHORIZING PURCHASE UNDER STATE CONTRACT."

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

Councilman Curley asked Mr. Sickels if this was the same company that provided the buses for the shuttle program.

Mr. Sickels said that it is the same company but the shuttle buses were state specs and had a lot of problems. He said this model is a more widely used model and should not have the same problems.

Councilman Murphy said this is replacing the big diesel bus we have that is always breaking down.

Councilman Curley said that he wants this as part of the record incase there are any concerns.

ROLL CALL:

AYES:        Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:        None

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

04-88        Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY REGARDING MOSQUITO EXTERMINATION COMMISSION 2004 AERIAL SURVEILLANCE AND TREATMENT PROGRAM."

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

Councilman Menna asked if the residents are informed when the spraying will be done.

Mr. Sickels said the Borough is notified 12 hours before they are spraying.

Councilman Curley asked why it is only 12 hours before.

Mr. Sickels said that it is determined by the weather and the conditions.

Councilman Menna said that this could be a problem for residents that are allergic to the spray.

Mr. Sickels said that the Mosquito Extermination Commission has a website and suggested that we put it in the newsletter.

ROLL CALL:

AYES:        Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:        None

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

04-89        Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AWARDING CHANGE ORDER NO. 2 AND 3 (FINAL) REGARDING THE SANITARY SEWER CLEANING AND TELEVISION INSPECTION FORCE ACCOUNT."

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

ROLL CALL:

AYES:        Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:        None

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

04-90        Council President Menna read "A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AWARDING CONTRACT TO NED GAUNT, AIA REGARDING LIBRARY IMPROVEMENTS AND RENOVATIONS."

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-91 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY APPOINTING ELECTRICAL SUBCODE OFFICIAL.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

04-92 Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AWARDING CHANGE ORDER NO. 1 REGARDING THE 2003 ROADWAY IMPROVEMENT PROGRAM.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

**PROCLAMATIONS**

**PAYMENT OF VOUCHERS**

04-94 Council President Menna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$2,271,476.39.”

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

**ROLL CALL:**

AYES: Hintelmann, Menna, Bifani, Murphy, Curley

NAYS: None

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

**OLD BUSINESS**

**NEW BUSINESS**

Mayor McKenna arrived at 7:00 p.m.

**AUDIENCE**

Lois Bell – 120 Leonard Street – asked if the Mosquito Extermination Commission sprays regularly or only when it is needed.

Mr. Sickels said they do both.

Mrs. Bell said that some very delicate birds have come back to the area.

Mrs. Vivona said that she distributed the information regarding the spraying to the Environmental Commission.

Jack Pivnick – 30 Irving Place – asked how many members are on the Planning and Zoning Boards.

Council President Menna said there are seven voting members and two alternates on each board and they are appointed by the Mayor and Council.

Mr. Pivnick said that he recently attended a Zoning Board Meeting and an application was denied and one of the Zoning Board Members told the applicant that he just wanted to make money and he thought this was not a good reason for rejecting the application.

Council President Menna said that was a use variance and should have not been voted on for economic reasons.

Mr. Pivnick asked how to contact the Rent Leveling Board.

Council President Menna told him to contact Debbie Hall in the Detective Division.

Mr. Pivnick said we should not continue to allow people to develop in Red Bank and pave over all of the grass and if they do develop continue to charge them impact fees.

#### **EXECUTIVE SESSION**

04-95            The Attorney read a resolution to adjourn to executive session to discuss property acquisition, personnel, contract negotiations and litigation; will have formal action.

Mr. Hintelmann offered a motion, seconded by Mr. Curley to adjourn to executive session to discuss property acquisition, personnel, contract negotiations and litigation; will have formal action. Minutes to be made public in 180 days.

ROLL CALL:

AYES:            Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:            None

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

04-93            Council President Menna read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING BID FOR USED FIRE BOAT.”

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

ROLL CALL:

AYES:            Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:            None

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

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

ROLL CALL:

AYES:            Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:            None

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

#### **ADJOURNMENT**

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

ROLL CALL:

AYES:            Hintelmann, Menna, Bifani, Murphy, Curley

NAYS:            None

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

Respectfully submitted,

Carol A. Vivona