

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JUNE 7, 2003  
10:00 A.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

**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 News, 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 December 10, 2002.

**WORKSHOP**

Mayor McKenna said it is a pleasure to be meeting at the Red Bank Senior Center and said it is a wonderful facility. He said that when he was campaigning back in 1986 with Councilman Hintelmann he said they would build a new facility for our seniors. He said it took ten years but it is a fabulous facility and commended Councilwoman Thompson for all of her work on the center.

**Drug Alliance Grant**

Mr. Loversidge said that John Austin will be retiring at the end of the year and there has been discussion among the governing body regarding the future of this program and the possibility of getting involved with a non-profit organization to administer the program. He said we receive a grant from Monmouth County for a portion of this program and have an agreement with Shrewsbury Borough. He said that even though we have not decided what direction we are going to take with this program Mr. Austin is recommending we submit an application for funding to meet the filing deadline and if we do not wish to participate we do not have to accept the grant but if we do not submit an application at this time we would be completely eliminated for applying for funding.

Mayor McKenna said we should submit the application so we would be eligible for funding, if we chose to except it and then explore our options.

The governing body discussed the fact if the borough applies for the grant it would have to be administered by a municipal employee or using a non-profit organization and saving money hiring a borough employee and paying benefits. After a general discussion the governing body agreed to add a resolution to the agenda to apply for the grant and would continue discussions regarding the program and how it would be administered.

**Parking Escrow Fund Increase**

Mr. Sickels said there has been a request from Councilwoman Beck and Councilman Menna to move forward on increasing the fees for the parking escrow fund. He said that we would have an ordinance ready for the next council meeting.

Councilwoman Beck said that under the current ordinance when an applicant is deficient on parking spaces the first ten are free, she is recommending that we follow the recommendations of the Director of Planning and Zoning charging \$500 a space when the applicant is deficient 1-5 spaces and \$1000 a space when they are deficient 6-10 spaces. She said this would generate revenue for the borough.

Mayor McKenna said this was discussed before the planning board and they agreed with Mrs. Barr's recommendation and said that this change would be very good for the borough. He said that it would not effect minor applications and commented on the great job Mrs. Barr did.

Councilman Menna asked if the parking variances should be treated like developer's agreements.

Mayor McKenna said that this would delay the applicant's approvals and that the council does not have all of the information and the boards have sitting through months of hearings.

Councilman Menna said that Mr. Kosenski could give us reports.

Councilman Curley said that he felt we would not have the same information that the board members have, sitting there night after night.

Mayor McKenna said that we are trying to micro-manage and the boards are very efficient at what they do and have been very difficult on parking. He said that personally he would feel uncomfortable doing this and that we should talk to Ms. O'Connor about this.

Councilwoman Beck asked if we could just amend the section regarding the fees for the parking variances and said that she does not agree with Mayor McKenna that parking variances have been granted sparingly.

Mayor McKenna said that he has been on the planning board for 14 years and due to the nature of the town, having a lot of older buildings without parking, what are we suppose to do. He said we cannot leave the buildings empty and does not believe we should shift the responsibility of dealing with parking variances from the planning and zoning boards to the council.

Councilman Bifani said lets just get the amendments to the parking variance fees going. He said he was on the planning board for 12 years and there are a lot of trading off from the numerous hours of testimony that take place between the board members and the applicant.

Councilman Curley said the council members are political people and are always concerned about votes.

Councilwoman Beck said that she agrees with Councilman Bifani and we should introduce the ordinance amending the fees for parking variances as soon as possible.

Mayor McKenna said that he would ask Ms. O'Connor to meet with Mr. Kosenski to work on the amendment and other amendments to the planning and zoning regulations.

Mr. Menna said this is a classic example of our rights to change zoning ordinances. It is for that reason that some council members have been very rigorously astute from staying away from planning and zoning board meetings. He said that we have the right to change ordinances and that is why council members should not attend meetings.

Councilwoman Beck said she has been attending meetings but she asked Ms. O'Connor and he said she could attend.

Councilman Curley said that he has been attending zoning board meetings and regardless of the legal opinion, as a member of the public he would still attend.

Councilwoman Beck said that it is very frustrating for the average citizen to understand the protocol at the planning and zoning board meetings. She said that in Moorestown the municipality has a citizen advocate that knows the ins and outs of the boards.

Mayor McKenna said our boards have a reputation throughout the state as being one of the most efficient and some municipalities model their boards after ours.

Councilman Bifani left at 10:35 a.m.

## **Parks and Recreation**

Linda Sharkey introduced Tomora Young, the newly appointed Assistant Director of Parks and Recreation. She said she is very pleased to have her and said she would be an asset to the community.

## **APPROVAL OF MINUTES – May 27, 2003**

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

### **ROLL CALL:**

**AYES:** Beck, Hintelmann, Menna, Thompson, Curley

**NAYS:** None

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

## **MAYORAL APPOINTMENTS**

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

Councilman Curley reported that he is pleased to announce that the Red Bank Post Office has agreed not to remove the existing mailbox from Red Bank Manor. He said there are so many senior citizens that live there and use the box on a daily basis. He also reported that International Night was celebrated at the primary school and that it was a wonderful event. He also reported that the Human Relations Committee is trying to implement a program to make Spanish lessons available, the Historic Preservation Commission would be meeting with a representative from the Monmouth County Historic Preservation Commission and RiverCenter would be hosting the Tiki Party at the Red Bank Elks as a fundraiser for the holiday decorations on June 19, 2003.

## **COMMUNICATIONS AND PETITIONS**

**Mayor McKenna read a request from RiverCenter to hold the annual Sidewalk Sale from July 25-27, 2003, pending approval by the Special Events committee.**

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

### **ROLL CALL:**

**AYES:** Beck, Hintelmann, Menna, Thompson, Curley

**NAYS:** None

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

## **ORDINANCES – First Reading**

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

**2003-17      Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, ADDING SECTION 3-9.14 “GRAFFITI” TO CHAPTER III, POLICE REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK.”**

Councilman Menna said that he had spoken to Ms. O’Connor regarding RiverCenter’s recommendation to implement higher fines for violating the ordinance but the state has limits on what the fines could be. He said that there are no limits on restitution and that could be separate from the fine.

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

Trisha Rumola – RiverCenter – thanked the governing body for adopting the ordinance and everyone from RiverCenter is really pleased.

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

### **ROLL CALL:**

**AYES:** Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**2003-18      Mayor McKenna read “AN ORDINANCE AUTHORIZING LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE BOROUGH OF RED BANK, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AGREEMENT RELATING THERETO.”**

Councilwoman Beck said that she has struggled with the ordinance and the list of items that are to be purchased. She said that she is worried about the \$370,000 of debt service that would have to be paid over the next five years that would add 3 or 4 cents to the tax rate. She asked if the items could be scaled back.

Mayor McKenna said that this program is only available every two years and we have to try to anticipate what we will need. He said the interest rate is usually less than three percent and we do not have to purchase everything on the list but if it is not one we would have to look for financing somewhere else and this could be much more expensive.

Councilwoman Beck asked if the council would approve the appropriations or if the department head would do that.

Mr. Loversidge said that a number of the items on the list are planned to be purchased next year and the larger items that have to go out to bid would have to be approved by the council. He said that if the council wanted to review the items they could do that.

Mr. Menna said that could be very time consuming on all of the smaller items.

Councilwoman Beck said she would like to have a second chance to approve the items and said that there are 21 vehicles on this list and she is very worried about the \$370,000 a year debt service.

Mr. Loversidge said that a couple of the items on the list would save us money. He said purchasing alternate recycling equipment would save us \$100,000 a year and even though we are purchasing a new server the old one would be used for our website.

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**2003-19      Mayor McKenna read “AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER VIII “PARKING LOTS AND HANDICAPPED PARKING SPACES” OF THE REVISED GENERAL ORDINANCES.”**

Mayor McKenna said that there was a typographical error on page 4 of the ordinance and the time limit for parking on Broad Street should be two hours instead of one hour. He said that when we vote on the ordinance we would amend it.

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

David Prown – 44 Hillside Place – said this is a five-page document and he would like a condensed version.

Mr. Sickels said the major changes are increasing fees, putting meters on the street in the downtown area and eliminating 10-hour parking meters from the White Street lot.

Mayor McKenna said that he was at a conference yesterday and compared our rates to other municipalities; he said our rates are very low.

Mr. Prown asked if there is an increase for employee parking permits and asked where the students at Red Bank Catholic would park since they use the majority of the 10-hour spaces in the White Street lot.

Mr. Sickels said that Red Bank Catholic is working with RiverCenter to use some of the private lots in town that are underutilized. He said that doing away with the 10-hour meters would make all of these spaces available for shoppers.

Mayor McKenna said that Red Bank Catholic is aware of the change and is working on a solution. He said that these changes would help us manage our parking spaces more efficiently.

Councilman Menna said that Red Bank Catholic is currently working on a master plan for their entire facility.

Councilman Curley said they would be giving a report on their progress to the governing body.

Chris Cole – 1 Fisher Place – said that he understands that we have huge budget issues and that parking is much more expensive in other municipalities. He said that we give our best spaces away for free, is happy about the change in the White Street parking lot, thanked the governing body for correcting the time limit on Broad Street from one hour to two hours, said we need a comprehensive plan for the signs in the lots because they are very confusing and said he would like to sit on the parking task force.

Mr. Sickels said that we are getting quotes to re-stripe the lots with thermo stripping that would last for five years and working on better signage.

Mr. Cole asked if doubling the fee for the employee permits could be deferred for a while because it was a very tough year for the businesses.

Trish Rumola asked if the installation of the parking meters on the streets could wait until the major special events were over.

Mayor McKenna said that we are looking at September for installation.

Marge Lowe – Clearview Cinema – White Street – voiced her concern about where her two employees would park and having a three-hour parking limit in the lot for her patrons to attend a movie and then go to dinner.

Mayor McKenna said that this is not perfection but it is a start. He said that we cannot know each business in town and their needs. He said that all of the ten-hour spaces were in use by 7:45 a.m. He said the whole idea of shorter time limits is to leave the meters for the shoppers.

Councilwoman Thompson said that when we hear something we should say that we would try and do our best to correct the situation and come up with some kind of plan.

Councilman Menna said that he believes a lot of problems could be alleviated with better signage and signs that would instruct the patrons of the theatre to use the parking garage.

Anthony Barbera – Coco Pari – said that there are not enough parking spaces in this town and that we have to build a parking garage because people do not want to come to Red Bank anymore.

Councilwoman Thompson said that she agrees wholeheartedly that we need a parking garage but was against the last plan because she thought the location was terrible. She said that if we could get a private developer involved with the project that would solve a lot of problems.

Mayor McKenna said that practically every place he travels has a parking garage. He said that Councilwoman Thompson brought up a very good point about finding a private developer for the parking garage and said that he has already met with a number of them. He said we need a parking garage.

Councilman Curley said the business people are coming to the government with a problem that should be solved by private industry. He said it is very difficult for our residents to support a parking garage paid for by tax dollars.

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

Mr. Menna offered a motion to close the public hearing, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**2003-20      Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER X  
“PERSONNEL POLICIES”, SUBSECTION 10-2.7 “RETIREMENT” OF  
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED  
BANK.”**

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**RESOLUTIONS**

**03-122      Mayor McKenna read “A RESOLUTION HONORING JOHN E. “JACK” OAKLEY ON 50<sup>TH</sup> ANNIVERSARY IN THE RED BANK FIRE DEPARTMENT.”**

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**03-123      Mayor McKenna read “A RESOLUTION HONORING STANLEY “DUCKY” MOORE ON 50<sup>TH</sup> ANNIVERSARY IN THE RED BANK FIRE DEPARTMENT.”**

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**03-124      Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, REJECTING LOWEST BID CONTRACT #03-7 SOCCER UNIFORMS & EQUIPMENT.”**

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

**03-125      Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH AWARDING CONTRACT #03-7 SOCCER UNIFORMS & EQUIPMENT.”**

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

ROLL CALL:

AYES:      Beck, Hintelmann, Menna, Thompson, Curley

NAYS:      None

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

**03-126      Mayor McKenna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES 2003/2004.”**

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

ROLL CALL:

AYES:      Beck, Hintelmann, Menna, Thompson, Curley

NAYS:      None

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

**03-127      Mayor McKenna read “A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES 2003/2004.”**

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

ROLL CALL:

AYES:      Beck, Hintelmann, Menna, Thompson, Curley

NAYS:      None

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

**03-128      Mayor McKenna read “A RESOLUTION AUTHORIZING RENEWAL OF CLUB LICENSES 2003/2004.”**

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

ROLL CALL:

AYES:      Beck, Hintelmann, Menna, Thompson, Curley

NAYS:      None

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

**03-129      Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH AUTHORIZING PARTICIPATION IN THE 2004 GRANT APPLICATION FOR THE GREATER RED BANK DRUG ALLIANCE.”**

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

ROLL CALL:

AYES:      Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

## **PROCLAMATION**

### **PAYMENT OF VOUCHERS**

**03-130      Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,922,931.16.”**

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

### **ROLL CALL:**

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

## **OLD BUSINESS**

Councilwoman Beck said that the code enforcement committee would be meeting on Friday regarding the proposed ordinance to create a shade tree commission.

## **NEW BUSINESS**

### **AUDIENCE**

Ben Forrest – 16 Locust Avenue – thanked the governing body for having the council meeting at an earlier time.

David Frank – Manor Drive – asked why doesn’t Red Bank Catholic buy buses for their students.

Benedetto Romano – asked the council to provide a sign for the Red Bank Senior Center on street level so people can see it when they drive by.

Councilwoman Thompson said the sign is coming and asked Mr. Sickels to follow-up on this item.

Mildred Beard – said all the senior citizens would like to thank the governing body for the new bus.

Jack Readie – 803 Center Street – asked for an update on Wayfinding.

Mr. Kosenksi said there was a meeting with the contractor and the signs are in the process of being made. He said he will report on this project again at the next meeting.

Chris Cole – 1 Fisher Place – said RiverCenter has invested in a movable barricade with a mural to be placed in front of buildings under construction. He said it is currently on West Front Street and has received correspondence about applying for approval for this barricade.

Mayor McKenna instructed Mr. Cole to go before the Planning Board for interpretation

Councilwoman Thompson asked Mr. Cole about the proposal for bench art.

Mr. Cole said that the RiverCenter VIC Committee is still reviewing this.

## **EXECUTIVE SESSION**

**ADJOURNMENT**

Mr. Hintelmann offered a motion, seconded by Mrs. Thompson to adjourn the meeting.

**ROLL CALL:**

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona