

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 28, 2003
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Bifani

SUNSHINE STATEMENT

WORKSHOP

2003 Road Program

Mr. Kosenski said he distributed the recommendations from the Public Works Committee for the 2003 road program. He said he has prepared two estimates, one with selected curb and sidewalk replacement and the other with complete curb and sidewalk replacement. He suggested that a bond ordinance be introduced at the next council meeting so he could start working on plans and specifications for the project. He estimates the projected cost of the project to be \$970,000. He said we would be receiving a grant to Mechanic Street and would be reimbursed \$150,000.

Councilwoman Beck asked if there was much left to be completed in the 2002 road program.

Mr. Kosenski said the contractor got started late on this project and the severe weather is not helping. He said the contractor has done good work and as soon as the weather breaks he will finish the project. He said we just authorized his first payment.

Councilwoman Beck said some of the roads selected are in desperate need of repair and Mr. Kosenski did a good job narrowing it down. She also said she is very pleased to see Harris Park being done.

Mr. Kosenski said this would finish up the whole Harris Park area now and some of the other roads are heavily traveled roads. He also said there is funding available from the 2002 road program to cover the cost of traffic calming on Leighton Avenue. He said he could prepare a change order that would allow us to proceed with this project.

The governing body agreed that Mr. Kosenski should prepare a change order for the next council meeting.

Snow Emergency

Mr. O'Connor said there is an ordinance on the agenda tonight regarding no parking on a number of streets during snow emergencies. He said the public utilities committee and the police committee asked that a number of streets be added to the list. He said the purpose of this ordinance is to allow the plows to clear the snow. He said that if everyone is agreeable he urges the council to adopt the ordinance after the public hearing tonight and at the next council meeting we would introduce an ordinance to amend it. He said this would give us the ability to enforce no parking on the streets listed on the ordinance we would be adopting tonight.

The governing body agreed to adopt the ordinance as presented and introduce the amendment at the next meeting.

Amendments to solid waste ordinance

Mr. O'Connor said we adopted substantial amendments to the solid waste ordinance last year and after a great deal of discussion the solid waste committee would like seven or eight modifications to the ordinance. He said the proposed amendments were distributed to the governing body tonight and if agreeable we would introduce the amendments at the next council meeting. He said the amendments clarify the ordinance and they do not change the substance.

Mayor McKenna asked the governing body to review the amendments and contact Mr. O'Connor with any comments.

Shuttle Bus Program Update

Neil Burnip said the shuttle bus service started on December 2, 2002. He said the service is to the Red Bank train station and there are two buses that run every fifteen minutes from 6:15 a.m. to 8 a.m. and 5:15 p.m. to 7 p.m. He said the bus makes eight stops before arriving at the station and has had 134 paid fares. He said he is working on marketing the program and will issue a press release in the near future. He said he is working on a mid-day shuttle program to connect the east and west side of Red Bank and also make stops in the downtown area. He said this program would require additional drivers using 2,600 man-hours at approximately \$39,302.

Mr. Sickels said several routes are being worked on that are in close proximity to multiple dwellings and would allow people from either side of town get downtown or to the hospital. He said they would also like to bring employees downtown to help ease parking congestion.

Councilwoman Beck asked if the schedule has been tested to ensure residents they would not have to wait an extended period of time. She said the system has to be more predictable.

Mr. Burnip said because of transporting handicapped people the schedule has to be a little flexible because it takes longer to get them on the bus.

Mayor McKenna said the bus schedule is not exactly on time but very close.

Mr. Burnip said the schedule would only vary by five minutes.

Councilwoman Thompson said we should distribute the schedule to the businesses in town and when the shuttle is not being used for its regular schedule, it could be used for special activities. She said she would like to meet with Mr. Burnip to discuss additional ideas.

Mayor McKenna said Mr. Sickels is working on creating some off-site parking for employees and students.

APPROVAL OF MINUTES – January 14, 2003

Councilwoman Thompson said there is a mistake in the minutes listing a person speaking at the meeting during the audience portion. She said the person's name is Ben Forest not Ben Forrester.

The governing body directed the borough clerk to correct the minutes.

Ms. Beck offered a motion to approve the minutes as amended, seconded by Mr. Hintelmann.

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

MAYORAL APPOINTMENTS

Mayor McKenna appointed Mary Nicosia as alternate member to the Red Bank Board of Health and as representative to the Monmouth County Regional Health Commission No. 1.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Curley said the Human Relations Committee is working on a program with Sgt. Clay on conflict resolution for students. He said they are also working on translating various documents into Spanish. He said he had also attended a meeting with the newly formed Historic Preservation Commission and that George Bowden and Mary Gilligan had met with Mr. O'Connor regarding some legal questions.

Mr. O'Connor said he met with Mr. Bowden and Ms. Gilligan and they had a number of questions regarding their duties and how to set up criteria for designating historic sites.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request for raffle licenses from St. James Grammar School PTA and the Rumson PTA.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

Mayor McKenna read a request from the George Sheehan Classic to hold run and fitness walk on August 8 and 9, 2003 and also use of Marine Park for various activities, pending approval of Special Events Committee.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

Mayor McKenna read a request from Red Bank Charter School to use Riverside Gardens Park for graduation ceremony on June 13, 2003, with a rain date of June 16, 2003.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

Mayor McKenna read a request from Red Bank Charter School to use the Red Bank Senior Center on May 16, 2003 from 6:00 P.M. to 10:30 P.M. for student dance.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

Mayor McKenna read a request from the SPCA to hold pet walk in Red Bank on October 4, 2003, with a rain date of October 5, 2003, pending approval of the Special Events Committee.

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

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

2003-01 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VII “TRAFFIC” OF THE REVISED GENERAL ORDINANCES REGARDING DESIGNATION OF SNOW EMERGENCY NO PARKING ZONES.

Councilwoman Beck said she just wants to make sure residents get proper warning before they are ticketed.

Mayor McKenna said most residents are thoughtful enough to move their vehicles off the street when there is snow but there are some who do not and make it very difficult for us to plow the streets. He said this ordinance would enable us to insure proper plowing of the streets.

Mr. Hintelmann said this is a problem on his street and said we should ask the residents to move their cars but give them a warning the first time.

Mayor McKenna said the police will take the license plate number and try to contact the resident at home but they are not always there.

Councilwoman Beck said this is a good policy but feels the residents should get proper notice. She also asked what residents are supposed to do if they do not have a driveway.

Mayor McKenna said we designate a municipal parking lot for residents to park in that do not have a driveway.

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

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

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.

RESOLUTIONS

03-36 Mayor McKenna read “A RESOLUTION AUTHORIZING CANCELLATION OF GENERAL IMPROVEMENT APPROPRIATION BALANCES”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

03-37 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #03-1 FOR BASEBALL AND SOFTBALL EQUIPMENT AND UNIFORMS”.

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 no nays, the resolution was declared approved.

03-38 Mayor McKenna read “A RESOLUTION OPENING A BANK ACCOUNT FOR THE MUNICIPAL COURT”.

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 no nays, the resolution was declared approved.

03-39 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTING MAINTENANCE GUARANTEE REGARDING BLOCK 88, LOT 12.01”.

Mr. Menna 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 no nays, the resolution was declared approved.

03-40 Mayor McKenna read “A RESOLUTION AUTHORIZING TRANSFER OF FUNDS”.

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 no nays, the resolution was declared approved.

PROCLAMATION

PAYMENT OF VOUCHERS

03-41 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,160,231.23”.

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 no nays, the resolution was declared approved.

OLD BUSINESS

Councilman Menna said that a committee had met to review the intersection of Pinckney Road and Broad Street. He said the County and the State are aware of the problem and have come up with three plans. He said Captain Van Pelt and Mr. Kosenski are reviewing them but everyone agrees something has to be done at this intersection. He said he hopes everyone will agree on a plan and hopefully we could implement something at the next council meeting.

Councilman Curley said that most of the special events held in Red Bank use private sanitation companies to take away their garbage. He said he is also going to ask the Special Events Committee to tell the event organizers that they must supply their own garbage pick-up.

NEW BUSINESS

Mayor McKenna said when the river froze we had people call us up and complain because we put up snow fences around the horseshoe area in Marine Park. He said the ice was soft there and people kept falling in. He said there are plenty of other access points on other parts of the river. We were not prohibiting access to the river but knew the area was not safe for access and had to put a police officer at this area.

Councilwoman Thompson said we knew there was a problem there and try to be pro-active. She said we also called our insurance company and they said this was a problem so we put a police officer there to protect our residents.

Councilwoman Beck said it was hard to get on the ice and people were tramping through Riverside Gardens Park and it was not a very safe situation.

Councilwoman Thompson said we should direct people to a safe place to access the ice.

Mayor McKenna said there were a lot of people from out of town that did not know how to get on the river.

The governing body discussed various access areas to the ice.

Mr. Loversidge said that once we allow access to the ice we are saying it is safe and we would have to assume the liability.

AUDIENCE

EXECUTIVE SESSION

03-42 The Attorney read a resolution to adjourn to executive session to discuss personnel, litigation and potential litigation.

Mrs. Thompson offered a motion, seconded by Mr. Curley to adjourn to executive session to personnel, litigation and potential litigation. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Thompson, Curley

NAYS: None

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

ADJOURNMENT

Mr. Hintelmann offered a motion, seconded by Mr. Menna 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