

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 25, 2003
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: 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: Mayor McKenna, Council President Menna and Councilman Bifani

SUNSHINE STATEMENT

Councilman Hintelmann requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act) that 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.

SUSPEND REGULAR ORDER OF BUSINESS

Mrs. Thompson offered a motion to suspend the regular order of business, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

03-56 Councilman Hintelmann read “A RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1340-33-031-004”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

Mrs. Thompson offered a motion to resume the regular order of business, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

WORKSHOP

APPROVAL OF MINUTES – February 11, 2003

Ms. Beck offered a motion to approve the minutes, seconded by Mrs. Thompson.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck reported that the Code Enforcement Committee had met regarding the implementation of the rental registration ordinance and that they would be holding a second community meeting at St. Anthony's Church on March 22, 2003 at 7 p.m. She said this ordinance would be in the newsletter and that there would be an explanation of the ordinance.

COMMUNICATIONS AND PETITIONS

Councilman Hintelmann read a request for raffle licenses from St. Mary School PTA and The Company of Dance Arts.

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

Councilman Hintelmann read a request from RiverCenter to hold StreetLife series on May 31, July 5, 12, 19, 26, August 2, 9, 16, 23, 30 and September 7, 2003, pending approvals of Chief Clayton and the Special Events Committee.

Mrs. Thompson offered a motion to approve the request, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

ORDINANCES – First Reading

2003-06 Councilman Hintelmann read “AN ORDINANCE AMENDING CHAPTER XX “WATER AND SEWER”, SECTIONS 20-3 “WATER DEPARTMENT AND 20-4 “SEWER DEPARMENT” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK”.

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

Mr. Loversidge said in preparation of the 2003 municipal budget it was determined that the water and sewer utility fees must be raised to keep this utility self-liquidating. He said there were higher operating costs last year because of the drought and we had to pay New Jersey American Water Company more for the water that we must purchase from them. He said the rates have not been raised since 1991 and is proposing an increase of 10 percent commencing April 1, 2003. He said the impact on the average resident would \$53.00 a year.

Councilwoman Beck said that we all recognize in these difficult times locally and state wide that we must do more with less. She said we should look at the department and reexamine the budget because she cannot support an increase because \$50.00 is a lot to some people. She said there are other ways to save money and that we approved the new water meters and she thought this was going to generate revenue. She said she does not understand how one bad year could cause the increase and that we need to find another way to deal with the budget besides the increase.

Councilman Curley said the finance department is doing everything possible without raising the fee but this fee has not been raised since 1991 and this is a very small increase. He said we have to be responsible and maintain the infrastructure in this community.

Councilwoman Beck said we have to be responsible and not raise the fees in this town and to keep Red Bank affordable.

ROLL CALL:

AYES: Hintelmann, Thompson, Curley

NAYS: Beck

There being three ayes and one nay, the ordinance was declared adopted on first reading.

Public Hearing and final adoption scheduled for March 11, 2003.

2003-07 Councilman Hintelmann read “AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION”, ARTICLE IV “ADMINISTRATIVE OFFICES” OF THE REVISED GENERAL ORDINANCES”.

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

Councilwoman Beck said we have talked about this and with the proposed increases in the municipal budget we cannot afford to have an assistant administrator. She said Mr. Sickels holds two jobs and he should just focus on being Administrator. She said Mr. Sickels is a good Administrator and it is a nice idea but we cannot afford it right now.

ROLL CALL:

AYES: Hintelmann, Thompson, Curley

NAYS: Beck

There being three ayes and one nay, the ordinance was declared adopted on first reading.

Public Hearing and final adoption scheduled for March 11, 2003.

2003-08 Councilman Hintelmann read “AN ORDINANCE AMENDING CHAPTER XXIII “SPECIAL IMPROVEMENT DISTRICT” OF THE REVISED GENERAL ORDINANCES”.

Mr. O’Connor said that Mr. Menna has requested that the ordinance be tabled.

Ms. Beck offered a motion to table the ordinance, seconded by Mrs. Thompson.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

There being four ayes and no nays, the ordinance was declared tabled.

ORDINANCES – Public Hearing & Final Adoption

2003-02 Councilman Hintelmann read “AN ORDINANCE AMENDING CHAPTER VI “TRAFFIC” OF THE REVISED GENERAL ORDINANCES REGARDING DESIGNATION OF SNOW EMERGENCY NO PARKING ZONES”.

Councilman Hintelmann asked if anyone would like to speak, no one appearing he closed the public hearing.

Ms. Beck offered a motion to close the public hearing, seconded by Mrs. Thompson.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

2003-04 Councilman Hintelmann read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2003 ROAD IMPROVEMENTS BY AND IN THE BOROUGH OF RED BANK; APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”.

Councilman Hintelmann 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 Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

2003-05 Councilman Hintelmann read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2003 CAPITAL IMPROVEMENTS BY THE WATER/SEWER UTILITY, IN, OF AND BY THE BOROUGH OF RED BANK; APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$199,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”.

Councilman Hintelmann asked if anyone would like to speak, no one appearing he closed the public hearing.

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

RESOLUTIONS

03-57 Councilman Hintelmann read “A RESOLUTION AUTHORIZING TRANSFER OF FUNDS”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

03-58 Councilman Hintelmann read “A RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE FOR PROPERTY COMMONLY KNOWN AS 55 N. BRIDGE AVENUE, BLOCK 4.01, LOT 5”.

Mrs. Thompson offered a motion to approve the resolution, seconded by Ms. Beck.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

PROCLAMATION

PAYMENT OF VOUCHERS

03-59 Councilman Hintelmann read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$791,818.19”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

OLD BUSINESS

Councilwoman Beck said the Red Bank Volunteer Fire Department would like to ask the residents for help with digging out fire hydrants after snowstorms. She said department does the best they can but can always use assistance.

NEW BUSINESS

Councilman Hintelmann said that we had a terrible snowstorm last week and that it was the fourth largest storm in the history of New Jersey. He said our public works department did a fantastic job because it is not easy to plow 20 inches of snow. He said he would like to commend the entire department.

Mr. Sickels said he appreciates the comments on behalf of the Public Works employees and said the employees worked around the clock. He said he would like to remind everyone that there is an ordinance that prohibits parking from 2 a.m. to 6 a.m. from December 1 through April 1. He said it is almost impossible to plow the streets with cars parked on them and the police department does its best to inform the residents about this regulation but it would really help if the residents complied with the ordinance.

Councilman Hintelmann said that he lives on Elm Place and he does not have a driveway but finds a place to park during snowstorms. He said residents could park in the municipal parking lots once they are cleared and asked for the public's cooperation.

AUDIENCE

Gene Goellner - Linden Place – said that he would like ordinance #2002-27 that was adopted on December 10, 2002 revoked at the next Council Meeting because he feels the public's basic rights are violated.

Jim Harris – Mechanic Street – commended public works department for clearing the snow and said people that do not clear their sidewalks should be issued a summons.

Councilwoman Beck said she has talked to the Code Enforcement Department and they are bringing this to everyone's attention.

Mr. Sickels said they are going door-to-door giving notice and would be issuing summonses today.

Val DeFazio - 56 Tower Hill Avenue – asked about the status of the amendments to the garbage ordinance.

Mr. O'Connor said the ordinance was drafted and submitted to the governing body and Councilman Bifani had some questions and the ordinance was tabled. He said it should be introduced at the next Council Meeting.

Councilwoman Beck said the amendment would allow the placement of leaves in the streets by contractors.

Mr. DeFazio said that in most municipalities the fire hydrants are marked by flags.

Mr. Sickels said we are in the process of doing this.

Mr. DeFazio said we should enforce the ordinance prohibiting parking in the street during snowstorms.

EXECUTIVE SESSION

03-60 The Attorney read a resolution to adjourn to executive session to discuss pending and potential litigation.

Mr. Curley offered a motion, seconded by Ms. Beck to adjourn to executive session to pending and potential litigation. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

ADJOURNMENT

Ms. Beck offered a motion, seconded by Mr. Curley to adjourn the meeting.

ROLL CALL:

AYES: Beck, Hintelmann, Thompson, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona