

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MAY 28, 2002
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor McKenna and Council Members Beck, Menna, Thompson, Polonsky.

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

ABSENT: Councilman Hintelmann and Bifani.

SUNSHINE STATEMENT

SUSPEND REGULAR ORDER OF BUSINESS

Mr. Menna offered a motion to suspend regular order of business, seconded by Mr. Polonsky.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

Absent: Hintelmann, Bifani

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

Public Hearing 2002 Budget Amendment

Mr. Loversidge said there are several items that have changed since we introduced the budget. He said we have received additional grants and have to increase the down payment for the proposed road improvements.

Mayor McKenna opened the public hearing, no one appearing he closed the public hearing.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

Absent: Hintelmann, Bifani

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

02-126 Mayor McKenna read “A RESOLUTION ADOPTING BUDGET AMENDMENT”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

Absent: Hintelmann, Bifani

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

RESUME REGULAR ORDER OF BUSINESS

Mr. Polonsky offered a motion to resume regular order of business, seconded by Mr. Menna.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

Absent: Hintelmann, Bifani

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

WORKSHOP

Sidewalk Cafes

Mr. Sickles said that there are two applications for sidewalk cafes that were not on the agenda and Inspector Welsh is here this evening to answer any questions that anyone might have on these applications.

Inspector Welsh explained the applications of LaPastoria Restaurant and Mulberry Street.

Mr. Sickles said that our new procedures this year for monitoring sidewalk cafes have been very successful and there have been no violations regarding the cafes.

The governing body agreed to add a resolution to approve these two sidewalk cafes.

MAYORAL APPOINTMENTS

Mayor McKenna appointed Susana G. Baumann as Alternate Member to the Human Relations Advisory Committee.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck reported that the Health Department is in constant dialog with the Monmouth County Health Department regarding bio-terrorism.

Councilman Menna reported that he has received a letter from Human Relations Advisory Committee Chairperson, John Simmons, stating that the committee believes that borough employees should be offered Spanish lessons. He said lessons would be available in this building to the employees and this is highly recommended by the Human Relations Advisory Committee.

Councilwoman Thompson reported that she would like the Police Department to also take Spanish lessons.

Councilman Menna said there has been a donation of a boat by a resident to be used by the scuba team.

Councilman Beck asked if there were any maintenance cost involved with this boat.

Councilman Menna said the scuba team has always had a boat and the members maintain the boat. He said there is a minor contribution from the borough, but the scuba does the day to day maintenance.

Councilman Polonsky reported that we would not be able to adopt the budget until we hear from the state on discretionary aid. If we don't adopt the budget by the next council meeting it will be very difficult to get the tax bills out in a timely manner.

Mayor McKenna said he would contact the state and try to find out if we would be receiving any discretionary aid.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request for raffle licenses from Brookdale Community College and Episcopal Church Women of St. Thomas.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from the Red Bank Alliance to Prevent Alcoholism and Drug Abuse to hold First Night Red Bank, closing Broad Street from Monmouth Street to Front Street on December 31, from 7:00 p.m. to 1:00 a.m., pending approval of the Special Events Committee.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from Charles Reid to join Liberty Hose.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from the Monmouth Rugby Football Club to use Count Basie Field on Tuesday June 4, 2002 from 6:30 p.m. to 9:30 p.m., pending approval of the Special Events Committee.

Councilwoman Thompson said that this event was not discussed amongst the members of the Special Events Committee.

Mr. Sickels said that we could have a special meeting on Friday.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from the Red Bank Crop Walk to hold annual 22nd. CROP WALK for the hungry on October 20, 2002, pending approval of the Special Events Committee.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from Ambiance Antiques and Furnishings to place a tent in their driveway from June 26, 2002 to Monday July 1, 2002 for special sale, pending approval of the construction official.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

ORDINANCES – First Reading

**2002-13 Mayor McKenna read “AN ORDINANCE TO AUTHORIZE A PRIVATE
 SALE OF PROPERTY OWNED BY THE BOROUGH OF RED BANK
 PURSUANT TO N.J.S.A. 40A:12-13”.**

Public hearing and final adoption scheduled for June 11, 2002.

Mr. Polonsky offered a motion to adopt the ordinance on first reading, seconded by Mr. Menna.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

2002-14 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER 2 OF OF THE BOROUGH OF RED BANK GENERAL ORDINANCES”.

Public hearing and final adoption scheduled for June 11, 2002.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

ORDINANCES – Public Hearing & Final Adoption

2002-8 Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2002 ROAD IMPROVEMENTS BY AND IN THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE ‘BOROUGH’); APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”.

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

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

2002-9

Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2002 CAPITAL IMPROVEMENTS BY THE WATER/SEWER UTILITY, IN, OF AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OR NOTES TO FINANCE THE COST THEREOF”.

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

Councilwoman Beck said she is supporting the ordinance and asked if there was a comprehensive plan for our entire infrastructure.

Mayor McKenna said we have been discussing this and try to do a little each year. He said when we get involved with the road program we look at the infrastructure and have plans for replacement. He said he would ask Mr. Kosenski for a report.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

There being four 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. Polonsky.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

2002-10

Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE PARKING UTILITY, IN, OF AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$120,000 BONDS OR NOTES TO FINANCE THE COST THEREOF”.

Mayor McKenna opened the public hearing and 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. Menna.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

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 Mr. Polonsky.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

2002-11 Mayor McKenna read “AN ORDINANCE AMENDING AND REVISING THE GENERAL ORDINANCES OF THE BOROUGH BY ADDING A NEW SECTION 19-13 “COLLECTION OF SOLID WASTE AT RETAIL FOOD ESTABLISHMENTS” TO CHAPTER XIX “STREETS, SIDEWALKS AND SANITATION”.

Mayor McKenna opened the public hearing.

Victor Rallo – 183 Riverside Ave – asked why food service establishments are being singled out.

Mayor McKenna said that food establishments are the most costly portions of our tipping fees. He said the service received by food establishments is unequal. He said tipping fees are going up 25 to 30% and these tipping fees are a tremendous cost to the borough. He said we are not picking on anyone, but most towns do not offer pick up to commercial establishments.

Victor Rallo said that as long as everyone was being treated equal he would understand.

Drew Horgan – 146 Branch Ave – asked what would happen to the employees that work in the Sanitation Division. He suggested the manpower could be distributed to other departments that have shortages.

Mayor McKenna said there are numerous vacancies in the Sanitation Department from people who have quit or employees that are out from on the job injuries.

Ben Forrester – 16 Locust Ave – asked how much the borough would save by implementing this ordinance.

Mayor McKenna said the estimate for this year would be \$150,000 to \$200,000 and next year it would be \$300,000 to \$400,000.

Ben Forrester congratulated the governing body for implementing this ordinance

Chris Cole – 1 Fischer Place – said the Executive Committee of RiverCenter is meeting with the restaurants to try to come up with a plan to have private collection in an orderly fashion. He said this information will also be published in the Street Beat this week.

Councilwoman Beck said that when we first considered privatizing restaurants she thought there was a legal issue. She said there is a lot of potential for confusion and a lot of issues involved in changing the way garbage is picked up.

Mr. O’Connor said that in his opinion we could eliminate food establishments from borough garbage pick up and that most municipalities do not provide this type of service.

Mayor McKenna 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. Polonsky.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Menna, Thompson, Polonsky

Nays: Beck

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

2002-12 Mayor McKenna “AN ORDINANCE AMENDING ORDINANCE #2002-3 ENTITLED “ORDINANCE AMENDING SECTION 19-10 “COLLECTION-GARBAGE, ASHES, ETC.,” OF CHAPTER XIX “STREETS, SIDEWALKS AND SANTIATION” 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.

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

ROLL CALL:

Ayes: Menna, Thompson, Polonsky

Nays: Beck

There being three ayes and one nay, the public hearing was declared closed.

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

ROLL CALL:

Ayes: Menna, Thompson, Polonsky

Nays: Beck

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

RESOLUTIONS

02-114 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #02-4 SUPPLY AND DELIVERY OF HYDRATED LIME”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-115 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #02-4 SUPPLY AND DELIVERY OF LIQUID CHLORINE”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-116 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #02-4 SUPPLY AND DELIVERY OF ALUMINUM SULPHATE”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-117 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #02-5 POLICE DEPARTMENT EMPLOYEE UNIFORMS”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-118 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT #02-8 SOCCER UNIFORMS AND EQUIPMENT”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-119 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTING MAINTENANCE GUARANTEE FOR PROPERTY COMMONLY KNOWN AS 109 SHREWSBURY AVENUE, BLOCK 64, LOT 2”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-120 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT

#02-6 SUMMER FOOD SERVICE LUNCH PROGRAM".

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-121 Mayor McKenna read "A RESOLUTION AWARDING CONTRACT FOR THE SEWER CLEANING AND TELEVISION INSPECTION FORCE ACCOUNT PROJECT TO LOWEST RESPONSIBLE BIDDER".

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-122 Mayor McKenna read "A RESOLUTION AUTHORIZING LEASE OF A 1968 25' ALLMAN OPEN FIBERGLASS BOAT FOR UTILIZATION BY THE RED BANK FIRE DEPARTMENT".

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-123 Mayor McKenna read " A RESOLUTION ESTABLISHING DEDICATION (S) BY RIDER FOR VARIOUS PURPOSES".

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-124 Mayor McKenna read "A RESOLUTION HONORING LT. COL. STEPHEN WOOD".

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

02-125 Mayor McKenna read “A RESOLUTION AUTHORIZING APPROVAL OF SIDEWALK CAFES FOR LA PASTARIA RESTAURANT AND MULBERRY STREET RESTAURANT”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

PROCLAMATION

PAYMENT OF VOUCHERS

02-128 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$435,793.41”.

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

John Curly – 170 Manor Dr – thanked the governing body for appointing Susana G. Baumann to the Human Relations Advisory Committee. He said this committee has been working with the Hispanic community and thanked John Burton from the Hub for writing an article about this.

Joellen Lundy gave an update on the 2002 grant received by the Environmental Commission.

David Prown – HillTop Terrace – said the fees regarding programs offered by the Parks and Recreation Department should be reviewed, because there are a lot of inequalities.

Councilwoman Thompson said she would like to see the Parks and Recreation Management address the Mayor and Council to make public what it is doing. She thanked Mr. Prown for his support.

Mr. Prown said that we do not have soccer fields and asked if there could be another field at Count Basie Field and if the lights could be used for playing soccer games.

Mr. Sickles said he would look into this matter.

**02-127 The Attorney read a resolution to adjourn to executive session
 to discuss contract negotiations and personnel.**

Mr. Menna offered a motion seconded by Ms. Beck to adjourn to executive session to contract negotiations and personnel. Minutes to be made public in 180 days.

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

ADJOURNMENT

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

ROLL CALL:

Ayes: Beck, Menna, Thompson, Polonsky

Nays: None

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

Respectfully submitted,

Carol A. Vivona