

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JULY 9, 2002
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

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

ABSENT: Councilman Polonsky.
Councilman Menna left at 7:00 P.M.

SUNSHINE STATEMENT

SUSPEND REGULAR ORDER OF BUSINESS

RESUME REGULAR ORDER OF BUSINESS

WORKSHOP

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Menna reported that the a Community Blood Drive would be held at the First Aid Building located at 151 Spring Street on July 17, 2002 from 6 p.m. to 9 p.m. He said there is a critical need for blood and encouraged donations.

Councilman Bifani reported that the Operation Clean Shores Program was in the Borough of Red Bank and they collected two 30-yard dumpsters filled with debri at the grounds of the Red Bank Primary School.

Mayor McKenna congratulated the Fireworks on the Navesink Committee for the wonderful job that they did and noted that they are still in need of donations. He also reported that he has received a call from Susan Bass Levin, the Commissioner of the Department of Community Affairs, informing us that we would be receiving \$50,000 in Extraordinary Aid. She said that the state is giving us the money because they know that it will be well spent in Red Bank.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request for raffle license from Episcopal Church Women of St. Thomas

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read requests from Richard Hardy and Ricky Jamison to join Westside Hose Company.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read a request from Red Bank Pop Warner football program to use Count Basie Field for the Clyde Beatty Cole Brothers Circus on August 12 and 13, 2002, pending approval of the Special Events Committee.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read a request from St. Anthony's Church to close Herbert Street from Bridge Avenue East for a family block party on July 14, 2002, from 12 Noon to 6 P.M.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read a request from the Ladies Auxiliary Red Bank Elks #233 to use the Senior Bus for transportation to the Count Basie Theatre on July 21, 2002 from the Lodge at approximately 2:30 and 5:30 P.M., pending approval of the Borough Administrator.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read a request from Shrewsbury Avenue A.M.E. Zion Church to close Drs. James Parker Blvd. between Shrewsbury Avenue and Bridge Avenue on August 24, 2002, from 12 Noon to 7P.M. for a Block Party.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Mayor McKenna read a request from RiverCenter to hold a Street Life event on Broad Street from 12 Noon until 3 P.M. in conjunction with the approved Sidewalk Sale, pending approval of locations by Chief Clayton.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

ORDINANCES – First Reading

**2002-18 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VII
“TRAFFIC” PROHIBITING PARKING ON A PORTION OF WHARF
AVENUE NEAR ITS INTERSECTION WITH UNION STREET”.**

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

Councilman Menna asked why we are prohibiting parking on Wharf Avenue.

Mr. Sickels said that as part of the renovations to the hospital they are relocating the emergency room to a temporary location off Wharf Avenue. He said we will be losing four parking spaces but the hospital will give us four parking spaces in the Globe Court Garage for public parking.

Councilman Menna said that we should revisit the locations of our existing loading zones because some are located in places that are no longer being used.

Mr. Sickels said that he would ask Captain VanPelt to look into this matter.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Public Hearing and final adoption scheduled for July 23, 2002.

**2002-19 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VIII
“PARKING LOTS AND HANDICAPPED PARKING SPACES”
SUBSECTION 8-2.3 “RESTRICTED PARKING” OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED
BANK”.**

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

Councilwomen Beck said that we have implement several handicapped parking spaces for individuals of various borough streets and asked if the family moved if the space go back to a regular space.

Mayor McKenna said that it would.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

Public Hearing and final adoption scheduled for July 23, 2002.

ORDINANCES – Public Hearing & Final Adoption

2002-16 Mayor McKenna read “AN ORDINANCE AMENDING ORDINANCE NO. 2002-16 FIXING COMPENSATION OF CERTAIN OFFICES, POSITIONS AND EMPLOYEES OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY FOR THE YEAR 2002”.

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, Bifani

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

Nays: None

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

2002-17 Mayor McKenna read “AN ORDINANCE AMENDING AND SUPPLEMENTING THE PLANNING AND DEVELOPMENT REGULATIONS REGARDING PERMITTED SIGNS”.

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

Albert Larotunda-242 Spring Street-criticized the size of the signs and asked why we were requiring name, address, and phone numbers and said that he believes if the sign is on his private property that the ordinance is unenforceable. He said he believes that the borough should not dictate the length of time a sign could be left up and it should be up to the person that owns the property and at their discretion.

Councilman Menna said that he appreciated Mr. Larotunda’s comments and said that the standards in this ordinance have been upheld in court.

Councilwoman Beck said that Mr. Larontunda raised a lot of good issues

Councilman Bifani said that the borough needs the person responsible for getting the signs off the property.

Mayor McKenna said the property owners need to designate someone who is responsible for removing the signs.

Councilwomen Beck said that Mr. Larontunda's situation is unique and not the normal type of political signs that are placed all over the place.

Councilman Menna said the ordinance is directed at political signs and they shall be removed in fourteen days. He said this ordinance is not being done to affect a person's freedom of expression. He said this does not go against the first amendment but to take the signs down that apply to political elections.

Mayor McKenna said that he believes there should be some time frame period issued.

Councilwoman Beck asked Mr. O'Connor if this ordinance applies to private property.

Mr. O'Connor said that this ordinance was upheld in court and the size of fourteen to sixteen square feet for a sign in municipalities like Red Bank with small lots and a lot of homes were upheld. He said the borough could change the requirements for the name of person and the address but the size of the sign and the removal in fourteen days is reasonable standard.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Thompson, Bifani

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, Bifani

Nays: None

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

RESOLUTIONS

02-153 Mayor McKenna read "A RESOLUTION AUTHORIZING PARTICIPATION IN THE 2003 GRANT APPLICATION FOR THE GREATER RED BANK DRUG ALLIANCE".

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-154 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE FOR RED BANK INVESTMENT COMPANY REGARDING BLOCK 30, LOTS 4,5 AND PART OF 9.01; 85 WEST FRONT STREET RED BANK, NEW JERSEY”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-155 Mayor McKenna read “A RESOLUTION APPOINTING ARTSMARKET TO PERFORM A COMMUNITY-WIDE CULTURAL ASSESSMENT AND PLANNING STUDY”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-156 Mayor McKenna read “A RESOLUTION OF MUNICIPAL COUNCIL CONCERNING AUDIT REPORT FOR YEAR 2001”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-157 Mayor McKenna read “A RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$5,481,000 IN PRINCIPAL AMOUNT”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-158 Mayor McKenna read “A RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER/SEWER UTILITY BONDS OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$1,200,000 IN PRINCIPAL AMOUNT”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-159 Mayor McKenna read “A RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF PARKING UTILITY BONDS OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$535,000 IN PRINCIPAL AMOUNT”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-160 Mayor McKenna read “A RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$7,216,000 GENERAL OBLIGATION BONDS SERIES 2002, \$1,200,000 WATER/SEWER UTILITY BONDS, SERIES 2002, AND \$535,000 PARKING UTILITY BONDS, SERIES 2002, OF THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND PROVIDING FOR THEIR SALE”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-161 Mayor McKenna read “A RESOLUTION AUTHORIZING CONVEYANCE OF BOROUGH-OWNED PROPERTY DESIGNATED AS THE FRONT HALF OF LOT 3, BLOCK 70”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-162 Mayor McKenna read “A RESOLUTION AUTHORIZING CONVEYANCE OF BOROUGH-OWNED PROPERTY DESIGNATED AS THE REAR HALF OF LOT 3, BLOCK 79”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-163 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK MONMOUTH COUNTY MODIFYING CONTRACT WITH NEW JERSEY TRANSIT REGARDING IMPROVEMENTS IN AND AROUND THE RED BANK TRAIN STATION”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

02-164 Mayor McKenna read “ A RESOLUTION AUTHORIZING AGREEMENT AND SETTLEMENT OF TAX APPEALS”.

Ms. Beck offered a motion to table the resolution and carry it to the meeting of July 23, 2002, seconded by Mrs. Thompson.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

PROCLAMATION

PAYMENT OF VOUCHERS

02-165 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,043,474.67”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

OLD BUSINESS

NEW BUSINESS

Councilwomen Beck asked if the Municipal Council Meetings could be held at a later time in the day and said that we had talked about having some meetings in other locations.

Mayor McKenna said that we have the best attendance when we hold the meetings at 5:30 p.m. and that he would talk to Mrs. Terry about holding a council meeting at the Red Bank Senior Center.

Councilwoman Thompson suggested a Saturday Town Meeting to allow people who could not attend the meetings during the week the opportunity to come to one.

Councilwoman Beck said that people that commute cannot be here at 5 p.m. or 5:30 p.m.

Mayor McKenna said that most people say that 7:30 or 8:00 p.m. is too late to come out.

Councilwoman Beck asks about the possibility of alternating some meetings from 5:30 to 7:30 p.m.

The governing discussed various options and different times for council meetings and said that they would ask their constituents what they thought about this idea.

AUDIENCE

Debra Hemschoot-4 Mayfair Court, Little Silver, New Jersey-read a letter stating her dissatisfaction with the borough memorializing the two Red Bank residents that were killed in the attack on the World Trade Center namely her husband Mark F. Hemschoot and Brendan Lang. She said she feels very hurt and her family and her husband's family have all worked and volunteered and lived in Red Bank for many years. She said the remembrance wall at Riverside Gardens Park has very appropriate and respectful but she believes that these two borough residents should have been formally recognized.

Mayor McKenna said that he has had numerous conversations with Mrs. Hemschoot and that he had advised her that we are working on a permanent memorial and hoped to have it in place sometime around September 11, 2002. He said Red Bank has shown more sensitivity than most other municipalities by allowing residents and family members of people who were killed at the World Trade Center attack to bring things of remembrance and place them at the park for almost a year now. He said that this has been a very difficult issue because he also has a responsibility to the entire community and there are many individuals that suggested they do not want Riverside Garden Park to become a memorial park. He asked Mr. Sickels and Mr. Kosenski to give an update on this matter and said that we recognize your family presence in this borough and appreciate all that they have done.

Mr. Sickels said there have been numerous discussions regarding the permanent memorial and it was always agreed upon that the borough residents would be recognized. He also said that he has been meeting with the borough engineer regarding the permanent memorial.

Mr. Kosenski said that he has been meeting with Mr. Sickels regarding the permanent memorial at Riverside Garden Park and has received numerous quotes from bronze plaque makers and has been looking for stone for each individual to placed in front of the silverbell trees located in Riverside Garden Park that were planted there in their memory.

Mr. Sickels said that he has sketches and has asked the borough engineer to come up with some more professional drawings.

Mrs. Hemschoot said that she did not know that all this was going on.

Mayor McKenna said that newspapers call him everyday and want to know what is going on with the permanent memorial and he said he did not contact Mrs. Hemschoot recently because he was waiting for information from Mr. Kosenski.

Councilwoman Beck said that she wanted to apologize to Mrs. Hemschoot and that the governing body has been talking about this during the last several meetings. She said that they are focused on this matter and is sorry that Mrs. Hemschoot feels that she was not more involved in the process.

Mr. Sickels said that he would be in contact with Mr. Hemschoot in the next few days.

Mayor McKenna thanked Mrs. Hemschoot for attending the meeting.

Kay Gillardy-31 Foxhill Drive, Little Silver-asked if there was a process to appeal the new garbage ordinance especially the part that deals with the non-profit organizations not being exempt and having to pay for private collection.

Mayor McKenna said that he had talked to Mabel Kirsten regarding this matter and advised her what to do.

Joyce Calabro-38 North Prospect Avenue-said that she noticed some new pedestrian crossing cones and asked if the borough could get more of those. She also asked if the audit report is available.

Mayor McKenna told Mrs. Calabro to go the Borough Clerk's office and she would give her a copy of the audit report. He said that in regards to the pedestrian crossing cones that we are trying to crack down on speeders on Broad Street and hope to have better police enforcement in that area.

Councilwoman Thompson said that she has noticed people are being much more polite to people that are crossing Broad Street.

Albert Larotundo-242 Spring Street-commented on the lack of a town web site and said that this type of technology should be used. He also commented on the young people hanging out in front of the Broadway Diner and being chased away by police. He also wanted to know the current status on the YMCA skateboard park.

Mayor McKenna said that we are currently working on a town web site and the borough does not have a policy of chasing teenagers away that are congregating in front of buildings. He said the property owners usually call the police and complain about this. He asked Mr. Kosenski for an update on the YMCA skateboard park.

Mr. Kosenski said that the YMCA has received approval to construct this park.

Councilwoman Beck said that YMCA hopes to have this done by the end of August because they are receiving a lot of pressure from their memberships to have this project completed.

Mr. Larotundo said that it is not fair that you have to be a member of the YMCA to use the facility.

Councilwoman Beck suggested that Mr. Larotundo call Bob Chen to ask him about this matter.

Mr. Larotundo asked why skateboarding is prohibited in the parks.

Councilman Menna said there has been extensive damage done to private and public property by users of skateboards.

Chris Cole-1 Fisher Place-said he wanted to thank Mr. O'Connor for meeting with him and giving him an update on the garbage ordinance. He said he has met with several borough officials and walked around Broad Street to try and come up with ideas to keep the garbage off the streets.

Councilwoman Beck asked about the status of the Leighton Avenue traffic calming study. She said we had a presentation by Gail O'Reilly but wanted to know the status of this work.

Mr. Kosenski said that two applications were to be submitted to the state for grants and they were not successful. He said we should reapply this year.

EXECUTIVE SESSION

02-166 The Attorney read a resolution to adjourn to executive session to discuss contract negotiations and personnel.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

Ms. Beck offered a motion, seconded by Mrs. Thompson to adjourn from executive session.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

ADJOURNMENT

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson

Nays: None

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

Respectfully submitted,

Carol a. Vivona