

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
AUGUST 13, 2002
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council Members Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

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

ABSENT: Mayor McKenna
Mayor McKenna arrived at 5:40 p.m.

SUNSHINE STATEMENT

WORKSHOP

Storm Damage

Mr. Sickels reported that he is working on a preliminary report regarding the expense the Borough of Red Bank incurred during the recent storm. He said that we might be eligible for Federal Funding and that the Public Works Department is still working on picking up all the debri and branches throughout the town.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck reported that the Environmental Commission held its second clean up day at the Locust Avenue nature area and that the grounds are looking great. She said they hope to have at least one more day of clean up.

COMMUNICATIONS AND PETITIONS

Council President Polonsky read a request from Red Bank Charter School to use the Eastside Park on August 26, 2002, from 5p.m. to 7 p.m. for a welcome picnic.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

Council President Polonsky read a request from Calvary Baptist Church to place a tent in their rear parking lot on August 28, through August 30, 2002, for services on those nights from 7:00 p.m. to 9:00 p.m.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

Council President Polonsky read a request from St. James Church to hold a silent procession starting at approximately 8:30 p.m. at the church and ending at Riverside Gardens Park with a silent prayer on September 11, 2002.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

ORDINANCES – First Reading

2002-23 Council President Polonsky read “AN ORDINANCE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY OWNED BY THE BOROUGH OF RED BANK PURSUANT TO N.J.S.A. 40A: 12-13

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

Public Hearing and final adoption scheduled for August 27, 2002.

2002-24 Council President Polonsky read “AN ORDINANCE REQUIRING THE REGISTRATION AND LICENSING OF ALL RENTAL PROPERTY WITHIN THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY”.

Councilwoman Beck said that she would like to table the ordinance.

Councilwoman Thompson asked why.

Councilwoman Beck said that the wrong copy was distributed in the packets on Friday and she would like the ordinance tabled until the next meeting.

Ms. Beck offered a motion to table the ordinance and carry it to the meeting of August 27, 2002, seconded by Mr. Hintelmann.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

ORDINANCES – Public Hearing & Final Adoption

- 2002-20 Council President Polonsky read “AN ORDINANCE AMENDING CHAPTER VII “TRAFFIC” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK”.**

Council President Polonsky 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 Ms. Beck.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Polonsky

Nays: Menna, Thompson

There being four ayes and two nays, the ordinance was declared adopted on final reading.

- 2002-21 Council President Polonsky read “AN ORDINANCE AMENDING CHAPTER XI BUILDING AND HOUSING, SECTION 11-1.3(F) STATE UNIFORM CONSTRUCTION CODE”.**

Council President Polonsky 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, Bifani, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

- 2002-22 Council President Polonsky read “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF RED BANK BY REPLACING SECTION 2-67 IN ITS ENTIRETY”.**

Council President Polonsky 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, Bifani, Thompson, Polonsky

Nays: None

There being six 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. Bifani.

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

RESOLUTIONS

- 02-179 Council President Polonsky read “A RESOLUTION REGARDING THE BOROUGH OF RED BANK REPORT OF AUDIT FOR THE YEAR ENDED DECEMBER 31, 2001.”**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

- 02-180 Council President Polonsky read “A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 33, LOT 1.02, AND COMMONLY KNOWN AS 27 WEST STREET, RED BANK, MONMOUTH COUNTY”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

- 02-181 Council President Polonsky read “A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING BLOCK 33, LOT 1.02, AND COMMONLY KNOWN AS 27 WEST STREET, RED BANK, MONMOUTH COUNTY”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

- 02-182 Council President Polonsky read “A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING TERMINATION OR CANCELLATION OF TAX SALE CERTIFICATE NO. 69-43”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

- 02-184 Council President Polonsky read “A RESOLUTION OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY REGARDING CONTRACT FOR 2002-2003 PARK MAINTENANCE”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

PROCLAMATION

PAYMENT OF VOUCHERS

- 02-185 Council President Polonsky read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$17,602,735.97”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

Mayor McKenna arrived at 5:40 p.m.

OLD BUSINESS

Councilwoman Beck said that sometime in July we gave notice that we would be removing the items left at the impromptu memorial at Riverside Garden Park by August 15, 2002. She suggested that we leave the items there until after the 1st anniversary.

Councilmen Bifani, Polonsky, and Menna said that they have not received any correspondence or heard from any residents asking that the items be left there any longer and they all agreed that we should move forward and remove the items.

Councilwoman Beck said that she believes the items should left there until after the 1st anniversary because a lot of people will be going there on September 11 and the first year is always the hardest.

Councilwoman Thompson said that a lot of the items there are not even recognizable and the two families we are dealing with from Red Bank feel that it is time to move forward and remove the impromptu memorial.

Mayor McKenna said that he has been in discussion with the two families from Red Bank more so that any other council members and they are in agreement that it is time to move on. He said that we have a responsibility to the residents of Red Bank to clean up the park and said that we will be notifying the families that the items that they want should be removed from the park by the end of August.

NEW BUSINESS

Mr. Sickels reported that borough memorial service would be held on September 22, 2002 at Riverside Garden Park. He said this is the same day we held the service last year.

AUDIENCE

Josephine Menna-27 Garfield Place-said that a tree fell in the road in front of her house and it took the electric company four days to remove it. She did not have electricity for four days and felt that the communications between the borough and the utility companies was not very good.

Mayor McKenna said there were numerous problems all over the town because of the extensive damage. He said some of the problems were because the crews were not only from New Jersey but other parts of the country and there were problems with JCP&L and Verizon that had to be worked out.

Councilman Bifani said that because of Mrs. Menna's problem that we would pave Garfield Place this year.

Mark Molson-43 Leroy Place-said that the New Jersey Transit buses travel at very high speeds throughout the town.

Mayor McKenna said he would contact Chief Clayton regarding this matter.

Mary Frank-East Front Street-asked if we are going to commemorate the impromptu memorial that was placed at Riverside Garden Park.

Mr. Sickels said that we would be placing a permanent memorial in the park for the two residents that died from Red Bank but that it would be redundant to place a permanent memorial in the park for all the residents in this area because most municipalities are planning permanent memorials for their residents. He said in speaking to Debbie Hemschoot that a lot of people went to Riverside Garden Park because there was no other place for people to go but now that the permanent memorials are being placed in other municipalities for their residents we feel that this is no longer needed.

Ms. Frank believes there should be permanent memorial at this sight commemorating the event because it became a communal gathering place and hopes that this idea is not totally ruled out.

Councilwoman Beck thought there was going to be a bronze plaque placed at the sight.

Mr. Sickels said that the plans have not been finalized.

Councilman Polonsky asked Ms. Frank if she had any designs or suggestions.

Ms. Frank said she would like to see a plaque stating that it was a central gathering point for a year she said she feels it was a unique situation and that it should be commemorated because Red Bank has become a regional area.

After a general discussion the governing body thanked Ms. Frank for her comments and said that we have not made any final decisions on this and would discuss this further at another meeting.

EXECUTIVE SESSION

02-186 The Attorney read a resolution to adjourn to executive session to discuss pending and potential litigation.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Hintelmann, Menna, Bifani, Thompson, Polonsky

Nays: None

There being six 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, Bifani, Thompson, Polonsky

Nays: None

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

Respectfully submitted,

Carol A. Vivona