

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
SEPTEMBER 10, 2002
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

WORKSHOP

World Trade Center Memorial

Mr. Sickels said he has met several times with Mrs. Hemschoot, Mrs. Lang and George Whelan regarding the permanent memorial at Riverside Gardens Park. He presented a computer-generated picture of what the memorial would look like. He said there would be a large granite stone in between the two trees planted in memory of the Red Bank residents with a bronze plaque that read “ IN MEMORY OF OUR RED BANK RESIDENTS AND ALL THOSE WHO DIED IN THE ATTACK ON THE WORLD TRADE CENTER IN NEW YORK CITY SEPTEMBER 11, 2001”. In front of the each tree would be a bronze plaque for Mark F. Hemschoot and Brandan Lang with their ages, date of death and 2–WTC. He said Mrs. Hemschoot and Mrs. Lang like the choice and felt that it fit in with the natural beauty of the park. He said the estimated cost would be \$10,000 and we would try to raise this through community donations.

The governing body all agreed that it was a nice design and authorized the Borough Administrator to move forward with the project.

DPW Facility Improvements

Mr. Kosenski said that he had met with Mr. Sickels, the Public Works committee and the Public Works supervisors regarding the temporary office facility. He said the office space would be 2400 square feet and the locker facility would be 900 square feet. He said he would like authorization to go out to bid. He estimated the temporary facility would cost approximately \$3,500 per month. He said he would also like authorization for demolition of the existing facility.

Councilwoman Beck asked how long the temporary office and locker room facilities would have to be rented for.

Mr. Kosenski said one to two years.

Mr. Sickels said that if the governing body were in agreement we would have to adopt a resolution for Mr. Kosenski to advertise for bids.

The governing body agreed to add a resolution to the agenda.

MAYORAL APPOINTMENT

Mayor McKenna appointed Wanda Holmes and Anthony Flego to the Parks & Recreation Committee.

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

ROLL CALL:

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

Nays: None

There being six ayes and no nays, the appointments were declared approved.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Bifani reported that Phase III of Shrewsbury Avenue Streetscape would start soon and this would include Shrewsbury Avenue south of Drs. James Parker Blvd. He also reported that the NPP Program would be holding classes on how individuals could fix their credit as well as the home maintenance program.

Mayor McKenna said it is very important for individuals to improve their credit because they can receive much lower interest rates.

Councilwoman Beck asked if we have any information on the COAH agreement with Middletown .

Councilman Bifani said Mr. Gurzo was going to do a report.

Councilwoman Beck said the Code Enforcement committee had met regarding inoperative vehicles and also about the rental registration ordinance.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from the Red Bank Fire Department to hold Fire Prevention Expo in the eastside of the White Street parking lot on October 6, 2002, from 11 a.m. to 3 p.m.. with a rain date of October 13, 2002, approved by RiverCenter.

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 were declared approved.

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

2002-24 Mayor McKenna read “AN ORDINANCE REQUIRING THE REGISTRATION OF ALL RENTAL PROPERTY WITHIN THE BOROUGH OF RED BANK, MONMOUTH COUNTY, NEW JERSEY”.

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

Chris Cole – 1 Fisher Place – thinks the rental registration ordinance is a great idea because of health and safety issues. He said he would like to make a few comments about the form, he said he did not think it should ask age and ethnicity, should be bilingual and there should not be a fee.

Gwen Smith – landlord – 99 River Street – said the inspection section is not clear, she said in Section 11 it is not clear if the landlord of the tenant gets fined. She said she had an incident where her tenant went into the hospital and then four people moved in and then she could not get them out. She asked if she would get fined or the tenant.

Mr. O'Connor said that if the landlord had a good history and complied with the law, the landlord would not get fined.

Councilwoman Beck said there are a handful of landlords who abuse the ordinance. She said the committee is working on restructuring the fees.

Mayor McKenna said we have to modify the ordinance. He said we are holding the public hearing tonight but will be tabling the ordinance.

Councilwoman Beck said the Committee is recommending tabling the ordinance because of the fee issue.

Mayor McKenna said we also need to clarify the right to inspect.

Victor Gonzalez – 19 Peters Place – said that he wants regulations for rents because they are too high. He said he is also has security and health issues.

Margaret Crine – 51 East Bergen Place – said she is disabled and has to pay high taxes. She asked if we are prepared to fine repeat offenders.

Councilwoman Beck said the Judge does have discretion if the person is a repeat offender. He said the Judge and the Code Enforcement Officer would make that decision.

Paul Rohaus – 37 Riverside Avenue – asked if we are trying to raise the rents.

Mayor McKenna said that we have rent control in Red Bank and asked Councilman Menna to explain this.

Councilman Menna said that since 1971 any building with three units or more is under rent control, it does not control one or two family homes.

Mr. Rohaus asked why it could not be done for all homes.

Councilman Menna said this may not be able to be done because of state law. He said the ordinance being discussed now is to make rental units safe and not control rents.

Mayor McKenna said we are trying to monitor landlords who put too many people in homes. He said some landlords have 10 tenants in a home charging each one unconscionable rent. We are trying to help control this situation because they create health and safety issues. He said this is a vicious cycle because if the landlord thinks he can get away with this he will keep on doing this. He said we are trying to stop this, if the landlords can't adjust their rents the bad landlords will probably sell their properties.

Councilman Menna said one of the reasons we are not acting on the ordinance tonight is because we need to educate the public about the ordinance. He said the public should know more about their rights and that landlord cannot just keep raising their rents.

Councilwoman Beck said the ordinance itself requires day and night time phone numbers and street addresses for landlords and not just a post office box. She said sometimes there are emergencies and we cannot contact the landlord.

Mr. Rohos said that the apartment that he rents has 10-15 people living in it.

Councilwoman Beck said the reason we have worked on this ordinance for such a long time was because we want to protect the tenants and go after the landlords.

Mr. Rohos said they have to have 10-15 people living in the apartment because they are trying to send money back to their country.

Councilwoman Beck said that there is an information event planned at St. Anthony's Church in October to inform the Hispanic community about borough regulations including code enforcement and police and fire regulations. She said we are trying to educate the Hispanic community.

Mayor McKenna said Red Bank has welcomed the Latino community and we just want to make sure the entire community is protected and landlords are held accountable for their actions. He said landlords that allow these overcrowding conditions would have to pay penalties and relocate their tenants. We want all citizens to be treated fairly.

Councilwoman Thompson said the event being held in October at St. Anthony's would be a wonderful place to listen to the concerns of the Latino community.

Susanna Bowman – 138 Branch Avenue – Business owner, publisher and Director of the Latino Cultural Center said she has lived in town for 7 years and has had a business for 6 years. She said she is Hispanic and was recently appointed to the Human Relations Committee. She said she is here tonight to speak for the Latino community and asked why her newspaper was not listed in the Sunshine Statement. She said everyone agrees the ordinance is necessary because people are living in very bad conditions. She said we need to give everyone a piece of mind because most people in the Latino community do not have transportation and asked where the people would be relocated. She said if they have to move out of our town many of our local businesses would suffer. She said she agrees with the spirit of the ordinance but the procedures need some thought. She said she is very proud of the people who came up and spoke this evening.

Mayor McKenna thanked Susanna for attending the meeting and said the issue of Mount Laurel affordable housing is currently being discussed at the State Planning Commission. He said there has been discussion about the foolishness of creating affordable housing in communities where there are no jobs or transportation.

Susanna Bowman said her paper is available for any information the borough might want to put in it.

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.

Ms. Beck offered a motion to table the ordinance seconded by Mr. Menna.

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.

RESOLUTIONS

02-195 Mayor McKenna read “A RESOLUTION AUTHORIZING CREDIT AGAINST TAXES DUE OR TO BE DUE FOR REFUND ON REDUCTION OF ASSESSMENT PERTAINING TO PROPERTY DESIGNATED ON THE TAX RECORDS AS BLOCK 54, LOT 9.36 AND COMMONLY KNOWN AS TWO WINDWARD WAY”.

Mr. Polonsky 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.

02-196 Mayor McKenna read “A RESOLUTION AUTHORIZING ADVERTISEMENT FOR THE RECEIPT OF BIDS CONCERNING TEMPORARY OFFICE SPACE PERTAINING TO THE CHESTNUT STREET DEPARTMENT OF PUBLIC WORKS FACILITY”.

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

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

02-197 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,762,311.59”.

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

ROLL CALL:

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

Nays: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Chris Cole – 1 Fisher Place – said he wanted to commend Councilman Bifani on the Home Maintenance Program; he also reported on a number of RiverCenter items including the Golden Broom Award, for the cleanness sidewalk, was awarded to Joe from Ceasar's Creation and the Golden Clock award, for staying opened the latest, to Haagen Dazs. He said he would like further discussion of outdoor displays for the holidays and said Tom Welsh, Jim Williams and Chief Clayton were in favor of them. He said he would be happy to meet with any Council Members regarding the outdoor displays. He also said he would like to be on the task force for the noise ordinance.

EXECUTIVE SESSION

ADJOURMENT

Mrs. Thompson offered a motion, seconded by Mr. Polonsky 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