

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - BOROUGH OF RED BANK
SEPTEMBER 24, 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 Loverside, Engineer Whelen and Attorney O'Connor.

ABSENT: Engineer Kosenski

SUNSHINE STATEMENT

WORKSHOP

Grants

Mr. Sickels reported that resolutions 02-199, 02-201 and 02-202 are on the agenda for various grants available from the state but are missing information. He said we have just received notice on them and they must be submitted by September 30, 2002.

Mayor McKenna said that he had contacted the Governor's Office to ask why there was such a short time frame. The office said they were not sure how much money was available because of the budget crisis and said they encourage everyone to submit applications.

Councilwoman Beck asked Mr. Sickels if any hospitals applied for a grant for Local Domestic Preparedness Equipment.

Mr. Sickels said the municipalities and hospitals have been meeting and the County is focusing on municipalities that have hospitals. He said we all have to be prepared on multiple levels to be able to limit contaminates.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck said that we are continuing to gather information from the community regarding the proposed rental registration ordinance so we can draft the best possible ordinance. She asked anyone with comments or suggestions to call her at home or her office.

Councilwoman Thompson said Mr. Sickels had reported about applying for grants earlier in the meeting and that one of the grants is for parks and recreation. She said the parks and recreation committee has been meeting for quite some time to enlarge the playground areas and create two separate areas for older and younger children. She said they would also like to add restroom facilities and hopes the borough is successful in receiving the grant.

Councilwoman Beck asked if there were any plans for Eastside Park.

Councilwoman Thompson said they would like to add items to Eastside Park, Count Basie Field and Marine Park. She said they would like to develop themes at each park, giving examples of Native American, dinosaur and jazz.

Councilwoman Beck asked if there would be any public input.

Councilwoman Thompson said the emergent needs must be taken care of immediately, she also said everything must be ADA compliant.

Mr. Sickels said there are numerous ADA improvements involved at the parks and the borough is still developing a plan before it is presented to council.

Councilman Polonsky said he is a member of the parks and recreation committee and never gets invited to any of the meetings.

Councilwoman Thompson said the staff is working on the project and then it will be presented to the committee.

Councilwoman Beck said she wants to make sure the public is involved.

Mayor McKenna said the plan would go to the Engineer and Administrator, then to the Parks and Recreation Committee, then the Borough Council and then the public.

Mayor McKenna reported that he had attended a State Planning Committee meeting last week and Red Bank is one of three communities statewide to be an example of Smart Growth Planning. He said he has been asked by the New Jersey League of Municipalities to sit on a committee to discuss a hotel or pillow tax. He said New Jersey has the lowest hotel tax in the United States.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request for a raffle license from The Company of Dance Arts.

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.

Mayor McKenna read a request from The Community YMCA to hang banners on Broad Street and Shrewsbury Avenue from October 21 through November 23, 2002, to promote The Children's Cultural Center open house on November 23, 2002.

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

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

Nays: None

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

Mayor McKenna read a request to amend previous request from Red Bank Volunteer Fire Department to hold Fire Prevention Expo in the eastside of the White Street parking lot on October 13, 2002, from 11 a.m. to 3 p.m. with a rain date of October 20, 2002.

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

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

Nays: None

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

Mayor McKenna read a request from Westside Hose to close Leighton Avenue between Newman Springs Road and Westside Avenue from 9:30 a.m. to 11:30 a.m. to hold a dedication of memorial to Emma Vernell on Sunday October 27, 2002.

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

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

Nays: None

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

Mayor McKenna read a request from Ryan Chippendale to join Union Hose.

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

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

Nays: None

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

ORDINANCES - First Reading

ORDINANCES - Public Hearing & Final Adoption

RESOLUTIONS

02-198 Mayor McKenna read “AN EMERGENCY RESOLUTION APPROPRIATING \$255,000.00 TO PROVIDE FOR THE EXTRAORDINARY EXPENSES INCURRED AS A RESULT OF THE STORM OF AUGUST 2, 2002”.

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

Councilwoman Beck asked if this would increase the taxes.

Councilman Polonsky said FEMA announced that there was no funding available.

Mr. Loversidge said \$130,000 would come from the water budget and \$125,000 from the general fund.

Mayor McKenna said it would not affect us this year but would have to be made up next year.

ROLL CALL:

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

Nays: None

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

02-199 Mayor McKenna read “A RESOLUTION AUTHORIZING APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR AN ADA COMPLIANCE GRANT”.

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

ROLL CALL:

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

Nays: None

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

02-200 Mayor McKenna read “A RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT OF DISPUTE BETWEEN THE BOROUGH OF RED BANK AND THE UNITED STATES DEPARTMENT OF JUSTICE”.

Councilwoman Beck asked Mr. O’Connor for information on the agreement.

Mr. O’Connor said this issue has been before the Borough for a couple of years. He said there was an anonymous ADA complaint filed against the Borough. He said the Justice Department sent two employees to review all of the Borough facilities. He said they found a lot of violations, some that were very minimal, involving a matter of one half inch to two inches. He said that this department had not inspected any other municipalities in New Jersey and thinks they might have inspected one municipality in Virginia. He said a settlement was finally reached and there are a number of issues in this building, Count Basie Field and some major issues at the Library. He said all these improvements must be completed in 24 months and the Library in 36 months.

Councilwoman Beck asked if the crosswalks at Broad and Monmouth Street were in compliance.

Mr. O’Connor said they were taken care of before the complaint was filed.

Councilman Polonsky said the Library Board has already met with an architect.

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

ROLL CALL:

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

Nays: None

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

02-201 Mayor McKenna read “A RESOLUTION AUTHORIZING APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A STATEWIDE LIVABLE COMMUNITIES FUND GRANT”.

Mrs. Thompson 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.

02-202 Mayor McKenna read “A RESOLUTION AUTHORIZING APPLICATION TO THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR A LOCAL DOMESTIC PREPAREDNESS EQUIPMENT GRANT”.

Mr. Polonsky 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.

**02-203 Mayor McKenna read “A RESOLUTION APPOINTING
JOHN J. DRUCKER, JR. AS FIRE SUBCODE OFFICIAL.”**

Mr. Polonsky 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.

**02-204 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE
OF MAINTENANCE GUARANTEE FOR AVIS CAR RENTAL
REGARDING BLOCK 32, LOT 24 PEARL STREET AND WATER
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, Polonsky

Nays: None

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

**02-205 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE
OF MAINTENANCE GUARANTEE REGARDING BLOCK 37, LOT 1,
186 MONMOUTH 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, Polonsky

Nays: None

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

**02-206 Mayor McKenna read, “A RESOLUTION AUTHORIZING RELEASE
OF MAINTENANCE GUARANTEE REGARDING BLOCK 75.03,
LOTS 48.01 AND 53, 9 CATHERINE STREET, RED BANK,
NEW JERSEY”.**

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.

**02-207 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF
MAINTENANCE GUARANTEE FOR RED BANK VOLVO REGARDING
BLOCK 97.01, LOTS 42 AND 43 RED BANK, NEW JERSEY”.**

Mrs. Thompson 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.

02-208 Mayor McKenna read “A RESOLUTION AWARDED CHANGE ORDER NO 2 AND FINAL REGARDING THE 2001 ROADWAY IMPROVEMENT PROGRAM CONTRACT WITH STAR OF THE SEA CONCRETE CORPORATION”.

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.

02-209 Mayor McKenna read “A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND FINAL REGARDING NJDOT STATE AID PROJECT”.

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.

PROCLAMATIONS

Mayor McKenna read a proclamation proclaiming Fire Prevention Week-October 6 through October 12, 2002.

Mayor McKenna read a proclamation proclaiming October as Domestic Violence Awareness Month.

PAYMENT OF VOUCHERS

02-210 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,153,696.45.”

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

Councilwoman Beck asked about the status of our parking manager. She suggested we look at our second choice since he is having such a hard time coming to this county.

Mr. Sickels said his visa problems have finally been taken care of and he should be here in two weeks.

Mayor McKenna said that we have made an employment offer and through no problems of his own his visa information has been lost several times. He said we have made a decision and he will be here in two weeks.

NEW BUSINESS

AUDIENCE

Amy Goldsmith – 16 Locust Avenue – President of Westside Community Group – said the 6th Annual Candidates night would be held at River Street Commons on October 9, 2002. She also asked if the Council Meeting could be held at a later time in the evening and spoke about pedestrian safety on Shrewsbury Avenue and meeting with Freeholder Power regarding this issue. She also said she is against the widening of Newman Springs Road.

Councilman Menna said another very dangerous intersection is Chestnut Street and Bridge Avenue.

Councilman Polonsky suggested a four-way stop sign and yield to pedestrians signs, paid for by the businesses.

Councilman Bifani said the County recognizes the need for pedestrian safety and has given us numerous grants for streetscape, he said the Borough also contributes money of our own to improve Shrewsbury Avenue.

Ms. Goldsmith said that she appreciates the sidewalks and lighting but would like to see the police issue warning notices.

Councilman Hintelmann said he would talk to Chief Clayton.

Councilwoman Beck said the County is trying to improve the situation but the Borough has not been very helpful. She said she has tried to set up several meetings and has made a number of follow-up phone calls.

Mayor McKenna said it is not appropriate for a Councilperson to set up meetings with a Freeholder. He said we are applying for grants for Leighton Avenue to work on traffic calming there before we implement improvements to Shrewsbury Avenue because we do not want the traffic from Shrewsbury Avenue invading our residential neighborhoods on Leighton Avenue and Bridge Avenue. He said the goal of the County is to push traffic through on Shrewsbury Avenue.

Ms. Goldsmith said she realizes the County and the Borough have different needs. She said the County did not say anything about pushing traffic through on Shrewsbury Avenue.

Mayor McKenna said we would be having meetings with the County regarding the widening of Route 520 from Shrewsbury Avenue to Hance Avenue. He said the likelihood of this road being widened is at best minimal.

Councilwoman Beck said she believes there are a number of simple things that could be done to improve pedestrian safety. She said painting crosswalks, placing pedestrian safety signs at critical intersections and police enforcement would be very helpful.

Ms. Goldsmith said the County was shocked we did not have designated bus stops. She also commended the Borough for implementing the landlord registration ordinance.

Chris Cole – 1 Fisher Place – said the streetscape improvements on Monmouth Street have started and hopefully this will be done by the holidays. He also said he would like to thank the Fire Department for working on the Street Fair and said he would like to get on the agenda to discuss outdoor displays.

Mayor McKenna said he has heard a lot of very positive feedback on Monmouth Street and said he met with a reporter from New Jersey Biz magazine that is doing an article about revitalization in Red Bank.

EXECUTIVE SESSION

ADJOURMENT- None

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