

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 22, 2002
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

SUNSHINE STATEMENT

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

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

Nays: None

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

02-35 Mayor McKenna read “A RESOLUTION APPOINTING A PROBATIONARY POLICE OFFICER”.

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.

The Borough Clerk administered the oath of office to Probationary Patrolman Patrick Kennedy.

The Mayor and Council congratulated Probationary Patrolman Kennedy on his appointment.

02-37 Mayor McKenna read “A RESOLUTION REGARDING PATROLMAN CAMPANELLA OF THE POLICE DEPARTMENT OF THE BOROUGH OF RED BANK”.

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.

Presentation to Girl Scout Troops 846 and 847.

02-38 Mayor McKenna read “A RESOLUTION HONORING GIRL SCOUT TROOPS 846 AND 847”.

Mr. Menna 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.

Mayor McKenna presented Certificates of Appreciation to the Girl Scouts and their leader, Diane Lauterwasser and thanked them for planting red tulips in our park and commended them for pledging to be drug free.

RiverCenter budget

Robin Fitzmaurice explained the budget and asked if there were any questions.

Councilman Menna said there is a concern about the \$180,000 cost of administration and said the downtown needs better maintenance.

Ms. Fitzmaurice said they are increasing the cost of maintenance to \$13,000. She said over the years this has been increased and improved.

Mayor McKenna said the garbage committee has been meeting with RiverCenter and one of the key points are having centralized locations for businesses to place their garbage instead of just placing it in front of their stores.

Harriet Cook said they are also going to be purchasing additional garbage cans.

Councilwoman Beck said after we looked at the report we received last fall we saw that Red Bank has become a different town, the amount of service we provide to the downtown area is unfair to the residents. She said we would like to continue daily garbage pick-up to this area but can no longer afford this. She said she had another question about the amount of interest on the BIZ loan.

Ms. Fitzmaurice said this is an interest free loan and the amount of interest in the budget is what we have received for interest on the money during the last year.

Councilman Bifani said we are going to introduce amendments to our garbage ordinance at the next meeting and this will address the daily pick-up in the downtown area.

Mayor McKenna said the public hearing and adoption of the RiverCenter budget is scheduled for February 26, 2002 at 5:30 p.m.

02-39 Mayor McKenna read “A RESOLUTION APPROVING THE 2002 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF RED BANK”.

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.

RESUME REGULAR ORDER OF BUSINESS

Mrs. Thompson offered a motion to resume the regular order of business, seconded by Mr. Polonsky.

WORKSHOP

MAYORAL APPOINTMENTS

Mayor McKenna appointed Daniel Schroll as an Alternate Member to the Human Relations Advisory Committee.

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

ROLL CALL:

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

Nays: None

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

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck reported that last Friday the Code Enforcement Committee met and had a conference call with some municipal officials from Morristown regarding problems that are affecting our municipalities. She said she would keep the governing body informed on the progress the committee is making.

Councilman Hintelmann said the Police Department received a call stating an employee of Katsin's Drug Store was robbed while depositing \$30,000. He said Chief Clayton assigned Detectives Coutu and Clayton to the case. He said he would like to commend both of these individuals for solving the case that lead to the arrest of the employee.

Councilman Menna reported that the Fire Chief's Dinner honoring Ex-Chief Doremus would be held at the Oakland House on January 25, 2002. He also said that on behalf of the entire Red Bank Fire Department he would like to offer his condolences to the family of Bob Feeney, a fire fighter from Long Branch who passed away on January 18, 2002.

Councilwoman Thompson said yesterday she attended festivities honoring Dr. Martin Luther King, Jr. held at St. Anthony's Church arranged by the Red Bank Alliance to Prevent Drug and Alcohol Abuse. She said John Austin did a great job getting the schools and residents involved. She said it was a great tribute to Dr. King.

Councilman Polonsky, Councilwoman Beck and Mayor McKenna also congratulated John Austin, Joyce Williams and the Alliance for a job well done.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request for raffle license from St. James Grammar School PTA.

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

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 Red Bank Alliance to Prevent Alcoholism and Drug Abuse to hold 10th annual Community Day on April 27, 2002 at account Basie Park and 5K run and 2 mile Health Walk, pending approval of Special Events Committee.

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

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 Monmouth County SPCA for annual Pet Walk on October 5, 2002, in Marine Park and various streets, with a rain date of October 6, 2002, pending approval of Special Events Committee.

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.

ORDINANCES - First Reading

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

Public Hearing and final adoption scheduled for February 12, 2002.

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

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.

ORDINANCES – Public Hearing and Final Adoption

2002-1 Mayor McKenna read “AN ORDINANCE AMENDING AND SUPPLEMENTING THE PLANNING AND DEVELOPMENT REGULATIONS”.

Ms. Beck offered a motion to open 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 opened.

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

David Prown – 44 Hillside Place – asked about the process of placing planning and zoning amendments on the agenda.

Mr. O'Connor said the Planning or Zoning Boards usually initiates amendments and sends them to the governing body. The governing body reviews them and then sends them back to the boards for their approval before they are adopted. He said the Planning Board recommended this amendment because they were always granting relief regarding paved areas. He said this is basically taking the paved area out of the definition and would not increase the size of the building. He said there would still be set backs so it should not impact the residential neighborhoods.

Mayor McKenna said the problem with this definition is on commercial applications where there are contradictions and confusion. He said we needed to clarify the definition because every application was given relief. He said the Planning Board, Donna Smith-Barr and the Borough Engineer recommended this change. He said this does not allow bigger structures.

Councilwoman Beck said she abstained last time around and since then has made several phone calls to individuals outside the Borough. She said the ordinance would not allow bigger structures or affect the density, it would allow more area for driveways and parking lots and less grassy area.

Mayor McKenna said Ms. Beck should have talked to our municipal officials regarding the amendment. He said the Planning Board had extensive discussions regarding the amendment and fully supports it.

Councilwoman Beck said she did speak to several Borough Officials and they could not give her assurance that the ordinance would leave more open space.

Mayor McKenna asked if anyone else 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

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

ROLL CALL:

Ayes: Hintelmann, Bifani, Thompson, Polonsky.

Abstain: Menna

Nays: Beck

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

RESOLUTIONS

**02-36 Mayor McKenna read “A RESOLUTION AUTHORIZING
SUBSTITUTION OF MAINTENANCE GUARANTEE FOR PROPERTY
LOCATED AT BLOCK 71, LOT 1.01 AND COMMONLY KNOWN AS 105
LOCUST AVENUE”.**

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.

**02-40 Mayor McKenna read “A RESOLUTION AUTHORIZING TRANSFER
OF FUNDS”.**

Mr. Polonsky 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.

PROCLAMATIONS

PAYMENT OF VOUCHERS

**02-41 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS
AMOUNTING TO \$896,488.88”.**

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

Mayor McKenna said the Parking Task Force would hold a Public Hearing for on February 5, 2002 at 7 p.m. regarding their final report.

AUDIENCE

Jeffery McPherson – 99 South Street – asked if the governing body made a decision on who was going to manage Riverfest.

Mayor McKenna said the governing body is going to discuss this matter and some action would be taken at the next Council Meeting.

EXECUTIVE SESSION

02-42 The Attorney read a resolution to adjourn to executive session to discuss personnel and potential litigation.

Mr. Polonsky offered a motion, seconded by Mr. Bifani to adjourn to executive session to personnel 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.

ADJOURNMENT

Mr. Hintelmann offered a motion, seconded by Ms. Beck 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