

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 23, 2002
5:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Menna.

SUNSHINE STATEMENT

SUSPEND REGULAR ORDER OF BUSINESS

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-99 Mayor McKenna read “A RESOLUTION COMMENDING TAHJI HOLDEN”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

The governing commended Tahji on his success as being a member of the Maryland Terrapins, which recently won the NCAA National Basketball Championship.

RESUME REGULAR ORDER OF BUSINESS

Mr. Hintelmann offered a motion to resume the regular order of business, seconded by Ms. Beck.

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

WORKSHOP

DOWNTOWN NEW JERSEY EXCELLENCE AWARD

Mr. Sickels said that he had recently attended the Downtown New Jersey dinner that was held in Princeton with Mr. Kosenksi and that the Borough of Red Bank was the recipient of the 2002 Excellence Award for Public Space for Riverside Gardens Park.

GARBAGE ORDINANCE

Mr. Sickels reported that he has received a draft notice prepared by Mr. Bounacquista regarding the notification to property owners for the implementation of the proposed amendments to the garbage ordinance. The notice would be sent out by May 1, 2002, and that this would also be addressed in the borough newsletter.

SHUTTLE BUS

Mr. Sickels reported on the shuttle bus program. He said they are currently reviewing thirteen applications for drivers and twenty-five applications for parking manager. He is reviewing the applications with the Parking Task Force and would get back to the governing body on this matter.

ROAD PROGRAM

Mr. Kosenksi reported that at the last council meeting he had distributed recommendations to the governing body from Public Works Committee in regards to the 2002 roads program. The list included numerous streets, repairs to the water and sewer utility, handicaps ramps, and repairs to the public parking lots. He said the borough had received a state aid grant for Leighton Avenue for \$170,000.

Councilman Polonsky said that when we look at the road program we also look at other projects that must be done. The public works building is in need of great repair, and we also will have great expense from all the ADA requirements that are required from the Federal Government. He suggested we look at the whole picture.

Councilman Bifani said that the Public Works Committee has been meeting regarding the facilities review and that this a separate issue and we must move forward with the road program.

Mr. Kosenksi said that after reviewing the current public works facilities the replacement of the roof would be quite expensive and that his recommendation would be to arrange for a rental structure while we erect a new building, he said we would need the rental structures while the new building was being erected. He also said there are three pump stations that are in need of repair.

Councilman Bifani said the estimated cost of the temporary rental structure would be \$40,000.

Mr. Sickles said he would work on a comprehensive plan and that this would be distributed to the governing body.

Councilman Polonsky asked about repairs to Relief Engine Company.

Mr. Kosenksi said we are currently looking at these repairs.

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 of the status of the study.

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

Mayor McKenna said that we must pave Leighton Avenue or we will lose our \$170,000 grant.

Mr. Kosenki said that the ADA issues must be addressed and part of the funding is coming from the road program.

Councilwomen Beck said that vehicles really speed down Leighton Avenue.

Mayor McKenna said that the police have been giving out tickets in this area and that he would talk to Chief Clayton. Mayor McKenna also reported that RiverCenter had made an application to the state for funding for improvements to Monmouth Street Streetscape. He said he has recently received a call from the Department of Community Affairs that RiverCenter would be receiving the money.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Hintelmann said that the Red Bank Police Department in cooperation with the Monmouth County Strike Force has ended a seven-month investigation involving the arrest of a number of drug dealers dealing controlled dangerous substances. He said that he would like to congratulate and commend Chief Clayton, the Monmouth County Strike Force, and Detective Nuccio.

Councilwoman Thompson said there is a new chairperson for Red Bank Drug Alliance and her name is Bonnie Large. She is looking forward to working with Bonnie, and said she would provide great leadership. Councilwoman Thompson also reported that Saturday April 27, 2002 is Community Day sponsored by the Red Bank Drug Alliance and it would be held at Count Basie Park. There are walks and runs and that all residents should come for a good time.

Council Polonsky reported that he had attended a Library Board Meeting and the initial draft for making all the ADA improvements to the library is complete.

Mayor McKenna said that he has been in conversation with Councilman Menna regarding the Historic Preservation Commission and it should be finalized soon and hopefully introduced at the next council meeting.

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from Westside Community Group to use Count Basie Field in conjunction with Red Bank Parks and Recreation, and the Neighborhood Preservation Program for annual picnic on Saturday August 10, 2002 from 12 noon to 5 p.m. with a rain date of Sunday August 11, 2002.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from Mt. Zion House of Prayer to waive fee for application before the Zoning Board of Adjustment, must pay all out-of-pocket expenses.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from Aljerome Bailey to join Westside Hose Company.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Mayor McKenna read a request from Leonard Calabro to join Liberty Hose Company.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

ORDINANCES – First Reading

**2002-7 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER XVIII
“PARKS AND RECREATION”, SECTION 18-6 “FEES AND CHARGES”
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
RED BANK”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Public Hearing and final adoption scheduled for May 14, 2002.

ORDINANCES – Public Hearing and Final Adoption

RESOLUTIONS

**02-91 Mayor McKenna read “A RESOLUTION AUTHORIZING ACCEPTANCE
OF PERFORMANCE GUARANTEE RE: BLOCK 30, LOTS 3, 4.01, 6.01 &
49.01”.**

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-92 Mayor McKenna read “A RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR THE 2002 ROADWAY PROGRAM”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-93 Mayor McKenna read “A RESOLUTION AUTHORIZING APPLICATION TO U.S. DEPARTMENT OF JUSTICE FOR COPS MORE 2002 GRANT”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-94 Mayor McKenna read “A RESOLUTION RENEWING MEMBERSHIP IN THE MONMOUTH COUNTY COOPERATIVE PRICING SYSTEM”.

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-95 Mayor McKenna read “A RESOLUTION AUTHORIZING THE TRANSFER OF VEHICLE TO THE COUNTY OF MONMOUTH”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-96 Mayor McKenna read “A RESOLUTION AUTHORIZING AGREEMENT WITH THE MONMOUTH COUNTY PARK SYSTEM TO PARTICIPATE IN THE RECREATION ASSISTANCE PROGRAM”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-97 Mayor McKenna read “A RESOLUTION AUTHORIZING AGREEMENT WITH COUNTY OF MONMOUTH TO OBTAIN DRUG AND ALCOHOL ABUSE PREVENTION SERVICES”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

02-98 Mayor McKenna read “A RESOLUTION AUTHORIZING APPROVAL OF SIDEWALK CAFES FOR SOGNO RISTORANTE, JUANITO’S RESTAURANT AND THE BISTRO”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

PROCLAMATION

Mayor McKenna read a proclamation proclaiming National Day of Prayer – May 2, 2002.

PAYMENT OF VOUCHERS

02-100 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$1,484,519.19”.

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

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

Valentine-18 Broad Street-gave a presentation about the creation of a World Trade Center Banner. The governing body said they would review this matter and get back to him.

Tasal Lytis-14 Broad Street is concerned about the garbage issue, he is worried about people dumping their garbage in his dumpster. He also commented that the garbage cans on Broad Street are always filled with debri.

Mayor McKenna said that the municipal garbage cans are picked up everyday. He said in regard to people dumping garbage into other people dumpsters that we would have to look through the debri and sign complaints against the people that are doing this.

Mary Mann/Executive Director of RiverCenter-20 Broad Street-asked the governing body to come up with a better idea for the garbage collection. RiverCenter knows that the borough is providing a service and is not being compensated and they should be. She asked if the borough could still provide this service and assess the property owners for this service. This would create a cleaner town and help get all the garbage off the streets.

Mayor McKenna asked her to submit any suggestions they might have in writing to the governing body for review.

Dan Murphy-Bridge Avenue-said he believes there are going to be a lot of problems regarding private garbage pickup.

Chris Cole-1 Fisher Place-he would like to thank the governing body for their support regarding the Biz loan for Monmouth Street Streetscape. RiverCenter would like to come up with some criteria for displays in the RiverCenter district in front of stores and would like to distribute guidelines.

Mr. Sickels said we have an ordinance that prohibits outside displays of merchandise.

Mayor McKenna said that we are resistant to the outside display of goods. If anything was to be displayed it must be very minimal.

Chris Cole said that no merchandise would be displayed.

Councilwoman Beck asked for an example of what would be displayed.

Chris Cole said that Standard and Funk had displayed a toy soldier outside of their store last Christmas.

Councilwoman Beck asked RiverCenter to come up with some guidelines that the Borough Council could review.

Councilwoman Thompson said that she has always been opposed to sidewalk signs and displays. There is also a concern with the Chief of Police because there are already a lot of things on the sidewalk. She suggested using the benches to advertise and be creatively painted.

Mayor McKenna said that we must check with our insurance company because people have filed lawsuits in the past regarding trips and falls on sidewalks because of various things being placed on the sidewalk.

Councilwoman Thompson said that the store windows are not being used to their full potential and the storeowners should be more creative with their storefronts.

Mayor McKenna said he would check with the borough attorney and the insurance company regarding this issue.

Dan Murphy-Bridge Avenue-said that in Lambertville the lampposts are used to advertised the name of the stores.

Freddie Boynton-borough employee-asked if all deceased members would get plaques placed in memory of them at the park.

Mayor McKenna said Pat Collins worked for the borough and the request for a memorial for him came from the borough employees. He said the borough employees collected money amongst themselves for this memorial and we would not be placing memorials for deceased employees on a regular basis in the park.

Freddie Boynton named several retired deceased borough employees that he believed should be memorialized.

Mayor McKenna suggested that when we build a new facility for public works possibly some kind of memorial could be placed at that facility.

Freddie Boynton asked the governing body when we were going to get new garbage truck.

Mr. O'Connor said that in negotiating with the union that represents the borough employees and PERC that the governing body was told not to discuss with individual employees problems regarding their employment. Even though Mr. Boynton is not in the union he would have to go to the collective bargaining unit to bring up his problems.

Freddie Boynton said he does not need a union and is here to speak and can say what ever he wants.

Mr. O'Connor said this must be discussed with the union.

EXECUTIVE SESSION

02-101 The Attorney read a resolution to adjourn to executive session to discuss potential litigation, contract negotiations and personnel.

Mr. Hintelmann offered a motion, seconded by Ms. Beck to adjourn to executive session to potential litigation, contract negotiations and personnel. Minutes to be made public in 180 days.

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Mr. Hintelmann offered a motion, seconded by Ms Beck to adjourn from executive session.

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

ADJOURNMENT

Ms. Beck offered a motion, seconded by Mr. Hintelmann to adjourn the meeting.

ROLL CALL:

Ayes: Beck, Hintelmann, Bifani, Thompson, Polonsky

Nays: None

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

Respectfully submitted,

Carol A. Vivona