

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
AUGUST 28, 2001
5:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council Members Bifani, Thompson,
Beck, Polonsky

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

ABSENT: Council Members Hintelmann, Menna

SUNSHINE STATEMENT

WORKSHOP

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Beck said we would be voting tonight on awarding a grant for a park at the end of Locust Avenue. She said the Environmental Commission has been before the governing body on this matter. She said this is a matching grant.

Councilman Bifani said he met with N.J.D.E.P. and has scheduled Operation Clean Shores return to Red Bank on September 7, 2001. He said this program consists of 28 inmates, 2 correction officers and 2 D.E.P. officials that collect debris from tidal shorelines. He said they would be working in the gully adjacent to the Welsh Farms property on River Road and at the foot of several Borough streets that border the Navesink River including Maple Avenue, Locust Avenue, Bank Street, West Bergen Place, Sunset Avenue, West Westside Avenue and Chapin Avenue.

Councilman Polonsky said in regards to what Councilwoman Beck said he recalls Acorn Designs providing a concept for a park and not a park.

Councilwoman Beck said it is an initial design and they would reach out to the public for comments and their input. She said this is just a conceptual design.

Mr. Sickels reported that we have just received official announcement that we have received three special legislative grants. He said we received \$25,000 for strategic planning, \$25,000 for an ambulance and \$50,000 for the construction of a new concession building at Count Basie Park. He said Dr. Dubel is working with Steve Raciti, a local architect who has donated his time, to design the concession building.

Mayor McKenna said he has contacted Senator Bennett, Assemblyman Arnone and Assemblywoman Farragher to thank them for obtaining these grants.

Councilwoman Beck said it is a very tight budget year for the state and it is very good to get all those grants.

Mayor McKenna said the state knows Red Bank is a good place to put their money.

COMMUNICATIONS AND PETITIONS

ORDINANCES – First Reading

ORDINANCES – Public Hearing & Final Adoption

2001-20 Mayor McKenna read “A BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2001-3 FINALLY ADOPTED ON FEBRUARY 13, 2001 ENTITLED, “BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF VARIOUS 2001 WATER SYSTEM AND SANITARY SEWER REPAIRS, BY THE WATER/SEWER UTILITY IN, OF AND BY THE BOROUGH OF RED BANK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$115,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$115,000 BONDS OR NOTES TO FINANCE THE COST THEREOF” TO INCREASE THE APPROPRIATION AND THE AUTHORIZATION OF BONDS OR NOTES CONTAINED THEREIN BY \$60,000.”

Mayor McKenna opened the public hearing and asked if anyone would like to speak; no one appearing he closed the public hearing.

Mr. Polonsky offered a motion to close the public hearing, seconded by Mr. Bifani.

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

RESOLUTIONS

01-183 Mayor McKenna read, “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH, APPOINTING ANDREA M. HOPKIN, CLA, OF ACORN DESIGN SERVICES, L.L.C. TO PREPARE A CONCEPTUAL SITE MASTER PLAN FOR BLOCK 39, LOT 1.01.”

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

01-184 Mayor McKenna read, “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH, AUTHORIZING BOROUGH ENGINEER TO PERFORM 2001 ROAD PROGRAM SUPERVISION AND INSPECTION.”

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

01-185 Mayor McKenna read, “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH, AUTHORIZING APPROVAL OF SIDEWALK CAFÉ FOR STARBUCKS COFFEE COMPANY.”

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

Councilwoman Beck said she feels the streets are overcrowded and at some point we have to draw the line. She said we have to come up with a better system.

Councilwoman Thompson said this is a bad corner and very dangerous because of the vehicular traffic. She said she agrees with Councilwoman Beck.

Tom Welsh said the plan meets the criteria but if someone moves one of the chairs to another table it creates a problem.

Mayor McKenna asked if Mulberry Streets meets the criteria.

Mr. Welsh said it does.

Mayor McKenna said we have to review the ordinance for next year because these plans meet the criteria of our current ordinance.

After a brief discussion about the pros and cons of the sidewalk cafés and how five feet of clearance is not enough space, the governing body agreed to appoint a committee and amend our ordinance for next year.

ROLL CALL:

Ayes: Thompson, Polonsky, McKenna

Nays: Beck, Bifani

There being two ayes and two nays, Mayor McKenna voted aye. There being three ayes and two nays, the resolution was declared approved.

01-186 Mayor McKenna read, “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH, AUTHORIZING APPROVAL OF SIDEWALK CAFÉ FOR MULBERRY STREET CAFE.”

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

ROLL CALL:

Ayes: Bifani, Polonsky

Nays: Beck, Thompson

There being two ayes and two nays, Mayor McKenna voted aye. There being three ayes and two nays, the resolution was declared approved.

01-187 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH AWARDING CONTRACT REGARDING PARK MAINTENANCE OF RIVERSIDE GARDENS PARK.”

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

01-188 Mayor McKenna read “A RESOLUTION OF THE BOROUGH OF RED BANK, NEW JERSEY, COUNTY OF MONMOUTH REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION.”

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

PROCLAMATIONS

PAYMENT OF VOUCHERS

01-189 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$675,327.96.”

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

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

OLD BUSINESS

Closure of Rt. 35 and Newman Springs Road

Councilwoman Beck asked about the proposed work at the intersection of Newman Springs Road and Route 35.

Mr. Sickels said the work on replacing the railroad tracks would begin on September 29, 2001 and should be completed in 10 to 14 days. He said the trains would not be affected but the intersection would be completely closed to traffic. He said Transit might ask to have the hours extended to 9 p.m. to expedite the project. He said there have been several meetings with adjoining municipalities and signage has been placed throughout the area informing motorists of this upcoming closure.

Mayor McKenna said he has been meeting with the Mayors and police from adjoining towns about coordinating the redirection of traffic. He said this is a good example of working together. He said this closure will have a huge impact on the entire area and he hopes the work at night will not disturb the neighbors.

Councilwoman Thompson suggested that they work through the night like they do in Europe. She said this closure would have a greater impact than the bridge construction because the bridge was not completely closed.

Mayor McKenna said that when Shrewsbury Avenue was completely closed and the impact was minimal. He said all the towns are notifying their residents and there are signs all over notifying everyone of the closure.

Parking Task Force

Councilwoman Beck said she was disappointed to read that the Parking Task Force is operating without public eye and that all the members like the idea of a parking garage in one form or another. She said operating in close session is not positive.

Mayor McKenna said not all members are in favor of a parking garage. He said he knows they are all going to keep an open mind. He also said he does not feel it is appropriate to have the press at every meeting. He said the members should have personal freedom to express their ideas without every single discussion being reported in the paper. He said they would report back to us and then have public meetings. He said all the members are volunteers and if they want the freedom to express their ideas without the press he applauds their decision.

Drew Horgan – 146 Branch Avenue – he is on the Parking Task Force and they had their first full meeting on August 20, 2001. He said they raised the question about the press attending the meetings and the members sincerely felt they could not express their ideas without them being translated in the paper. They felt they could do a better job if they did not have to worry about the press. He said it was an easy decision in the end and the press left. He said they are just beginning to brainstorm and hope to meet their deadline by the end of the year. He said he was named Chairperson and Mike Stasi, Co-Chairperson.

Mr. Sickels said this is just beginning of the process and there will be time for public input.

Councilwoman Beck said keeping the press out of the meetings gives an appearance of secrecy and she does not think the media will take things out of context.

Mayor McKenna said he thinks the Parking Task Force should make their own rules. He said when they are done they will come to us with recommendations and we can accept them or reject them. He said just let them do their job and when they are ready they can go public.

Mr. Horgan said the Parking Task Force will ask for public input and will have the press there when they are ready. He said the group likes to have freedom while expressing their thoughts and does not want to worry about what the press will write. He said they want to work with open minds.

NEW BUSINESS

AUDIENCE

John Austin – Drug Alliance Coordinator – said he has been talking to Shrewsbury and Little Silver about forming a regional alliance. He said Shrewsbury would like to proceed and the governing body should adopt a resolution supporting the idea. The governing body agreed to adopt a resolution at the next council meeting.

Patricia Brennan – 26 Earl Street – said she is the person who has unsafe drinking water. She said she was at the last council meeting and three water samples have come back unsafe for human consumption. She informed the governing body about the different labs and organizations that have been involved in testing her water.

Mr. Sickels said the Borough had the test sent to two labs and it came back safe. He said he was at Ms. Brennan's residence for a scheduled appointment with numerous inspectors and the plumbing inspector and Ms. Brennan did not show up. He said the Borough has spent numerous hours inspecting Ms. Brennan's residence and can not find any evidence of cross connections. He said he has been involved in conversations with the different state agencies and they feel we are doing what we should do.

There was a conversation about Ms. Brennan not having a certificate of occupancy and it was established she had a temporary certificate of occupancy because the driveway apron had not been repaired because we are going to be paving Earl Street.

Mayor McKenna said he has received many phone calls and letters regarding Ms. Brennan's unsafe water and the individuals say the Borough is not doing anything to help her. He asked that these individuals be informed about all we have done and said Ms. Brennan has an obligation to be fair and candid about what the Borough has done. He said he met with Ms. Brennan last October and said he would get her free legal help to get out of her lease if she was so unhappy with her residence. He said the Borough has spent numerous hours trying to help her during the last ten months. He also said it is not fair to keep our inspectors waiting for two hours and not inform people about how much the Borough has done. He said all of our departments have done a wonderful job and it is not fair to paint one side of the picture. He said our officials would be at her residence tomorrow.

Ms. Brennan said she was stuck in a storm when she missed her appointment. She said she is looking for a new place to live and does not understand why the tests say different things.

EXECUTIVE SESSION

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

ADJOURMENT

Mr. Bifani offered a motion, seconded by Mr. Polonsky to adjourn the meeting.

ROLL CALL:

Ayes: Beck, Bifani, Thompson, Polonsky

Nays: None

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

Respectfully submitted,

Carol A. Vivona