

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 11, 2003
7:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Sickels, Borough Clerk Vivona, Chief Financial Officer Loversidge, Engineer Kosenski.

ABSENT: Councilwoman Thompson, Mr. O'Connor.

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, Curley

NAYS: None

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

03-50 Mayor McKenna read “A RESOLUTION APPROVING THE 2003 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF RED BANK”.

Mayor McKenna said that Harriet Cook was present to answer any questions, hearing none he said the public hearing and final adoption is scheduled for March 11, 2003 at 5:30 p.m.

He thanked Harriet Cook and Robin Fitzmaurice for attending the meeting.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

RESUME REGULAR ORDER OF BUSINESS

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

WORKSHOP

Councilwoman Beck reported that the Code Enforcement Committee met yesterday and that they would like to replace the two vacant part-time code enforcement positions with one person. She said they are also working on implementing the rental registration ordinance that will help deal with overcrowding.

Councilman Bifani said he would like to see one good full-time employee.

Councilman Menna reported that there were 66 fire calls and 65 first aid calls in January. He said our calls for the month are in excess of what surrounding municipalities receive all year. He also reported that the new pumper has arrived at Union Hose Company.

Mayor McKenna said he received a call from the Fair Haven Fire Department thanking our Fire Department for all of their help.

Councilman Bifani reported that the Neighborhood Preservation Program Committee had met and they are recommending continuation of the program after the year five funding is completed. He said he is also trying to incorporate the various locations that were improved by NPP with the GIS system with the dollar amounts. He said they would also like to continue the specialty projects, giving the example of the mural painted on the side of the building at the Shrewsbury Avenue park.

Councilman Bifani said that with the absence of Councilwoman Thompson he would like to report that he met with Councilwoman Thompson and Councilwoman Beck regarding the future of the Parks and Recreation department.

Councilman Curley reported that the Historic Preservation Commission held its second meeting and they discussed the procedures for dealing with the different departments in the Borough and that they would start working on the criteria for designating historic sites in the Borough. He said they have received a list from Monmouth County and that it has been very helpful.

Councilman Bifani said this information is also in the Red Bank Environmental Resource Inventory.

Mayor McKenna said that he had attended a meeting of the Two River Council of Mayors and they had met with members of Fort Monmouth regarding homeland security issues. He said they would continue to meet on a regular basis. He said he was also selected by New Jersey BIZ magazine as a 2002 Business Leader and wanted to thank everyone for their support.

APPROVAL OF MINUTES – January 28, 2003

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Curley

NAYS: None

ABSTAIN: Bifani

There being four ayes, no nays and one abstention, the minutes were declared approved.

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

COMMUNICATIONS AND PETITIONS

Mayor McKenna read a request from the Red Bank Fire Department to hold Street Fair on Broad Street on September 7, 2003, pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

ORDINANCES – First Reading

2003-02 Mayor McKenna read “AN ORDINANCE AMENDING CHAPTER VI “TRAFFIC” OF THE REVISED GENERAL ORDINANCES REGARDING DESIGNATION OF SNOW EMERGENCY NO PARKING ZONES”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

Public Hearing and final adoption scheduled for February 25, 2003.

Councilwoman Beck asked if we had any feedback from last Friday's snowfall.

Mayor McKenna said he saw borough employees working at 5:45 a.m. and that he received positive feedback regarding the conditions of the streets.

Mr. Sickels said he met with the supervisors yesterday and that he would also be meeting with the public information officer and the police chief regarding the process that would be used to notify residents regarding the removal of cars from the streets during snowstorms.

Councilman Bifani said Mr. Sickels has been meeting with the supervisors and the transition in that department has been working out very well. He said that thanks to Stanley, the employees seem more interested in their jobs.

Mr. Sickels commended the supervisors for all of their hard work.

2003-03 Mayor McKenna read “AN ORDINANCE AMENDING ORDINANCE #2002-3 ENTITLED “ORDINANCE AMENDING SECTION 19-10 ‘COLLECTION – GARBAGE, ASHES, ETC.,’ OF CHAPTER XIX ‘STREETS, SIDEWALKS AND SANITATION’ OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK”.

Councilman Bifani asked that the ordinance be tabled until he had the opportunity to speak to Mr. O'Connor.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

There being five ayes and no nays, the ordinance was declared tabled.

2003-04 Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2003 ROAD IMPROVEMENTS BY AND IN THE BOROUGH OF RED BANK; APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

Public Hearing and final adoption scheduled for February 25, 2003.

2003-05 Mayor McKenna read “A BOND ORDINANCE PROVIDING FOR VARIOUS 2003 CAPITAL IMPROVEMENTS BY THE WATER/SEWER UTILITY, IN, OF AND BY THE BOROUGH OF RED BANK; APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$199,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

Public Hearing and final adoption scheduled for February 25, 2003.

Councilwoman Beck asked if repairs to the water systems were done on every street or only where there are problems.

Councilman Bifani said only if there is a problem and in some cases we know there is a problem in a certain area. He said there are always surprises in an old infrastructure.

Councilwoman Beck asked if Oakland Street was going to be done.

Councilman Bifani said we are looking for funding for next year and suggested with the approval of condominiums in that area that maybe the planning and zoning department could ask the developer to contribute to this project.

ORDINANCES – Public Hearing & Final Adoption

RESOLUTIONS

03-43 Mayor McKenna read “A RESOLUTION AUTHORIZING THE PUBLIC DISPLAY OF FIREWORKS”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-44 Mayor McKenna read “A RESOLUTION APPROVING THE REQUEST FROM THE MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-45 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTING MAINTENANCE GUARANTEE REGARDING BLOCK 71, LOTS 16-19”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-46 Mayor McKenna read “A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTING MAINTENANCE GUARANTEE REGARDING BLOCK 54, LOTS 9, 32, 43 and 44 COMMONLY KNOWN AS THE NAVESINK POINTE SUBDIVISION”.

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

Councilwoman Beck asked if the homeowner's association was contacted.

The Borough Clerk said that she had contacted Mr. Thomas and he gave his approval.

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-47 Mayor McKenna read “A RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATION NO. 2003-1”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-48 Mayor McKenna read “A RESOLUTION APPOINTING STANLEY J. SICKELS AS ALTERNATE FUND COMMISSIONER TO MONMOUTH COUNTY JOINT INSURANCE FUND”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-49 Mayor McKenna read “A RESOLUTION APPOINTING STANLEY J. SICKELS AS ALTERNATE FUND COMMISSIONER TO CENTRAL JERSEY HEALTH INSURANCE FUND”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-51 Mayor McKenna read “A RESOLUTION COMMENDING ALEXANDER JAMES AND KYONNIE HARPER”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-52 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT REGARDING PHASE I IDENTITY AND WAYFINDING CONTRACT”.

Mr. Loversidge said there was a recommendation awarding the bid to the second lowest bidder because there was concern about the qualifications of the lowest bidder. He said that in the absence of the administrator he held a hearing and the lowest bidder gave an excellent presentation and gave evidence that they were qualified to perform this job and had done several jobs very similar to this job.

Councilwoman Beck asked if there was any time line for completion of this job.

Gail O'Reilly said we have a month to execute the contract and the contract would set up a schedule. She said the project should be completed in four months.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

03-53 Mayor McKenna read “A RESOLUTION AWARDING CONTRACT TO KELLENYI JOHNSON WAGNER ARCHITECTS FOR INVESTIGATION AND ANALYSIS OF THREE FIRE HOUSES OF THE BOROUGH”.

Councilman Menna said the fire committee had met with our public works department regarding the three borough owned firehouses. He said these are all centennial buildings and have sustained tremendous wear and tear. He said there have been a number of band-aid approaches in 1987 and 1988 when the windows were replaced from a grant and some roof repairs were done. He said we have to have an expert give us an architectural assessment of what has to be done to bring these buildings into the 21st century. He said the assessment would also address interior and exterior systems as well as ADA improvements not to exceed \$7,500.

Councilman Bifani said it is time to upgrade and to plan for the future. He said the firemen have been more than patient and he said hiring this firm is the right thing to do.

Councilman Curley said this has been talked about in the budget meetings.

Councilwoman Beck said she is very supportive and would like to attend the next meeting.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

PROCLAMATION

PAYMENT OF VOUCHERS

03-54 Mayor McKenna read “A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$3,181,362.71”.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

OLD BUSINESS

Councilwoman Beck said she would like to thank the governing body for holding the meeting at a later time and said she sees a couple of new faces here. She said it is very difficult for residents who commute to make the earlier meetings.

Mayor McKenna said he would like to thank Neil Burnip for the report that shuttle ridership has increased.

Councilwoman Beck asked if Mr. Burnip is noticing that more residents are taking it home than riding it in the morning.

Mr. Burnip said that it has been mentioned to him that residents would like to see additional service in the morning.

Councilwoman Beck said it is difficult to guess at what shuttle to catch in the morning if you want to take a train at a certain time.

Mr. Burnip said it is very difficult to change the shuttle times to coordinate with the trains because New Jersey Transit changes the times of the trains.

Mr. Sickels said we are trying to keep the shuttle consistent because the trains are not.

There was a general discussion about coordinating the shuttle with the train schedule.

Mayor McKenna said the shuttle is very consistent and when residents know they can trust the schedule the ridership should increase.

Mayor McKenna said that he attended the funeral service for Vernon Patterson on Saturday and that he had also attended a service for Hank Hardy. He also said that there would be a memorial service for Norman Lee held on the February 22, 2003 at 2 p.m. at the Unitarian Church in Middletown. He said Mr. Lee was a very active member of the Red Bank community for many years.

Councilman Menna said Hank Hardy was a highly decorated hero of World War II.

Councilman Curley said he was stopped by Vernon Patterson for proceeding through a yellow light many years ago and was given a warning, to this day he always thinks about this when approaching a yellow signal.

Mr. Sickels said Vernon Patterson and Hank Hardy were both veterans of World War II and received numerous metals.

NEW BUSINESS

Mayor McKenna read a request from the Count Basie Theatre to close Monmouth Street between Maple Avenue and Pearl Street in order to hold a tent reception for Tony Bennett on Saturday, May 10, 2003 from 6 A.M. to 11:50 P.M., pending approval of the Special Events Committee.

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

Parking Enforcement on Saturday

Neil Burnip said he has received several request from merchants to implement parking enforcement on Saturdays.

Councilman Bifani said he thinks this is a great first step. He said we should give warnings and inform everyone we would be doing this before we start to give out tickets.

Mayor McKenna asked Harriet Cook to give notice to the RiverCenter members.

Harriet Cook said there is a lot of confusion with the signage in the parking lots regarding parking on the weekends and also suggested that warnings be issued before we ticket people for parking violations on Saturday.

Mr. Burnip said warning would be issued first and said he dropped off some drawings this morning at the RiverCenter office of signs that would clarify the different parking areas. He said RiverCenter is willing to fund this project.

Mayor McKenna said our parking signs are very confusing. He also said a resident dropped off a warning notice that was issued by another municipality that looked like a parking ticket but was very artistically done.

Councilwoman Beck asked if Mr. Burnip had worked out an agreement with First Union Bank for use of their parking lot.

Mr. Burnip said he is still working on this and it is not completed.

Mr. Sickels said members of RiverCenter are the ones asking for Saturday enforcement because a lot of the employees park in customer parking.

Councilman Bifani said a presence of individuals in uniforms looks like better management.

The governing body agreed to enforce the parking regulations on Saturday with the issuance of warning notices first.

AUDIENCE

Ben Forest – 16 Locust Avenue – questioned access to the ice from the horseshoe in Marine Park.

Mayor McKenna said the 8 people fell through the ice in that area and it was not safe. He said the Borough can not direct people to the ice when we know it is not safe and have individuals file tort claims against us.

Councilwoman Beck said individuals were accessing the ice from Riverside Gardens Park and it was a very dangerous activity. She said if we provide a formal entrance we would be liable for permitting individuals to go on the ice.

Mr. Forrest said he really appreciates the meeting being held later in the evening. He said that as a member of the Monmouth County Friends of Clearwater he appreciated the group being allowed to make a presentation at the recent meeting of the Two Rivers Council of Mayors regarding the proposed redevelopment of Fort Hancock.

Boris Kaufmann – 28 Riverside Avenue – thanked the governing body for holding the meeting later, also inquired about the aerial spraying for mosquitoes.

Mr. Sickels said this is the most effective way to spray.

Councilwoman Beck said the spraying is approved by the U.S. government and the N.J. DEP.

Mr. Sickels said advertisements are taken out to advise the public when they will be spraying.

EXECUTIVE SESSION

03-55 The Attorney read a resolution to adjourn to executive session to discuss personnel.

Mr. Menna offered a motion, seconded by Mr. Hintelmann to adjourn to executive session to personnel. Minutes to be made public in 180 days.

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Beck, Hintelmann, Menna, Bifani, Curley

NAYS: None

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

Respectfully submitted,

Carol A. Vivona