

**MINUTES**  
**WORKSHOP MEETING**  
**MUNICIPAL COUNCIL – BOROUGH OF RED BANK**  
**December 5, 2018**  
**6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Mayor Menna, Council Members Taylor, Yngstrom, Ballard, Zipprich and Horgan.

**ABSENT:** Councilman Whelan

**ALSO PRESENT:** Administrator Shehady, Borough Clerk Borghi, Attorney Cannon, Engineer Neumann and Department Heads.

**SUNSHINE STATEMENT**

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on July 18, 2018.

Mayor Menna called for a moment of silence for former Councilmember and Zoning Board Chair Norman Sickels.

**REPORTS OF DEPARTMENTS/OFFICES**

**Engineer**

Engineer Neumann offered an update on the East Bergen Place project and on the White Street Water Main Improvement project. She noted the White Street project was being done in conjunction with the English Plaza improvements being done by RiverCenter. She said she was working on storm water updates and reviewed pending grants.

Administrator Shehady reported that the Council had recently adopted a Capital Bond Ordinance and he expected that projects would go out for bid in January or February. He said they would also be soliciting proposals for Engineering Services to oversee all of the projects. He reviewed pending projects and timelines.

Councilman Zipprich noted the Road Program would be bid earlier to get ahead of weather issues.

Mayor Menna said he had received complaints about East Bergen regarding concern about deep pot holes and asked that it be addressed.

Engineer Neumann said she would follow up with the contractor.

Councilman Ballard said he had heard similar complaints. He said pot holes had been filled with gravel and said they needed a better fix.

Engineer Neumann review issues with the project but agreed that the pot holes should be adequately filled.

Councilman Zipprich asked if the roadway would be temporarily coated for the winter.

Engineer Neumann said it would and noted that, once the road settled, they would mill and repave in the spring.

Councilman Taylor expressed concerns about plowing.

Engineer Neumann said the contractor would have to address that.

**Land Use/Planning & Zoning**

Administrator Shehady reviewed an ordinance scheduled for public hearing regarding signs.

Director Carter reviewed details of the changes to the ordinance.

Administrator Shehady said he had reviewed it with RiverCenter and said they were on board.

Administrator Shehady also reported on the Redevelopment Agency plan. He said the contractor, Government Strategy Group, had drafted an ordinance and was in the process of making an application to the Local Finance Board. He said if all went according to plan, there should be an ordinance introduced at the first meeting in January. He also noted that the redevelopment ordinance for the former VNA property was on the agenda for public hearing and said the planner and attorney could review the matter in Executive Session if the Council had any questions.

Director Carter reviewed his monthly report including the opening of a tattoo parlor and a project that would include seven townhouses.

Mayor Menna reviewed the history of the property and suggested a review of the traffic pattern.

**Administration**

Administrator Shehady reviewed ordinance on the upcoming agenda. He also reviewed the resolutions including the renewal of the CJHIF contract, the awarding of a contract for grant writing services, the approval of the

memorandum of agreement with the PBA and an access agreement with Riverview Towers. He reviewed details of the Riverview Towers agreement and answered questions about the details for the Council. He also reviewed a resolution in support of postal banking.

Mayor Menna said Councilman Ballard had brought it to his attention and spoke of the benefits.

Administrator Shehady said they were starting to see some results roll in from the grant applications that had been submitted over the past several months. He also reported that he had met with representatives of the former regatta event that were interested in bringing it back. He said they had proposed August 2, 3, & 4 of 2019. He said he had spoken with RiverCenter and they had said they were in support.

Councilman Yngstrom said it had come up at the last Parks & Recreation meeting.

Administrator Shehady said, with the Council's blessing, they would move forward with planning.

Councilman Ballard asked if it would generate revenue.

Administrator Shehady said the proposal would determine if it was better to organize as a Borough event or a third party event.

Mayor Menna questioned the Borough's involvement.

Administrator Shehady agreed that it should be a third party event. He said a committee would be formed to review a concept plan.

Councilman Zipprich asked if the Mayor envisioned something similar to the Kaboom Committee.

Mayor Menna noted there used to be a Regatta Committee. He also said the Borough allowed the use of the park for a fee. He said he was leery of the Borough being involved in fundraising. He said it was a good idea as long as it was cost neutral.

The Council consensus was to move forward.

Administrator Shehady reviewed the benefits of the event and of the town's support.

Mayor Menna reviewed the former event.

#### **Clerk**

Clerk Borghi reviewed the proposed 2019 meeting schedule and said a resolution to approve would be on the December 12 agenda. She said she would forward it to the Councilmembers-elect. She also reviewed the proposed revised agenda format and the protocol resolution. She suggested they could print the Public Comment protocol on the agendas.

#### **Senior Center**

Director Reynolds noted there was a proposed resolution to accept a grant agreement with the Monmouth County Office on Aging for 2019 funding. She also reviewed her report and upcoming activities.

#### **Police**

Administrator Shehady said there would be an ordinance in mid-January in regard to Smoke Free Public Spaces.

Attorney Cannon said he was working on it but had questions about the scope. He asked if the Council's intent was to apply the ban to public parks and municipal spaces or if they were looking to include streets and sidewalks. He said he believe the streets and sidewalks would be pre-empted by State law.

Councilman Zipprich asked about enforcement.

Chief McConnell said it would be easier to enforce in Borough facilities and agreed that there could be legal issues beyond that.

Councilman Zipprich asked about the ban on beaches in Asbury Parks.

Mayor Menna noted that many towns have that type of ban.

Attorney Cannon said he was looking for direction.

The Council consensus was that it should be just parks and facilities.

Administrator Shehady suggested the business district be informed.

Administrator Shehady said there was a resolution slated for the upcoming agenda to ratify the hiring of a dispatcher.

Chief McConnell review his report and also reported that 26 West had requested to reinstate the valet service for the winter months.

#### **Public Works**

Director Keen said Clean Ocean Action had provided poop sniffing dogs to help with an issue on Spring Street. He also reported that a contractor foreman had had a heart attack on site at the DPW facility and had not survived. He credited three public works employees with offering assistance. He also noted that NJTransit was doing work on their track on Shrewsbury Avenue. He reviewed highlights of his monthly report including repair work at 90

Monmouth Street. He said there was free parking being offered over the holidays and said they were prepared for potential snowfall. There was a discussion of leaf collection and the schedules.

Councilman Zipprich requested that notices go out to the public.

Director Keen gave an update on the street sign replacement project and said they were waiting for poles. He said the Department was striping and painting on White Street. He said the Water/Sewer Division was working with the Monmouth County Regional Health Commission regarding the grease trap issue.

Administrator Shehady said the Borough will be mandating business to install as per the ordinance.

Mayor Menna asked an inventory of the town in regarding to signage and deterioration. He suggested they be updated by zone.

Administrator Shehady said they were doing just that. He reviewed actions that had already been taken. He said he was also looking to implement an assessment management system.

Director Keen reviewed the replacement of stop signs and curb painting.

Councilman Ballard asked if it was the end of street sweeping season.

Director Keen said it was getting close. He said whenever it was warm enough, they would use it. He reviewed issue with using the equipment in cool weather.

Councilman Taylor spoke in favor of implementing alternate side of the street parking to facilitate.

Director Keen said they would be discussing it in January.

### **Fire Marshal/Code Enforcement/OEM**

Administrator Shehady discussed single family property inspections. He said most towns don't do them and said they are done independently.

Fire Marshal Welsh said the minimum would be to check the smoke detector and fire extinguisher. He said he would like to continue to do them for rentals but to eliminate them for properties for sale. He also noted that Code Enforcement fees were outdated and may need to be increased. He reviewed his monthly report and said he wanted to note that the proposed Regatta event would be a toned down version of the previous one. He also noted that his Department would be using hangtags in the coming month.

Administrator Shehady reviewed reporting software that would generate work orders for the department.

In regard to OEM, Coordinator Welsh said he was working on the Emergency Operation Plan which was due next year. He said the Administrator had approved Clerical assistance for him

Administrator Shehady reviewed the State Statute in regarding to an Emergency Management Commission and said there would be a resolution at the Reorganization meeting to create it.

Mayor Menna asked if there was a methodology to follow up on approvals for development.

Fire Marshal Welsh said they check with the Building Department to check on permits.

Mayor Menna asked about a specific property and called for a meeting to review options.

Councilman Taylor said he did not feel the vacant property ordinance was strong enough and said he felt it should be revised.

Attorney Cannon said there were issues with vendor data mining and billing for price of registration. He said he was actively working on solutions.

### **Building**

Administrator Shehady noted the Construction Board of Appeals issues were currently handled locally but said he felt it would be better handled at the County level. He proposed to eliminate the local board and send appeals to the County. He noted there would be no cost.

A discussion followed and it was determined that action to abolish the Board would be taken in January.

Construction Official Corcione reviewed his monthly report and noted that permits were slightly down due to weather.

Councilman Yngstrom asked about the status of the open permits.

CO Corcione said they were down to about 4,000 but noted they couldn't get to them all in one year. He said they were looking into hiring additional experienced personnel and were chipping away.

Administrator Shehady reviewed how they were prioritizing the permits and reviewed an action plan that would take two to three years.

### **Finance**

CFO Poulos reviewed a resolution to cancel grant appropriations.

Councilman Ballard asked if the Borough would be returning grant money.

CFO Poulos said the grants required a local match and if the funding went unused, they have to cancel the

appropriation. She said there may be a need for a transfer resolution and also reviewed a tax appeal settlement. She reviewed her report including the fact that revenue had been exceeded 100 percent. She reviewed areas of concern where transfers may be needed. She said the budget was on target and reviewed the details.

Councilman Ballard expressed concerns about the school funding being included and a discussion followed.

Administrator Shehady said Edmunds software could produce a report.

Councilman Ballard called for more details in the report.

Administrator Shehady also reported that the Borough's bond rating was stable and did not decrease. He reviewed the highlights of the report and said the Borough was in a good credit/financial position and the tax base was healthy.

### **Fire**

Fire Chief Jensen reported on the newly elected 2019 Chief Wayne Hartman. He also noted that the new Chief coming in as Second Deputy was Bobby Holiday who was an experienced Chief as he had previously served. He reviewed November activity and spoke of the success he had had with the grant writing firm. He said it had been an honor and pleasure to serve as Fire Chief.

### **Parks & Recreation**

Director Hoffmann reviewed his report and upcoming activities including Community Workshops. He also reviewed grants applications for his department that had been successful.

### **Public Comment**

Dan Roirdan—53 Elm Place—said the Council had asserted that the Redevelopment Agency would pay for itself. He compared the contract to one in Rahway and expressed concern about expenses. He also criticized negotiating with a developer before a redevelopment plan is done. He said he was concerned that Zoning decisions would be based on the landlord's profit. He said he was concerned about concessions and about negotiating from the ceiling. He said he was also concerned that these matters were being discussed in Executive Session. He also noted that there had been concern about the density of a project on White Street but said it was less dense than the proposed project on the former VNA property.

Ben Forest—16 Locust Avenue—said he agreed that the Regatta event should be privately run but with Borough support. He said he liked the idea of having the Public Comment rules on the agenda. He said he was also concerned about the redevelopment project and said he felt they would be pressured by the Developer. He said there were issues with the intersection and density. He said those needed to be resolved before there was an approval. He said the Council should not be pressured by a potential lawsuit.

No one else appearing, Councilman Zipprich offered a motion to close the audience portion, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

### **EXECUTIVE SESSION**

18-284A Mayor Menna read a resolution to adjourn to executive session to discuss Contract Negotiation and Potential Litigation; no action to be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Ballard offered a motion to adjourn from executive session and resume regular business, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Ballard offered a motion to adjourn the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi

DRAFT