

MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
June 3, 2020
6:30 P.M.

SUNSHINE STATEMENT

Council President Ballard 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 December 11, 2019.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Council President Ballard and Council Members Yassin, Triggiano, Yngstrom, Zipprich and Horgan.

ABSENT: Mayor Menna

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

ENGINEERING

Engineer Neumann reviewed her report and offered a status update on several ongoing projects including: East Bergen Improvements, 2018/19 Road Program, White Street Improvements and the White Street Parking Lot. She also reviewed upcoming projects including Broad Street Improvements and the 2020 Road Program.

Councilman Zipprich asked if the Broad Street project would get underway later this year.

Engineer Neumann said she did not anticipate that it would begin in 2020. She said it would most likely begin in Spring of next year.

OEM/FIRE MARSHAL/CODE

Fire Marshal Welsh reviewed his report and said money was coming in to the Fire Marshal's Office. He said they expected to receive requests for permits to sell fireworks and reviewed the criteria. He urged people to make good choices regarding the use of fireworks and to be careful. He reviewed Code Complaints and said they were about three weeks behind on Fire Inspections. He offered a status update on various inspections done in his office.

Councilman Zipprich asked about sidewalk café permits and asked if the Borough was ready to issue or if they were going to ignore them.

Mr. Welsh noted that some establishments had already put tables out and said he would work with the Clerk's Office to review. He noted that there were ADA issues that would need to be considered.

Councilwoman Triggiano noted there was a discussion item on the agenda regarding a resolution from another town where many of these items were addressed.

RECREATION

Director Hoffmann thanked those that had helped with the Memorial Day event including Police, Fire, Administration and the Elk Lodge. He said they were still conducting the Essential Goods Drive.

Councilwoman Horgan pointed out that there were issues with ongoing "chat" comments.

Administrator Shehady said he was aware of them and was working on the security settings.

Councilman Zipprich thanked Director Hoffmann for his efforts with the Memorial Day tribute.

Councilman Ballard asked questions about the Department's revenue report which Mr. Hoffmann clarified.

Director Hoffmann also noted that there were looking into the possibility of hosting a summer camp since the Governor's latest order had included those as activities that could resume.

SENIOR CENTER

Director Reynolds reviewed her report and went over current activities being done by Senior Center staff including meal deliveries and home visits. She said they were looking into starting a Food Pantry.

Councilman Zipprich asked her if they were checking to see if seniors had completed the census.

Ms. Reynolds said they were but noted some had issues with completing the census on line.

Councilman Zipprich said he would forward her a number they could use to complete it over the phone.

Councilman Ballard asked her about that fact that her report showed that many numbers had dropped off.

Director Reynolds said that was due to the fact that they couldn't have certain activities in the center during the pandemic. She said many activities such as nurse visits, etc. were still taking place but they could not be credited to the center since they weren't taking place there.

Councilman Ballard said he understood that the reason was COVID related and thanked her for all that she had been doing.

FINANCE

CFO O'Reilly said they were working on estimated tax bills that would be going out in a couple of weeks and said they would include an explanation for tax payers. He reviewed a conference call he had participated in with the County to discuss reimbursement for COVID expenses and went over details of which expenses the Borough could submit for reimbursement. He reviewed a draft budget that he said should be ready for introduction on 6/17.

Administrator Shehady offered more details on possible adjustments to be made. He said they would be meeting with the Auditor to work on it further.

Councilman Ballard noted the Finance Committee had been meeting on the matter. He agreed that it was an unusual time and thanked CFO O'Reilly for his work on the budget.

Councilman Zipprich asked about towns that adopted their budgets earlier and how they would account for not seeing the anticipated revenue. He asked if they would be able to adjust their budgets.

Administrator Shehady said Red Bank was in a better situation and said it was good that they had used the extended deadlines. He said those towns will have to make up for the lost revenue through emergency appropriations which will affect them in the subsequent year. He asked CFO O'Reilly to review the revenue shortfall.

CFO O'Reilly explained the operational deficit and how it would be addressed.

Councilman Ballard said they had been very prudent by waiting.

Councilman Zipprich thanked Councilman Ballard for his diligence in the process.

Administrator Shehady reviewed the resolutions listed on the agenda. He said there would also be an additional resolution to consider the adoption of the RiverCenter budget. He said he had just received the proposal from RiverCenter and would distribute it to the Council. He said the organization would do a formal presentation at the next meeting.

Councilman Ballard asked CFO O'Reilly about the time frame for expenses eligible for reimbursement from the County.

Administrator Shehady said the expenses would have to be incurred between 3/1/2020 and 12/31/2020. He reviewed the details of eligible expenses and the timelines.

Councilman Zipprich asked if there was a guarantee of full reimbursement.

Administrator Shehady said they had intimated that there was no reason why eligible expenses would not be reimbursed and again reviewed the stringent criteria.

Councilman Yassin asked about the proposed Senate bill that would all for bonding to cover shortfalls.

Administrator Shehady reviewed the hypothetical situation and a discussion followed on the bond process and how the Council would address the situation.

Councilman Yassin thanked Councilman Ballard for his work as Finance Committee Chair and said he felt he had a good handle on it.

Councilman Zipprich asked if there was a cap on how much of the reserves they could use.

CFO O'Reilly said there was no cap.

Councilman Zipprich asked if they could use 100 percent.

Administrator Shehady clarified that there were various types of reserves and reviewed the different types. He said they could use it all but asked the Council to keep in mind that would need to be replenished and it would affect their bond rating.

PUBLIC UTILITIES

DPW Director Keen reviewed two proposed ordinances. The first would change the traffic flow on Boat Club Lane to one way.

Councilman Zipprich asked Chief McConnell if it had previously been one way.

Chief McConnell said it had functioned as such after someone unknown had put up a sign which was later removed but said had never been officially been one way.

The Council consensus was to authorize the drafting of the ordinance.

Director Keen said a second ordinance would give the Police Chief the authority to temporarily designate special parking in certain situations.

Councilman Zipprich suggested it should include a sunset clause so it was not permanent.

A discussion followed on the types of situations where it would be used. It was noted that any designation would be temporary and would require an act of Council to make it permanent. It was suggested that there should be a second approval required as a form of checks and balances. It was decided that the ordinance should be drafted for the next meeting.

Director Keen said a proposed third ordinance would restrict motorized vehicles from the Primary School Access Road. He noted that this was a new road so restrictions needed to be authorized. He also reviewed resolutions to be on the next agenda which would include the awarding of two contracts for water repair/maintenance services.

Administrator Shehady noted that there had been an approval at the last meeting to go out to bid for the Solid Waste/Recycling Collection. He said it would need to be awarded in August and reviewed information on a proposed survey he had distributed to the Council that would help determine the needs of the community. A discussion followed on how the survey would be done.

Councilman Yassin asked about the bid process for the contract.

Attorney Cannon reviewed the process.

Councilman Ballard pointed out that this would be a non-scientific survey and noted Red Bank had over 12,000 residents.

Administrator Shehady noted the survey would be done by household and said Red Bank had between 4,000 and 5,000 households. There was another discussion on the details of the survey process and the cost of the contract.

Director Keen praised his staff. He said the Parking staff were moving forward with the parking plan. He reviewed other work being done in the Public Works Department. He said they were seeing improvement in the sewer system which he said could possibly be attributed to the fact that there were less disposable wipes available to the public.

Councilman Zipprich asked if the Broad Street project would affect the meters in that area.

Director Keen said possibly but he was sure if the spots would be changed.

Councilman Zipprich expressed concern that meters would be installed that then have to be pulled out.

Director Keen said the Department now had the equipment to do that type of work in house.

Councilman Ballard asked Director Keen if he was prepared for the possible increase in garbage as part of the outdoor dining.

Director Keen said he felt it might actually lessen the garbage due to the fact that the business owners would assist with collecting garbage.

Councilwoman Triggiano said many of these issues were addressed in the proposed resolution she had mentioned earlier.

Attorney Cannon noted that the State Alcoholic Beverage Control Bureau had released information earlier in the day regarding extending liquor licenses.

A discussion followed regarding garbage collection of litter lockers and for businesses.

POLICE

Chief McConnell said his report was not complete and said he would forward it to the Administrator early next week. He said the Department was seeing an increase in calls and activity was almost back up to normal levels. He discussed the plans to close Broad and Monmouth streets. He said the plan would require police presence and said they would need Special Officers. He said they usually used the Specials to patrol parks which the Department was going to forgo this year. He said, since they would be hired to address situations resulting from the COVID epidemic, the Borough should be eligible for reimbursement for the cost. He said, without the Special Officers, the area would have to be patrolled by regular officers and he wasn't sure their overtime would be consider eligible for reimbursement. He said besides that resolution, he was also asking for a resolution to authorize the backfilling of a dispatcher position. He said he also wanted to acknowledge recent events in regard to the murder of Mr. Floyd at the hands of the Minneapolis Police Department. He said he wanted the Council and the public to know that, as a law enforcement agency, they were committed to the safety of all of their residents and guests and said the condemned the death of Mr. Floyd. He said they would be redoubling their Community Relations efforts in response to this event. He said they had done a lot over the last two years but said certainly more needed to be done. He noted that on the following evening there would be two community meetings; one hosted by the Borough through Zoom and the other by Pilgrim Baptist Church. He said he would be participating in both.

Councilman Zipprich asked about the Borough's dispatch operation and noted the fact that the Management Report had suggested they contract with the County for the service. He asked if there had been movement on that or if the proposal had been scrapped.

Chief McConnell said they had looked at it twice, in 2017 and 2019. He said both times the County had come back with a proposal that did not save the Borough any money and actually cost more. He said their proposal would not have been beneficial either financially or operationally.

Administrator Shehady said he would recirculate the memo that he and the Chief had prepared last year so everyone could take a look at the numbers.

Councilwoman Horgan thanked Chief McConnell for speaking out on the murder of Mr. Floyd. She said she knew that the members of the Department were concerned about the residents and visitors as the Chief had noted. She also thanked him for participating in the two events scheduled for the following night.

Councilman Zipprich said he wanted all of the Police Department to know that they were conscious of the stress on law enforcement officers and appreciated their professionalism.

Administrator Shehady asked if there was any objection to the hiring of Special Law Enforcement Officers.

There was no objection.

Councilman Ballard asked if the positions would be temporary.

Chief McConnell confirmed that they were.

Councilman Ballard asked the Chief to thank his staff.

BUILDING

Construction Official Corcione reviewed his report.

Councilwoman Horgan said she wanted to report that a neighbor of hers had recently dealt with Mr. Corcione and said he had been wonderful to work with adding that he was professional and responsive.

Construction Official Corcione thanked her for her comments.

CLERK

Clerk Borghi said Councilwoman Horgan had forwarded information on the information for the annual resolution for the highest ranking Red Bank senior at Red Bank Regional High School. She said the resolution would be prepared for the next meeting and she believed Councilwoman Horgan had invited the student to participate. She also reported on the Primary Election noting that it had been moved to July 7 and would be primarily a vote by mail election. She said registered democrats and republicans would automatically receive a ballot and unaffiliated registered voters would receive an application to request a ballot. She also noted that, while most people would be voting by mail, the Governor's order had called for each town to open a location for those who wanted to vote in person. She said those voters would vote by provisional ballot unless they could demonstrate that they had a handicap that would prevent them from doing so. She said only those individuals would be allowed to vote on a machine. She said she had suggested that Borough Hall be used as that poll location. She also reported that the Governor had extended the date that mail in ballots could be received to July 14 as long as they were postmarked by July 7. She said this would significantly delay the certification of the results which wouldn't be available until at least a week after the election. She said there was also a need to review the Borough's Food License ordinance. She noted that when the Borough contracted with the Monmouth County Regional Health Commission (MCRHC), they had begun issuing permits under the MCRHC ordinance which had a different fee structure and included provisions for Special Event and Farmer's Market permits which the Borough's ordinance did not. She said this section of the Borough's code needed to be brought current before the end of August when the Borough switch over to Monmouth County Health Department. She also reported that Mayor Menna had proclaimed June 2020 as Pride Month in Red Bank and said the proclamation would be read into the record at the next meeting. She also confirmed that the State Division of Alcoholic Beverage Control had sent an email out earlier in the day to confirm that they had set up the permit process for liquor license holders to temporarily expand their premises to accommodate outdoor dining. She said the permit would be valid through November 30th. She said they offered guidelines for those expansions and noted it was an on line process. She said the fee had been set at \$75. She said both she and the Chief would have to approve the requests and said they would work with the Administrator and OEM Coordinator to get these in place. She said her only concern was that the State was going to require something in writing to confirm approval of the use of any property that wasn't held by the license holder including public streets so the Borough would have to address that.

ADMINISTRATION

Administrator Shehady said he had reviewed resolutions received from the Borough of Metuchen and other municipalities regarding the reopening of restaurants and other businesses. He said the Borough needed to have a resolution in place to address the needs of the business community and said he felt Metuchen's was the most comprehensive and well written. He said if the Council could adopt it on the 17th, it would put the Borough in a good place regarding the Stage 2 and 3 phases of the reopening. He said he would work with the Attorney, Clerk, OEM Coordinator, Police Chief and DPW Director to review the resolution and modify to Red Bank.

Councilman Zipprich said he had forwarded the document to RiverCenter officials for review. He expressed concern that no business be left behind, specifically the retail community. He said he wanted to make sure they were ultra-sensitive to the small business community. He said he had also spoken to a Council member in Metuchen regarding how the resolution had been crafted and noted it had been drafted with tremendous input from the business community. He asked if it was known if the business community had reviewed the resolution and agreement with its approach.

Councilwoman Triggiano said, in regard to retail businesses and concerns with outdoor displays, that topic was covered in detail in the sample resolution. She said when she read the resolution, she found that it filled in the

blanks in the plan that had been discussed. She reviewed the specifics of topics included in the resolution that addressed concerns. She said it also addresses other satellite areas besides just the pedestrian plazas. She said she agreed that the sample ordinance provided was the most cohesive and did seem to be the result of an amazing collaboration. She said Red Bank was lucky that they had done such an amount of hard work that we could benefit from.

Councilman Yassin said he wanted to comment regarding feedback from the community. He said he, Councilwoman Triggiano and the Mayor serve on the Red Bank Reopens Committee and said they had been a lot of discussions with those leaders. He said the session held the other day had approximately 80 business owners included and said they had been free to pose questions that had resulted in back and forth discussions. He said he felt Red Bank had done a good job of getting feedback from the community and said he felt that was evident in the Metuchen resolution also. He said he felt this resolution was what the business community was looking for and felt they would be excited.

Councilwoman Horgan agreed that it was comprehensive and said she had been impressed by it.

Councilman Zipprich addressed Council Members Triggiano and Yassin and asked about enforcement once everything got underway and people were back on the street. He asked how they would make sure people were properly social distancing to avoid an occurrence of COVID.

Councilwoman Triggiano said she felt that would be an OEM question. She asked Administrator Shehady if that was correct.

Administrator Shehady said it was to an extent. He said Social Distancing was a requirement under the Governor's Executive Order so it would be treated the same way as a supermarket where someone wasn't social distancing. He said everyone had to play a part to ensure compliance.

Councilwoman Horgan said she thought that was covered in the resolution.

Councilwoman Triggiano read from the relevant portion of the sample resolution.

Administrator Shehady asked if there was any objection to have the resolution revised to be specific to Red Bank and including it for consideration on the meeting of June 17. There were no objections. He reviewed other items on the agenda for discussion including the need to revise the section concerning the Board of Health which would no longer be an autonomous Board once the County contract went into effect. He asked Councilman Yassin to confirm that it was the recommendation of the current Board of Health to revise the ordinance to make it an advisory Board of Health.

Councilman Yassin confirmed that that was correct.

Administrator Shehady noted that the County contract would be in effect in September so the Council should take the necessary steps to make that change before then. He also noted that the Grant Consultant contract would be expiring at the end of this month and said he felt it would behoove the Council to renew it pointing out that Borough had received well over \$1 million over the course of their tenure with the Borough. He said they continued to do great work.

The Council was in agreement that they had done a good job.

Administrator Shehady said the final item he wanted to discuss was the Post Pandemic COVID 19 Re-occupancy Facility Assessment Proposal. He said he had received a proposal from an architectural firm that was already doing work for the Borough. He said they were very familiar with this type of work. He said he believed the Borough could be reimbursed for the expense under the CARES Act. He reviewed the phased in approach that he anticipated would lead up to the reopening of Borough Hall. He reviewed measures that would need to be implemented to protect the public and the Borough employees including Plexiglas guards, etc. He said he felt they needed the input of professionals before they moved forward with those measures. He said the fee would be \$14,500 to do the study and he felt they would get a good report that would justify expenditures and reimbursement requests under the CARES Act.

Councilman Ballard asked for more information on the proposed firm.

Administrator Shehady reviewed the particulars of the firm and the areas of their expertise.

Councilman Yassin said, based on his experience with the firm through the Redevelopment Agency, he felt they were a well vetted firm that did really good work.

Councilwoman Triggiano agreed.

Administrator Shehady said he approached that firm out of ease and speed and noted they had been doing work for the Borough reviewing existing facilities. He said they already had background knowledge on the building.

Councilman Zipprich agreed that they did great work and said he and Councilman Yngstrom had discussed security concerns with them. He asked if the expenses would be reimbursable through the County funds.

Administrator Shehady said it was his understanding that they would be. He said he would ask Attorney Cannon to confirm. He said the County was not confirming eligibility but was leaving it up to the Municipalities to follow the Federal Guidelines and deal with the Federal Government if it was determined not to be reimbursable. He again said he believed it was reimbursable and also again asked for the Attorney's input.

Attorney Cannon agreed that this type of expense was almost always covered but said he would be happy to look at it further.

A discussion followed on the process of the review.

Councilman Zipprich expressed concern about possibly making expensive improvements to a building that need a lot more work.

Administrator Shehady agreed and said that was the purpose of the report including cost estimates and time frame so they could decide how to move forward.

Councilwoman Horgan asked how much their review would cost.

Administrator Shehady said the resolution would state that it was not to exceed \$14,500. He again said he felt it was reimbursable under the County's CARES Act. He reviewed the process that would follow.

Councilman Yassin asked if design specs would be covered under reimbursement.

Administrator Shehady said he felt they would be.

Councilman Zipprich asked if the Borough would submit the expense to the County and they would determine if they were eligible for reimbursement

Administrator Shehady said that was correct and also noted that the County would not respond to questions about eligibility and just told them to read the guidelines.

A discussion followed on the eligibility process.

Councilman Ballard had briefly stepped away from the meeting and returned announcing he had been dealing with a family matter.

Administrator Shehady said that concluded his report and asked for Council consensus to prepare a resolution for the architectural of the municipal building. The Council was in favor.

PUBLIC COMMENT

No one appeared.

Councilman Zipprich said he had one additional comment. He said he had been approached by the Eagle Scouts to ask about volunteer work. He said he knew it was an odd time because of the pandemic but suggested they could do park clean up or bench repair. He asked who he should direct them to.

Administrator Shehady said to send them to him and he would be happy to review and coordinate.

EXECUTIVE SESSION

No Executive Session.

ADJOURNMENT

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

ROLL CALL:

AYES: Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

NAYS: None

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

Respectfully submitted,

Pamela Borghi