

MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
August 4, 2021
6:30 P.M.

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 December 16, 2020.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Menna and Council Members Triggiano, Yngstrom, Zipprich and Horgan.

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

ABSENT: Councilman Yassin and Councilman Ballard (joined at 6:33pm)

ENGINEERING

Engineer Neumann reviewed her report and offered an update on various projects. She reviewed the bid results from the Broad Street Improvements project. She also reported on a meeting with the State Department of Transportation she attended along with Interim Administrator McConnell and DPW Director Keen regarding the Tap Grant. She said the DOT told them, assuming authorizations were approved, that this would be a fall 2023 project.

Councilman Ballard joined at 6:33pm.

Councilman Zipprich asked, in regard to Broad Street, if the Borough would be doing anything with water lines while the road was open.

Engineer Neumann said property owners would be given the opportunity to replace their lines while the road was open. She said there were no main improvement associated with the project but said there was some fire hydrant work included in their scope of services. She also reported that the Eastside Parking Lot project should be ready to bid shortly.

Councilman Zipprich asked if that would include infrastructure that would lie underneath the parking lots.

Ms. Neumann said she believed it included minor drainage work. She said the layout would essentially remain the same and there was no major utility work including adding solar lighting.

Councilman Zipprich asked if any water lines ran through the lot.

Ms. Neumann said she would have to confirm with the DPW Director but said they did not include any water improvements.

BUILDING

Mayor Menna asked if there were any questions on Construction Official Neibert's report. There were none.

SENIOR CENTER

Director Reynolds asked if there were any questions on her report. There were none. She thanked Officer Shields for her efforts with National Night Out and said it was a great event.

Councilman Zipprich asked if she was seeing more participation by the Seniors.

Ms. Reynolds said she was seeing more participation especially at certain popular events. She said they were adding more activities each month. She reviewed specific activities.

Councilman Zipprich asked about meetings she had participated in with the architects regarding the Senior Center renovations.

Ms. Reynolds said they were coming along.

RECREATION

Mayor Menna thanked the Department for their help with National Night Out.

Director Dal Pra said it had been a great event and said the Red Bank Police Department had done a great job. He reported that the turf project had not been completed. He said they were waiting for the turf to come in as well as the backboard for the basketball court. He said he had been hounding the turf company to provide delivery information. He said otherwise everything was going well in the Department.

ADMINISTRATION

9/11 Ceremony—Interim Administrator McConnell reported that they were working on a 9/11 Anniversary Ceremony. He said it was still in the planning stages and said they would have more to report by the end of the month.

Senior Center Update—IA McConnell said he, Senior Center Director Reynolds and DPW Director Keen had met with the Architect to go over changes that they thought were necessary. He said he expected to reconvene with them in the next week to go over the adjustments. He said he expected to have something soon for the Council and Public to review.

Salary Ordinance/Resolution—IA McConnell said he had sent out a draft of the salary ordinance and noted it had not been updated until 2018. He said the ordinance would set the ranges for the positions. He said a resolution to set the individual salaries would be done after the adoption of the ordinance.

Councilman Ballard said he had noticed that, under Police Salaries, “detective” had been crossed out. He asked if that meant the Department did not have detectives anymore.

IA McConnell said, in the last contract with the PBA, some wording had been changed. He said “detective” was no longer a rank but was a stipend. He said it was considered an assignment rather than a promotion.

Councilman Ballard asked, if a position was not listed, did that mean the Borough could not fill the position.

IA McConnell said he believed they could create the position by ordinance and assign a salary to it at that point.

Councilman Zipprich asked is the Borough had an Assistant Purchasing Agent.

IA McConnell said they did not at this time but believed they had had one in the past.

Councilman Zipprich also asked about the title of RCA Coordinator.

IA McConnell said there was someone currently assigned to that position.

Councilman Zipprich asked what that person did.

IA McConnell and Clerk Borghi explained that the former Director of the RCA Program had retired but some of the projects remained open and someone on staff had to coordinate closing out the remaining projects.

Councilman Zipprich also asked about the Board of Health Secretary position. He said, since we had outsourced Health Services to the County, was the position still needed.

IA McConnell said no one was currently being paid for that position and said they could technically remove it from the Ordinance.

Clerk Borghi said she had held that position and didn’t believe she had ever taken compensation. She confirmed that the Board of Health was now an advisory board so they would no longer qualify for a paid secretary.

IA McConnell noted that the Salary Ordinance had last been updated in 2018 and some of the salaries were starting to exceed the ranges.

A discussion followed on the position of Assistant Administrator.

Mayor Menna excused himself from the meeting at 7:00pm.

Councilwoman Horgan took over as presiding officer.

Councilman Ballard also asked about the significant increase in the salary for the judge.

IA McConnell explained that the previous judge had only asked for \$15,000 which was an unreasonably low salary and said he had enjoyed being the judge and did it for a very low salary. He said they would not be able to replace him at that rate. He said the range reflected in the ordinance was much more realistic.

Memorial Policy

IA McConnell said a draft policy had been distributed a couple of months prior but said it had not really been discussed.

A discussion follow on the details of the policy including whether or not a person who was still living should be memorialized. Councilwoman Horgan and Councilman Zipprich were in favor of allowing murals for those still living.

Councilman Ballard disagreed saying, if they opened it up to all living beings, it was a slippery slope. He said they could have memorials everywhere and asked what the cut off would be or how they could say “no” to anyone. He said he was in favor of honoring those who had passed and had served Red Bank with grace and dignity. He noted there had been people across the country who had been given honorariums and later turn out to do something really bad. He again said he felt the honorariums should be for those who had served Red Bank and to honor their legacy after they passed.

Councilwoman Triggiano said she felt they should have a broader conversation about these sorts of things. She said it had come up that the Borough did not had any sort of sports memorial. She suggested something could be installed at Count Basie that could be built upon to serve all of the amazing people that should be recognized. She said that should go for the arts as well. She suggested group spots where they could reflect on the accomplishments of many.

IA McConnell said he felt there was a need for written policy which opened the Council up for being critiqued for arbitrary decisions. He said that was what he was trying to avoid by creating a policy.

Councilwoman Horgan said the buck stopped with the Council and said, no matter what went into the policy, the final decision rested with the Mayor and Council.

Councilwoman Triggiano said there was also a big difference between naming a structure or street after a person and installing a plaque.

Councilman Ballard asked for confirmation that there was currently no written policy that had been voted on.

IA McConnell said that was correct and the plan was to formulate that policy.

Water/Sewer Credit Policy

IA McConnell said he had also circulated a policy on Water/Sewer Credits. He said in the few months that he had been in the Interim Administrator position, he had dealt with this a couple of times for different situations. He said he had found there was no written policy on that and said he did not want employees having to make arbitrary decisions.

Councilwoman Triggiano said she found the policy to be empathetic and compassionate and asked if it was sustainable.

IA McConnell said it was and reviewed the criteria included in the draft policy.

Councilman Zipprich said when he and Councilwoman Horgan had been on the Public Works Committee they had worked to draft an ordinance to allow reverse metering for irrigation systems. He said that was now available and said he felt it was something they needed to promote.

IA McConnell reviewed a specific case that was pending and outlined his proposed resolution.

Councilman Zipprich asked if that would open them up to any decisions that had been made in the past regarding similar issues.

Attorney Sobel said it would not. He said anyone filing suit against the Borough would have to file a tort claim notice. He reviewed the specifics of his legal opinion.

Councilman Yngstrom said he liked the proposal but said he would like to see them add the requirement that, as part of the criteria for a credit, that a reverse meter must be installed so that it wouldn't happen again.

IA McConnell said he and the DPW Director had discussed that and suggested that part of the credit would be applied to the cost of the installation of the reverse meter. He also noted that the policy would call for it to be a one-time credit and, if it happened again, they would not be eligible.

A discussion followed on the details of the proposed policy and water/sewer billing practices.

PUBLIC WORKS

Director Keen commended his staff along with the Police Department and Parks & Recreation staff for their efforts at the recent National Night Out. He said he had had no applications for Temporary Seasonal employees so his staff was doing work that they did not normally do. He reviewed his report and noted parking revenue was up 58 percent from 2019. He credited the change in hours and said it would help to pay down debt for improvements. He said the Road Department was working with Code Enforcement to distribute door hangers to educate residents about vegetative waste and bulk. He noted there had been a major storm in July and said the department had done extra collections after storm outside of the schedule. He reviewed the lead and copper reports which he said were at acceptable levels.

48:40

Councilman Zipprich said the Governor had recently signed a bill in support of an Assembly Bill regarding lead service lines. He asked Director Keen if he was familiar with the bill.

Director Keen said he was familiar with it but had not seen the final draft of the bill.

Councilman Zipprich called for a town wide inventory to ensure compliance.

IA McConnell said he believe that had been done.

Director Keen confirmed that they had conducted an inventory to the best of their ability including researching historical documents. He said they had applied for a grant to help with the process. He said lead service lines had been changed out in every Road Program project he had been involved with and said that was the intention going forward.

IA McConnell also reported that there would be a resolution on the next agenda to approve the purchase of a vehicle for the Parking Utility.

LAND USE

Director Ebanks said the advertisement for a Master Plan Consultant would be published in the coming week. She also gave an update on the Affordable Housing/Fair Share obligations and the Rehabilitation Program.

Councilman Ballard thanked her for the report and stressed the importance of the Fair Share program. He asked her to share a copy of her report with the Council. He asked for specifics about the rehabilitation projects.

Director Ebanks reviewed the reasons behind the costs for the individual projects and confirmed that the debt would be forgivable after 10 years. She also explained the reasons why the projects were done one at a time which included the fact that there was a limited number of contractors. She said there was some mistrust among the contractors in working with the Borough.

Councilwoman Horgan asked how many contractors were in the pool.

Director Ebanks said there were currently two but they were trying to get more.

Councilwoman Horgan noted the Director Ebanks has asked for the Council's assistance to reassure the contractors and asked how they could help.

Director Ebanks said she was trying to find a way to get everyone on the same page to recover from a brief hiatus. She said they were trying to reassure that they were prioritizing local contractors.

Councilman Zipprich also thanked Director Ebanks for her report. He asked about the applicants that were still waiting for repairs and asked if any additional home owners had been added to the list.

Director Ebanks said they had not opened up the program to new applicants because of the current backlog.

Councilman Zipprich also asked follow up questions on the First Time Home Buyers program.

Councilwoman Horgan thank Director Ebanks again for her report.

Councilwoman Triggiano asked that the contractor information be posted on the Borough's Facebook page.

Director Ebanks said she believe they had to use the RFP process.

OEM/FIRE MARSHAL/CODE

IA McConnell said Fire Marshal Welsh was not able to attend but he could review the report for his Department. He said they were still working on the Tenant Registration Ordinance. He also reported that a part time position in the office had been filled and said the employee would be starting on Monday.

POLICE

Chief McConnell reported that there would a resolution on the next agenda for the annual hiring of crossing guards. He also noted that it had come to his attention with the recent change to parking on Chapin Avenue that portions of the street were missing from the two hours parking limit schedule. He said an ordinance would be prepared to correct that. He said there would also be a resolution within the next two Council meetings to appoint a new police officer to replace someone that retired.

FINANCE

CFO O'Reilly reported that the State had certified the budget that morning and said tax bills would be prepared for mailing. He said they had to allow tax payers 25 days to pay so there would be an extended grace period for payments.

Councilwoman Horgan asked when the residents could expect to receive the tax bills.

CFO O'Reilly said it would depended on how quickly the vendor could print the tax bills. He estimated they could be in mailboxes within three weeks.

Councilman Ballard said he wanted to discuss the position of an Assistant CFO. He said the Borough was suffering greatly by not having that position. He called for the Council to fill the position.

Councilman Zipprich he remembered an Assistant Treasurer position being advertised. He asked the Clerk is she recalled that posting.

Clerk Borghi said she did not. She said the last time she recalled anyone having that title was in the late 1990s.

IA McConnell agreed that it had been a long time since there had been an employee with that title. He said he believed the reference was that there was a retirement around the same time as the Borough was searching for a new CFO. He said they had been looking for someone to replace that retiring employee but they had not been an assistant CFO. He said that position was ultimately filled with an internal candidate.

Attorney Sobel cautioned the Council about getting into personnel issues. He said to avoid naming names and discussing the hiring process.

Councilman Ballard said, when he had been elected, he had requested an organization chart of the Finance Department and there had been a box with the title of Assistant CFO with a name in that box. He said that had been 2018. He said that person remained in the position until their retirement in 2019. He said their skillset had been a little more than a clerk in the Finance Department. He asked CFO O'Reilly to elaborate.

CFO O'Reilly said he had interviewed for his position in January of 2019. He said, at that time, the Borough had already advertised and interviewed for the position of Assistant Treasurer. He said the position of the person who had retired had been upgraded. He said when he had been appointed in April of 2019, the position was vacant and

it remained vacant for six months. He said the position was no longer classified as Assistant Treasurer but was classified as the same position as it had been for the person that had retired.

Councilman Yngstrom said the matter should be discussed by the Finance and Personnel Committee and then brought back to the Council for a discussion in Executive Session.

Councilman Ballard said that was an excellent idea.

CLERK

Clerk Borghi asked if there were any questions on her report. She reviewed the three ordinances that would be on the next agenda for public hearings.

DISCUSSION

Councilman Zipprich said he had IT concerns in regard to the Delta Variant of the COVID virus. He said he understood that some of the Boards were resuming in person meetings and said he wanted to make sure that the Borough's technology consultants could help bring the Borough to 2021 accessible standards. He called for broadcasting meetings for transparency.

IA McConnell said he had talked to the IT Consultants about the situation. He said the Land Use boards had chosen to back to in person meetings without a hybrid option. He there were a lot of issues beyond just the technology include who would be administering the hybrid option. He said it would be difficult for the Clerk, Borough Attorney or Administrator to run the hybrid to try to participate in the meeting. He said, as Councilman Zipprich has mentioned, the numbers for the new variant were increasing so questioned if this was something that the Council wanted to pursue at this time. He said the IT Consultant was talking to some of their vendors to determine what technology would need to be added to be able to do a hybrid meeting. He said the other option was to stream the meetings without have the ability to have interaction from people who were not present.

Councilman Zipprich said he felt all of those things needed to be considered. He reviewed current CDC recommendations.

IA McConnell said he hoped to have a report back from the IT Consultants sometime this month.

PUBLIC COMMENT

Councilwoman Horgan opened the Public Comment.

Sue Viscomi—25 Cedar Street—asked if the negative surplus issue had been corrected in the budget document.

IA McConnell said it had been corrected and asked the Clerk to confirm that it had been posted to the website.

Clerk Borghi confirmed that it had been reposted.

Craig Dolan—34 John Street—said he appreciated the work of the Parks & Recreation Department. He expressed concern about safety issues regarding work being done at Eastside Park. He requested that vendors be reminded to protect the parks and residents after they were done with their work. He reviewed a recent incident involving his son as well as other incidents in the area. He said he would also love to see a review of the need for a parking vehicle. He said he hoped the Parking Personnel would be walking around and enforcing parking rather than sitting in cars. He asked the Interim Administrator to review the need.

IA McConnell said the vehicle proposed was not for enforcement but rather for the maintenance aspect of the operation. He said it was so they could move equipment and make repairs to equipment. He also noted that the Parking Enforcement Officers were also used as Class I Special Police Officers which was why they had officially marked vehicles. He said he also want to note that he was aware of the injury to Mr. Dolan's son and said it had been addressed with the contractor.

Councilwoman Horgan said they were all glad that his son was okay.

No one else appearing, Councilwoman Horgan called for a motion to close the Public Comment.

Councilman Zipprich offered a motion to close the Public Comment, seconded by Councilwoman Triggiano.

ROLL CALL:

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

NAYS: None

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

EXECUTIVE SESSION

21-223 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation. No action to be taken.

Councilman Zipprich offered a motion to adjourn to Executive Session, seconded by Councilwoman Triggiano.

ROLL CALL:

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

NAYS: None

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

RESUME REGULAR BUSINESS

Mayor Menna rejoined the meeting during the Executive Session.

Councilwoman Triggiano offered a motion to resume regular business, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi