

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
February 13, 2019
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi and Attorney Cannon.

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 12, 2018.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Recognition of 2018 Fire Chief

19-33 Mayor Menna read “A Resolution Honoring 2018 Fire Chief.”

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

Mayor Menna and Fire Commissioner Triggiano presented a copy of the Resolution to 2018 Fire Chief J. Stuart Jensen.

Presentation to Freddie Boynton

Mayor Menna read a proclamation recognizing Freddie Boynton for his induction into the New Jersey Amateur Boxing Hall of Fame. Mayor Menna presented the proclamation to Mr. Boynton.

Recognition of Red Bank Public Schools Teachers

Councilwoman Horgan reviewed recent accomplishments of the Red Bank Public School District and awards bestowed on some of their teachers. She said five teachers in Monmouth County were recognized as Exemplary Elementary Educators for 2018 and said two of them were in the Red Bank District.

Mayor Menna and Councilwoman Horgan presented certificates to Alyssa May and Lara Wengiel and congratulated them on their achievement.

Superintendent Jared Ramage introduced a performance by the District’s Kids on Broadway group.

Mayor Menna said he felt it would be appropriate to announce at this time that the 2019 Mayor’s Charity Ball would benefit the Red Bank Borough Education Foundation.

Black History Month Proclamation

Mayor Menna read a proclamation regarding Black History Month and presented it to members of Celestial Lodge 36 F & AM.

Mayoral Appointments

- Paul Sullivan to the Historic Preservation Commission as a Class I member for an unexpired 4-year term to expire on 12/31/2022.

Councilman Zipprich offered a motion to confirm the appointments, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

PUBLIC COMMENT (AGENDA ITEMS ONLY)

William Poku—90 Bank Street—read a message from the NAACP regarding the recognition of Freddie Boynton and Black History Month.

Dan Riordan—53 Elm Place—Expressed concern about the resolution to create a Redevelopment Agency.

Mayor Menna noted that the plan had been unanimously approved by the Department of Community Affairs earlier that day and explained that it was a tool to benefit residents.

Mr. Riordan continued to express concern about the ordinance particularly about the amount of authority the body would have.

Mayor Menna and Attorney Cannon disagreed with Mr. Riordan's interpretation of the power of the Agency.

Ben Forrest—16 Locust Avenue—said he thought the Agency would bring expertise and asked if the Council would retain control.

Attorney Cannon explained that the Agency would not have the authority to enter into Redevelopment Agreements without approval of the Governing Body. He reviewed how the process would work.

MINUTES & REPORTS

Regular Meeting Minutes of 1/23/2019

Councilwoman Horgan offered a motion to approve the minutes, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

Executive Session Meeting Minutes for 2018.

Councilman Zipprich offered a motion to approve the minutes, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Yngstrom, Ballard, Zipprich and Horgan.

NAYS: None

ABSTAIN: Yassin, Triggiano

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

ORDINANCES - Public Hearing/Adoption:

2019-01 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 300, "Construction Codes, Uniform," Chapter 361, "Fire Prevention and Protection" and Chapter 505 "Property Maintenance."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

Councilwoman Horgan offered a motion to approve the adoption of the ordinance, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

2019-02 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 680, "Vehicles and Traffic," Section 680-35, "Schedule I: "No Parking."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Councilman Yngstrom offered a motion to approve the adoption of the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

2019-03 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 608: "Streets and Sidewalks" to Prohibit the Depositing of Snow, Slush, and/or Ice Upon Any Street, Sidewalk, or Other Public Thoroughfare."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

William Poku—90 Bank Street—spoke against the ordinance and called for a comprehensive plan.

No one else appearing, Councilman Zipprich offered a motion to approve to close the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Councilman Zipprich offered a motion to approve the adoption of the ordinance, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

2019-04 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 361: "Fire Prevention and Protection" and Chapter 505 "Property Maintenance" to Replace Certificate of Occupancy Requirement with Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance Requirement for Sale of Owner-Occupied Single-family Dwellings and to Adjust Fees for Certificate of CSDCMAC."

Mayor Menna opened the public hearing and asked if anyone would like to speak.

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Councilman Yassin offered a motion to approve the adoption of the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ORDINANCES - First Reading:

2019-05 Mayor Menna read, "Ordinance Creating the Red Bank Redevelopment Agency."

Councilman Yngstrom offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: Ballard

There being five ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 2/27/2019 at 6:30 pm.

2019-06 Mayor Menna read, "Ordinance Supplementing the Revised General Ordinances of the Borough to Insert New Chapter 574: "Smoking" to Prohibit the Smoking of Tobacco and Use of Electronic Smoking Devices in Certain Public Indoor and Outdoor Spaces.

Attorney Cannon noted that an amendment had been made since the draft ordinance had been posted on the website which clarified that the ban would be within a 50 foot radius of municipal buildings but would not extend beyond the property line.

Councilman Ballard offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held 2/27/2019 at 6:30 pm.

2019-07 Mayor Menna read, "An Ordinance Granting Renewal of Municipal Consent to Comcast of Monmouth County, LLL. to Construct, Connect, Operate and Maintain a Cable Television and Communications System in the Municipality of Red Bank, Monmouth County, New Jersey."

Councilman Yngstrom asked Administrator Shehady to review some of the benefits of the agreement.

Administrator Shehady said benefit included an \$18,000 grant to be used for IT/Equipment and a PEG (Public Education/Government) channel with equipment that would allow the Borough to broadcast. He estimated broadcasting could be implemented in six to nine months.

Councilwoman Horgan offered a motion to approve the introduction of the ordinance, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held 2/27/2019 at 6:30 pm.

2019-08 Mayor Menna read, "Ordinance Approving a One-Year Lease Agreement for an Approximate 5,000 Square-foot, Fenced-in Portion of Real Property Located at 208 South Pearl Street, Red Bank, New Jersey for the Public Purpose of a Police Impound Yard."

Councilwoman Triggiano offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held 2/27/2019 at 6:30 pm.

RESOLUTIONS

19-34 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$3,555,350.29."

Councilman Ballard offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

Mayor Menna read the following resolutions and called for a motion to approve en masse:

19-35 A Resolution Authorizing Agreement with Interfaith Neighbors, Inc., for 2019 Nutrition Program for Red Bank Senior Center.

19-36 Mayor Menna read, "A Resolution Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations within the Borough of Red Bank."

19-37 Mayor Menna read, "A Resolution Approving Participation with the State of New Jersey Division of Alcoholic Beverage Control Program (Cops in Shops Grant)."

- 19-38 Mayor Menna read, "A Resolution Authorizing the Award of a Professional Services Contract without Competitive Bidding to Phoenix Advisors LLC for Continuing Disclosure Services."
- 19-39 Mayor Menna read, "A Resolution Authorizing Tax Credits/Refunds Totaling \$3,852.41 due to Overpayment by Mortgage Company."
- 19-40 Mayor Menna read, "A Resolution Awarding a Fair and Open Professional Services Contract for Property & Casualty Insurance Brokerage and Risk Management Services to Fairview Insurance Agency Associates, Inc. of Verona, New Jersey."
- 19-41 Mayor Menna read, "A Resolution Authorizing Agreement with the Borough of Little Silver whereby Red Bank Shall Provide Uniform Fire Code Enforcement Services Pursuant to N.J.A.C. 5:70 through 5:71 Et. Seq. for a Term through December 31, 2019."
- 19-42 Mayor Menna read, "A Resolution Ratifying and Confirming the Appointment of a Full-time Police Officer."
- 19-43 Mayor Menna read, "A Resolution Awarding a Professional Services Contract to T&M Associates for Engineering Services for Pearl Street Improvements."
- 19-44 Mayor Menna read, "A Resolution Awarding a Professional Services Contract to CME Associates for Engineering Services for the 2018-2019 Road Improvements Project."
- 19-45 Mayor Menna read, "Resolution Appointing Lawrence W. Luttrell, Esq. as Alternate Public Defender for the Borough of Red Bank."

Councilman Zipprich offered a motion to approve the resolutions en masse, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

- 19-46 Mayor Menna read, "Resolution Amending Resolution No. 17-296 to Correctly Reflect the Previously Advertised and Duly Awarded Three-Year Contract to Alert Ambulance Service, Inc. for Emergency Medical Services."

Councilman Yngstrom offered a motion to approve the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

MAYOR & COUNCIL COMMENTS

Councilman Ballard reported that the Animal Welfare Advisory Committee wanted to remind everyone that pet registrations were due and were recommending implementing an on-line registration/renewal process. He also announced that there were two Dog Days planned for June 24, 2019 and August 12, 2019. He noted both dates were on Mondays. Regarding the Finance Committee, he said they were reviewing the 2018 budget to look for cost savings and were working on a five year plan. He said the Borough had received 11 applications for the CFO position and they were conducting interviews. He also reported that he had been asked to speak at an event in Neptune to help kick off Black History Month and said he had been proud to represent the Borough of Red Bank.

Councilman Zipprich congratulated Paul Sullivan on his appointment to the Historic Preservation Commission and reviewed his experience. He reviewed upcoming programming at the Red Bank Senior Center and the Read Across America program at the Red Bank Primary School.

Councilwoman Horgan said she had no report but encouraged everyone to log onto the Red Bank Public Library website for information on upcoming programs.

Councilman Yassin said he had also been honored to attend the Neptune event and said he had no additional report.

Councilman Yngstrom reported that the Parks & Recreation Department's Sports Broadcasting program had been tremendously successful and thanked those that had helped. He said registration was underway for the Couch to 5K program with classes to be held on Mondays and Wednesday. He also reported that Front Street Tattoo had recently had their grand opening.

Councilwoman Triggiano reported that the Environmental Commission was planning the second annual Earth Day for Sunday, April 28 with a rain date of Saturday, May 4. She reviewed activities planned for the event. She also noted that Environmental Commission appointments that were made on January 1 were incorrect with the appointments of Alan Hill and Roy Meyer being transposed. She asked if the appointments could be corrected.

Mayor Menna said they could be corrected administratively and the record should reflect that the intent was to make the following appointments regarding the Environmental Commission:

- Full member for three years to 12/31/2020 (unexpired term) Roy Meyer
- Alternate member #1 for two years to 12/31/2020 Alan Hill

DISCUSSION & ACTION

No items.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

William Poku – 90 Bank Street – said he would like to see recognition for prominent African American Red Bank residents and suggested a monument in Johnny Jazz Park.

Darlene Tyler—72 Morris Avenue, Neptune City—handed out information to the Council on a program to help those who had been incarcerated to re-enter the community.

Mayor Menna said the information would be left on the counter by the Court.

Cindy Burnham—71 Wallace Street—thanked the Department of Public Works for getting the blue wayfinding signs back on. She also thanked the Code Department for assisting with another issue. She asked who was responsible for the cigarette receptacle in Marine Park. She said she wanted to know if they belonged to the Borough or to Riverview Medical Center.

Mayor Menna said it would be looked up and we would let her know.

Ms. Burnham also asked that the Council honor the first African American majorette at Red Bank Regional High School. She said her name was Betty Albert and said she had attended in 1946.

Mayor Menna asked her to forward the information to the Clerk.

Ben Forrest—16 Locust Avenue—congratulated the Parking Committee for partnering with RiverCenter on the recent Parking Study. He commended the report and encouraged the Council to move forward with the recommendations.

Barbara Boas—135 Branch Avenue—said, since the Mayor had announced earlier in the meeting that the Red Bank Borough Education Foundation was one of the beneficiaries of the 2019 Mayor’s Charity Ball, she wanted to announce that the second beneficiary would be the Jazz Arts Project. She noted that both would benefit the youth of the community.

Dan Riordan—53 Elm Place—said he disagreed with earlier statements that it was not an authority and claimed that it was. He said the Agency could go into debt and sign contracts without Council approval.

No one else appearing, Councilman Zipprich made a motion to close the public portion, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

EXECUTIVE SESSION

18-47 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel and Contract Negotiation; no action to be taken.

Councilman Yngstrom offered a motion to adjourn to Executive Session, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi