

**MINUTES**  
**WORKSHOP MEETING**  
**MUNICIPAL COUNCIL – BOROUGH OF RED BANK**  
**December 2, 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:** Mayor Menna and Council Members Yassin, Triggiano, Ballard, Yngstrom, Zipprich and Horgan.

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

**SENIOR CENTER**

Director Reynolds asked if there were any questions on her report.

Councilman Zipprich asked if she had gotten any feedback from members of the center that might need attention.

Director Reynolds said they had been getting baskets ready for the holiday season and were also preparing care packages to include Lysol, paper towels, etc. She said the members missed one and other but understood that they were safer at home. She said they had been communicating with each other by phone.

Councilman Ballard said he continued to be amazed at all she did for the seniors and thanked her for her efforts. He said the Housing Authority had been trying to get Wi-Fi throughout Montgomery Terrace and Evergreen Terrace. He said they were looking to partner with her and her team to provide training. He said he would like to continue a discussion with her on the matter off line.

Director Reynolds said she would be able to teach them the basics.

**RECREATION**

Director Hoffmann reviewed highlights from his report including the Westside Tree Lighting which would be done virtually, phone calls and letters from Santa, the Home Decorating Contest and a Winter Clothing Drive.

Mayor Menna asked if they would just take new clothing or would also take gently used.

Director Hoffmann said they would take anything but asked that it be cleaned and disinfected first. He said they would also take non-winter and adults clothing.

Councilman Zipprich asked if there were particular items of clothing that were needed more than others.

Director Hoffmann said in the past there had been a need for jackets, hats and gloves but again said they would take anything.

**ENGINEERING**

Engineer Neumann reviewed her report and offered updates on projects including East Bergen Place, White Street, the Road Program, White Street Parking Lot, Marine Park Parking Lot, Riverside Gardens Park and Eastside Park. She noted Phase II of the Eastside Park project was in the design phase. She said she had been working with Finance and the Department of Public Working to help develop the Capital Budget. She reported that the Borough had been awarded a \$220,000 grant for Spring Street as part of Municipal Aid.

Councilman Zipprich said he noticed the contractor had cut up the newly repaved road on East Bergen and asked if there was an anticipated settlement in that area.

Engineer Neumann said that area would have to be restored completely from curb to curb. She said there would be a settlement period and then it would have to be restored.

Councilman Zipprich also asked about the Sunset Park proposal. He said he believe the previous Engineer had done a lot of work on it and asked if those files had been transferred over to avoid duplication of effort.

Engineer Neumann said they had and that there would be no duplication of effort. She said the information before the Council was regarding the next phase of remediation work.

Councilman Zipprich asked for confirmation that she was picking up where the previous Engineer had left off.

Ms. Neumann said that was correct.

Councilwoman Triggiano said it would be helpful to have Engineer Neumann present for the discussion on Clean Fill.

Ms. Neumann said she was going to go through the Stormwater Ordinance first and then they could go through the Clean Fill Ordinance. She proceeded to review Department of Environmental Protection (DEP) changes to stormwater management rules which had been adopted in March of 2020. She said municipalities had been given one year to update their ordinances. She reviewed the draft ordinance she had provided and said she had highlighted the proposed changes. She reviewed specifics of those changes. She said she would be happy to answer any questions and noted that it must be adopted by March 2 of 2021. She noted that it would need to be referred to the Planning Board for review between the Introduction and Public Hearing/Adoption.

Councilman Zipprich asked about the section of the ordinance that noted the disturbance of one half or more acres of land. He asked if that would include a situation where a developer comingled pieces of properties.

Engineer Neumann said it did. She also reviewed section of the ordinance that were specific to Red Bank.

Councilman Zipprich said his concern was the Red Bank was an old, built out town and they were seeing developers buying more and more pieces of adjacent properties to build out on. He said he wanted to make sure they were protecting affected areas.

Councilwoman Triggiano thanked Engineer Neumann for all of her work.

Regarding the Clean Fill ordinance, Engineer Neumann said it was an important ordinance for Red Bank and was consistent with other communities. She said it was important that the Borough make sure that anyone who was importing material was importing clean material

Councilwoman Triggiano said the draft provided was based on a sample ordinance provided by the DEP. She said it would prevent tainted soil or fill to be used and it would define acceptable soil and fill for construction site. She reviewed the definition of acceptable fill. She said as a resident and Councilperson, she felt it was straightforward that they would not want the land filled with contaminants.

Engineer Neumann said she thought it was important to have a standard and added that the ordinance did set forth a threshold. She said there were some activities that were exempt such as projects under 15 cubic yards. She said projects with more than that would have to submit an application. She said the ordinance would provide a mechanism for the Borough to ensure that, if there was material brought to a site, that it would meet the DEP criteria.

Councilman Zipprich agreed that it was important especially knowing that there were areas in town that had contaminated soils. He asked if someone were to renovate their home and move more than the 15 cubic yards, who would enforce and measure if the soil was clean.

Engineer Neumann said the application process would address that.

Councilwoman Triggiano reviewed questions to be included in that process. She asked Engineer Neumann who she felt the enforcing agency should be. She said that and the application fee had been left blank in the draft ordinance.

Ms. Neumann said she would get back to her with samples from other municipalities. She said it was generally handled through a Public Works Department or the Planning Department.

Councilman Zipprich asked who would test the soil to make sure it was contaminant free.

Engineer Neumann said it would have to be certified through a lab.

Councilman Zipprich asked if it was the homeowner's responsibility or the developer's responsibility.

Engineer Neumann said it was the responsibility of whoever was importing the fill which would be either the homeowner or the developer. She cited a recent example where someone had attempted to bring in dredged soil and said this ordinance would help prevent that.

Councilman Ballard said he understood that homeowners bringing in more than the allowed amount of fill would be filling out the form on the honor system.

Engineer Neumann said that essentially was the case. She said they would have to make residents aware of the new standard.

Councilwoman Triggiano said she felt they should make clear that 15 cubic yards was a lot of material.

Councilman Ballard said he did not know what 15 cubic yards was.

Attorney Cannon said testing was not necessary required under the ordinance as drafted but the Borough was be able to accept the fill if they had a receipt showing they had gotten the material from a reputable contractor. In regard to the description of 15 cubic yards, he said that would be the equivalent of approximately two parking spaces piled two and a half feet high.

A discussion followed on what would be allowed and the specifics of the process to be followed.

## **FINANCE**

Administrator Shehady asked Engineer Neumann to address the proposed Capital Bond Ordinance.

Engineer Neumann said they had been reviewing items in regard to the Capital Budget including utility infrastructure, pump station upgrades and roads that the Borough had received DOT Grants for. She said they had

been working to prioritize projects. She said they had provided a budget that was consistent with what they had seen in the past relative to utility and roadway improvements. She said they had also wanted to look at the parks and the inclusion of a turf field.

Administrator Shehady asked her to go over the numbers by category. He noted that each year there were typically up to three Capital Ordinances—one for general, one for parking and one for water/sewer. He said that had not been done in 2020. He said Engineer Neumann was discussing projects that should have been funded in 2020 and was also looking ahead to 2021. He said the proposal would include items for general and water/sewer. He said there was nothing proposed for parking at this time. He said had funded a lot of parking project through the last parking ordinance done in 2019. He said they were looking to introduce the bond ordinance in January so it could be adopted in early February and have funding available to award a contract for the Broad Street project. He noted the Borough had received grant funding and said the goal was to award the contract in March. He asked Engineer Neumann to review the categories of work and their estimated budgets. He also noted that he, Ms. Neumann, CFO O'Reilly and DPW Director Keen had been reviewing bond ordinances going back to 2014 and finding balances that had been left over that would fit these categories. He said that would reduce the amount that they would have to bond for in the January 2021 ordinance.

Councilman Ballard suggested the Borough develop a five year capital budget plan. He said he had reviewed the matter with the CFO and said it would lay out the plan for all to see. He reviewed a plan from another municipality. He suggested the Finance Committee should develop the plan before they began bonding in the coming year.

Administrator Shehady pointed out that the 2020 municipal budget and every budget submitted to the state includes a capital improvement plan for five years.

Councilman Ballard said he was reviewing a specific capital budget plan that he would share and that he would like the Finance Committee to discuss before they move forward with any capital budget ordinances.

Councilman Zipprich said he felt they were missing a vision plan and a strategic plan. He said RiverCenter had recently undertaken a strategic planning process that had seemed to go seamlessly. He said they Borough had achieved its vision and a good portion of its strategy over the course of the Mayor's tenure. He said he felt those tools also needed to be updated in order to facilitate capital planning going forward.

Mayor Menna said that was correct and said they were not mutually exclusive. He said he agreed that they had achieved certain goals and benchmarks. He said he felt Councilman Ballard was suggesting they put down on pen and paper what some of the Borough's objectives were for a five year or longer plan. He said, whether or not they would be able to achieve it financially was a different story.

Councilman Ballard said it would enable them to spread projects out over multiple years. He said the capital budgeting could follow a clear, consistent path that would minimize the impact on the Borough's finances.

Councilwoman Triggiano asked what the difference was between the five year plan the other municipality had and the one the Borough already had in place.

Councilman Zipprich said the Vision Plan on the Borough website went back about 30 years. He reviewed specifics of the plan.

Councilwoman Triggiano said that was different from the five year plan.

Councilman Zipprich said it was a component thereof as was the Strategic Plan. He said the Borough had long relied on those planning documents. He said in addition to looking at infrastructure improvements, they should be looking at where the Borough should be in another 30 years down the road.

Mayor Menna said he felt it was a good discussion but said they should all sit down and discuss their vision to incorporate it into a capital improvement plan.

Administrator said that was a separate and unrelated conversation and said he would like to go back to reviewing the bond ordinance with the engineer. He said he wanted to remind everyone that the Borough did have a five year capital improvement plan that was adopted by the Council every year as part of the budget. He added that, since he had been the Administrator, they have also had annual goal setting meetings with every committee which he used to help formulate that plan. He said he, the Engineer, the DPW Director and CFO, with information from Department heads, had developed the plan. He said he wanted the Engineer to continue with her review of the bond ordinance so they could move forward and so that necessary projects were not held up.

Engineer Neumann reviewed the various projects to be included in the bond ordinance and how they had been selected. She reviewed the cost of the projects and grants that had been received that would help offset those costs.

Administrator Shehady offered additional information on the projects and funding. He said he had reviewed the debt schedules and said the Borough's budget could support the bond.

CFO O'Reilly confirmed that was the case.

Administrator Shehady said the projects included in the bond were essential. He reviewed the importance of the projects.

Councilman Ballard asked where the Senior Center was on the list.

Administrator Shehady said that was a policy discussion for the Council.

Councilman Ballard said a five year plan would list every infrastructure project planned out for five years. He said the Senior Center had been down for two years and it wasn't on anybody's radar. He said whatever capital budget plan the Borough had, it was inadequate in not addressing the needs of the Borough. He reviewed other items that should be included in the plan such as police body cameras and upgrading the Public Works facility.

Administrator Shehady pointed out that the Public Works facility projects was part of the Redevelopment Agency and said they were pursuing that. He gave an update on the status of that project. He said rather than budgeting arbitrarily, they were doing due diligence in order to put together a good budget. In regard to the body camera, he said there had been recent State legislation that would address funding for those. He said the Senior Center had also been discussed at length in previous meetings regarding the building where they were currently located as well as work being done by the Redevelopment Agency to ensure they had a home that made operational and financial sense.

Councilman Ballard asked why it was being left up to the Redevelopment Agency when it was the Council's and Administrator's responsibility to upkeep Borough facilities.

Councilwoman Triggiano noted she had served on the Redevelopment Agency and also noted that the Council had been given a report by the Agency to explain that they were looking at the scope of work and available opportunities in the Borough. She said the review was not an undertaking that any individual could do without the professionals and resources that had been put together by that Agency. She said many of the topic they were discussion were interwoven and said the Redevelopment Agency understood that. She said the purpose of the Agency was to figure out what the Borough could do with the resources it had.

Councilman Ballard said that proved his point that they had never had a plan. He questioned the creation of an Agency that was comprised a residents to give the Council advise when they had been elected.

Councilwoman Triggiano said there were professionals that had been put together to serve the Redevelopment Agency and were advising the residents that served on it.

Councilman Ballard said his point was that they had never had a capital budget that included Borough facilities that would have pre-empted the need for a new government agency.

Mayor Menna reminded Councilman Ballard that they had been talking about the issue in Executive Session as well as options for the Senior Center. He said it was a policy issue that would not be decided at this meeting but would be decided by their experts/advisors. He said they did not have a resolution yet. He said it wasn't fair to say that they had not had a plan. He said they had been dealing with multiple plan.

Councilman Zipprich said he wanted to add Borough Hall to that mix because it needed well over \$1 million of repairs to the HVAC system. He said that was another thing that the Redevelopment Agency had talked about. He said, in the meantime, the Borough had facilities that were in disrepair and they needed to figure out how they were going to bring them up to standard so they could operate in the interim.

Councilman Ballard asked if that meant that they were not going to include the Senior Center repairs in a bonding ordinance.

Mayor Menna said no one had said that. He said the question was if they wanted to bond for half a million dollars for a building they might be using or they might go a different way. He asked if that would be a valid use of tax payer funds.

Councilman Ballard asked if that meant the Senior Center had been sold already.

Mayor Menna said he it had not. He said he was just saying what could be an option in the future. He said they were looking at all of the Borough's facilities and had not made a decision on any of them. He said they were studying them.

Councilman Ballard said that told him it was for sale.

Councilwoman Triggiano said no one was stating that and cautioned him on saying things that were disingenuous and false. She said it was not helpful to the process.

Councilman Ballard again criticized the lack of a plan two years in and they had no idea what they were doing.

Councilwoman Triggiano said they did know and that they were working on a plan. She said there were people who were working hard on the issue and they had found another location to keep the seniors taken care of. She also noted the Borough was currently under restrictions due to COVID and they would not be able to convene anyway.

Councilman Yngstrom asked the Administrator is the Council could tour the new facility to be used by the Senior Center.

Administrator Shehady asked any Councilmembers interested to reach out to him and he would make arrangements for a tour.

Councilman Zipprich asked that they include the Director and staff of the Senior Center.

Councilwoman Triggiano said she and Councilman Yassin has toured the facilities and said they had discussed the fact that they would be improved in the next year. She said there were a lot of positives such as the fact that

people had adapted in the Borough, how much they cared about the seniors and how much work had gone into making sure there was a facility and a space for them during this time.

Councilman Zipprich said, if there was not currently a pandemic, the seniors would be struggling in the facility they were currently in. He said there would also be food service issues.

Councilwoman Horgan asked if they could get back to the agenda.

## **BUILDING**

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

Councilwoman Horgan thanked Mr. Neibert for his assistance with the Rent Leveling Board.

## **FINANCE (cont.)**

Mayor Menna asked if there were any questions for CFO O'Reilly regarding the budget transfer.

Administrator Shehady said he and CFO O'Reilly had been reviewing budget status reports and the Borough's needs. He said this was the typical type of transfer resolution allowed by the state starting in November of each year. He said they had done well with budgeting and no funds had been need to be moved thus far. He said there would be some things needed in December.

Councilman Ballard asked for information on what accounts the funds would be taken from and where they would be moved to.

Administrator Shehady said he and the CFO would develop that spreadsheet and send it out to the Council. He asked CFO O'Reilly if he could identify some of the bigger accounts at this time.

CFO O'Reilly said legal services, engineering services and possibly insurance would need additional funds. He said the Borough had received a dividend on insurance that may cover the expenses. He said funds may also be needed in a few departmental salary accounts.

Councilman Ballard asked where that money would be coming from.

Administrator Shehady said that was what they would be getting to them. He said they were currently analyzing and reviewing and would the information at the next Council meeting. He also noted that two of the items, salaries and insurance, were not due to insufficient funds but rather timing. He said the insurance dividend had been delayed. Regarding salaries, he said that was due to allocations in the payroll system that did not match up with department budget numbers.

Councilman Ballard asked about the legal expenses and the recent increases that were just passed.

Administrator Shehady said they had recently amended the authorizations for the expenses which was different from the budget transfers. He said one was the authorization and the other was the actual financing of it. He further explained the process.

## **ADMINISTRATION**

Mayor Menna reviewed an upcoming resolution to recognize municipal employees for their efforts during COVID. He also noted there would be a resolution to set the non-union salaries for 2020.

Administrator Shehady said Councilwoman Horgan had brought the need for the employee recognition to their attention. He said they felt it would be appropriate at year end even though the pandemic was not over. He said everyone had done a Herculean effort. Regarding non-union salaries, he said the Council was aware that all union employees receive raises/adjustments each January 1. He said they tended to wait until the end of the year for the non-union employees after the budget was adopted. He said this would set those salaries.

Councilman Ballard asked if they were in contract negotiations now.

Administrator Shehady said they were in negotiations with the CWA but noted that was for 2021 through 2024.

Councilman Ballard asked if the salaries for the non-union employees would be based on their current contract or on a new contract.

Administrator Shehady said it would be for 2020, the existing contract. He said the non-union employees had not had a salary adjustment this year.

Councilman Zipprich confirmed that the salaries would be retroactive back to the beginning of the year.

Administrator Shehady said that was correct.

Mayor Menna confirmed that the salaries for the year 2020.

Councilman Ballard asked if that had been in the budget.

Both Administrator Shehady and Mayor Menna confirmed that it had been.

Mayor Menna said the next item on the agenda was regarding the appointment of a Director of Community Development.

Administrator Shehady said there had been delays with background checks and the offer of employment letter had been delayed. He said he expected the offer could be made the next day and the resolution to ratify would be on the next Council meeting agenda.

Councilman Zipprich said he had had a conversation with the Mayor earlier in the day regarding this appointment. He said the ordinance calls for a Director of Planning and Zoning so he suggested they should modify the ordinance to create the new title. He said he felt the person should be appointed at the Director of Planning and Zoning until the ordinance was amended.

Administrator Shehady said he had discussed that with the Mayor and noted there were other positions in the Borough that were not created by ordinance.

Councilman Ballard asked if this was an additional appointment and if they would also be hiring a Director of Planning and Zoning.

Administrator Shehady said they would not and said the Director of Community Development was in lieu of a Director of Planning and Zoning.

Councilman Ballard asked if it would be the old Director of Planning and Zoning position with a new title.

Administrator Shehady said that was correct.

Mayor Menna said the job description included not just the Director of Planning and Zoning but included a number of other titles which was why it was labeled the Director of Community Development.

Councilman Ballard questioned whether or not the position should be created by ordinance.

Mayor Menna said the next item on the agenda was a discussion regarding an amendment to RiverCenter's bylaws. He said he believed the Executive Director was in attendance and wanted to be heard.

Executive Director Laura Kirkpatrick thanked the Mayor and Council for reviewing the bylaws. She said it had been an ongoing project for the last two years. She said some of the changes were to allow them to meet via Zoom rather than in person. She said there were other substantial changes that would require changes to the Borough ordinance. She said they were looking to reduce the size of the Board from 30 member to 26 and put in term limitations for board members. She said she would be willing to answer questions about the amends or take the conversation off line for anyone who needed clarification.

Mayor Menna said he agreed that the time was right for a review of the enabling bylaws. He commended Ms. Kirkpatrick and the staff for coming up with a number of proposed revisions. He said he was in complete agreement with ninety percent of the proposed changes. He said he did take exception to two critical aspects of the changes. He agreed that it was a large board and understood they wanted to reduce to 26 members. He said they had the ability to take away business and land owner members but were, instead, removing the nexus of the Mayor and Council which was the appointing authority. He said they were proposing that instead of the Council liaison and Mayor's representative, which were two positions, there should only be one position. He said that was a reduction of fifty percent in the body that created the entity. He said he could not accept that and would fight it to the end. He said he strongly believed that RiverCenter was a fruitful organization and worked well because of the inherent relationship that the center had with the Mayor and Council. He said he felt that most of the work done by RiverCenter was done by the Executive Committee. He said the Executive Committee was a self-perpetuating, continuing clique. He said they were well meaning and great people but said they were proposing that the Executive Committee members would be elected to that committee by the Executive Committee. He said he felt the members of the Executive Committee should be elected by the full membership of RiverCenter. He said the provision he found repugnant was the provision that any representatives appointed by Council must be mutually accepted which would essentially give them veto power. He said he did not think that was right. He said they have had a great relationship and said he felt that relationship could continue but the reductions in appointees and the overview of the budget, which he noted they had never objected to, did not sit well with him.

Executive Director Kirkpatrick thanked the Mayor for his comments and said she would take it back to the Board.

Councilman Yassin said he agreed with the Mayor's comments 100 percent and said he was not happy with a lot of the changes. He told Director Kirkpatrick that his comments were not directed at her. He said his biggest issue was that the Executive Board voted on who was on the Executive Board. He compared it to the Mayor and Council deciding who would be on the Council. He said he would not be in favor of any ordinance to support these bylaws. He said he also had an issue with the proposed reduction to Mayor and Council representatives which were a representation of the residents. He said looking to reduce the Mayor and Council's voice on the board was strange to him. He took issue that when they wanted to reduce, they took one of the Council's two seats and not one from the 26 other representatives. He said he would be interested to know what the reasoning behind it was. He asked Councilman Zipprich, who he noted served as RiverCenter liaison, to key them in on the process.

Councilman Zipprich said he could not because he had not been part of the committee that had worked on the revisions to the bylaws. He said it had been discussed at the last meeting and said former Mayor Edward McKenna, who sat on the board, had brought up similar concerns. He said he thought Director Kirkpatrick was looking for the Council to give approval before they could modify the ordinance.

Director Kirkpatrick said they were looking to advance this but said there was no urgency. She said she understood the need to hold off until January to amend the ordinance. She said that would give her time to go back to the Board to address the Council's concerns and hopefully come back with some changes.

Councilman Zipprich again noted that the discussion had taken place during the Board's general meeting the previous month and that former Mayor McKenna had addressed similar concerns.

Mayor Menna asked Councilman Zipprich if he had voted in favor of the amendments.

Director Kirkpatrick said he had made a lot of comments and had brought a lot to the discussion. She again said she would take the Council's comments back to RiverCenter. She said they would make revisions and represent to the Council in what she hoped would be short order. She said they needed to move forward because it had been 18 years since they had updated their bylaws.

Councilman Yngstrom said he also disagreed with the provision regarding Borough residents. He said he felt the Council had picked very good residents in the past and did not feel the Council should need Board approval. He said he felt it should be solely a Council decision.

Director Kirkpatrick said she understood.

Councilman Zipprich said similar concerns had been expressed at the last meeting by members of the Board. He said it had been discussed and modifications had been made. He said he wasn't sure if the document provided at this meeting had those modifications. He asked Ms. Kirkpatrick to give him a call the next day so they could discuss it.

Ms. Kirkpatrick said that would be very helpful.

Councilwoman Triggiano reviewed the proposed changes being discussed point by point. She confirmed that they included the Council choosing the resident, the fact that the Executive Board votes on who would serve on the Executive Board and the proposal to remove fifty percent of Council representation (from 2 to 1).

Councilman Yassin said he also had an issue with term limits. He said he agreed with term limits in general but felt that some of the years allowed were excessive.

Councilwoman Horgan agreed and suggested an amendment to the hiatus between terms. She said she would speak to her the next day to review her concerns.

Administrator Shehady said they had also expressed concern about the Board's involvement in the selection of the Mayor's representative or Council representative.

Councilman Zipprich thanked Director Kirkpatrick and the committee for work on the bylaws.

#### **CLERK**

Borough Clerk Borghi reported that she had sent out a draft resolution to set the Reorganization meeting date as well as the 2021 Council meeting dates. She said the Administrator had some questions about how they wanted to handle it.

Administrator Shehady noted that the meetings were still being held electronically due to the pandemic and asked how they wanted to handle the oaths of office. He also asked if the Council had any suggestions for changes or if they should continue as they had been.

Councilman Yassin said they had seen that the numbers were rising and they needed to continue to take precautions. He said he thought they should keep it as it was.

Councilman Zipprich agreed. He also noted that he thought the October date might fall on Rosh Hashanah.

Clerk Borghi said she thought she had confirmed all of the dates for conflicts but said she would double check and advise.

Mayor Menna noted the some municipalities were making arrangements to have the oaths presigned and then they could do a virtual swearing in.

Clerk Borghi said that was what she was going to suggest. She said they could have a ceremonial swearing in during the electronic meeting but said she could sign off on their oaths.

Mayor Menna asked if there were any questions regarding the Clerk's report. There were none.

#### **OEM/FIRE MARSHAL/CODE**

Fire Marshal Welsh asked if there were any questions on his report. He reported that most of the customers in the business district that had outside eateries had been notified of the change in dates for the permits and noted the Building Department would now take charge of those permits. He said that was because of the snow loads that could come during the winter. He said the Fire Code did not have a provision for that. He said some of the tents that had been allowed under the Fire Code may not be allowed under the Building Code. He said businesses that had been issued permits through the Fire Marshal's Office had been told to check with the Building Department. He also noted that people were having a hard time finding Christmas lights. He said he felt that people had been home for the last nine months and wanted to decorate. He said people were also using fireplaces that hadn't been used before. He asked everyone to stay vigilant. He also noted that it was candle season and a busy time for the Fire Department. He again urged vigilance.

## **POLICE**

Chief McConnell asked if there were any questions on his report noting that it was short because since the meeting was early in the month some statistics were not yet available. He said crime reporting appeared to be about average for the month of November. He said they had been doing a lot of work with the new Executive Orders that had come out. He said they had been reaching out to the bars and restaurants to make sure they understood the orders and new restrictions. He said it was going relatively smoothly. He said they had been working with a few business owners regarding proposed parklet ideas. He said the Department would be looking to backfill positions that had been vacant. He said one was for a patrol officer that had been vacated June 1. He said they would also be looking to fill the new civilian Records position that had been created at the beginning of the year. He said it would be replacing a sworn officer position with a civilian. He said they had held off on filling it due to the pandemic and other concerns but were now ready to fill it. He said, in regard to Parking Enforcement, they had chosen two candidates to fill the Parking Enforcement Officer part-time positions. He said there was not a rush to fill those positions as parking was free during the holiday season. He said he hoped to move forward after the first of the year.

Councilman Ballard said he thought he had understood that one of the Parking Officers from the Department of Public Utilities would be moving over to the Police Department.

Chief McConnell said he had but had since left the position and joined the Marine Corps.

Councilman Ballard asked about the number of parking officers required.

Chief McConnell said the consultant had recommended 120-128 hours per week of enforcement. He said, in order to reach 120 hours using part time employees who aren't allowed to go over 30 hours a week, they would need four employees. He said he believed that the parking staff at Public Works split their time with other duties. He again stated that four part time employees would be needed to cover 120 hours of enforcement. He also noted that was before the considered the extended parking enforcement hours. He said they did not have any of the DPW employees as one did not want to move to the Police Department and one had moved but then left. He said they also had two Special Officers that were hired for the summer that wanted to continue so they were moved to parking positions.

Councilman Ballard asked if they would see more parking tickets.

Chief McConnell said he did not know what the previous numbers were but in the past two months, they had issued approximately 600 tickets a month. He said that did not include tickets issued by Police Officers. He also noted that that was only with two or three employees.

## **FIRE**

Chief Calabrese asked if there were any questions on his report. There were none.

Clerk Borghi asked Chief Calabrese to discuss the Reorganization and swearing in with the incoming Chiefs to see how they wanted to proceed.

Administrator Shehady said he wanted to thank Chief Calabrese and noted it was the last month on his year. He said he wanted to recognize his hard work for the Fire Department. He said he had had a great relationship with the Chief and said he appreciated everything he had done.

## **PUBLIC UTILITIES**

DPW Director Keen reviewed parking improvements and said they were working to get apps on line. He said work was also wrapping up in the White Street lot. He said they had a new employee that had started on the 1<sup>st</sup> and said they were very excited about that. He said they had another open position that they would be looking to fill. He said it was in the budget but said they had decided not to fill it earlier in the year due to the pandemic. He said, as they moved into next year, they should jump on the outstanding applicants that they had received. He said he also wanted to remind everyone that December was the last scheduled leaf pick up for the year. He said they would review to see if an additional pick up was needed in January. He also noted that falling leaves were an issue with blocking catch basins. He asked anyone noting an issue to call the non-emergency Police number to report it. He said he also wanted to report that they continued to have problems on the east side of town near High Street with the sewer lift station. He said they were constantly monitoring it and said he wanted to thank any resident who had issues for their understanding and patience.

Councilman Zipprich asked about the policy for disposing of Christmas Trees.

Director Keen said they would pick up trees after Christmas. He said they could be left on the curb.

Mayor Menna noted that the next item on the agenda was the Solid Waste/Recycling contract.

Administrator Shehady said that was a place holder to advise the Council the resolution to award would be on the agenda for December 16. He said the Animal Control Shared Services contracts were also listed and said they should be discussed in Executive Session.

Councilman Ballard asked the status of the Barry Cooke review.

Mayor Menna said Mr. Cooke could not start work until the Council adopted a resolution. He said he had tried to get a resolution on the agenda but said the CFO had been unable to certify the funds. He said he had asked the



Administrator to speak with the CFO to see if they could draft a resolution authorizing \$2,500 to get things started. He said they could increase it in January.

Councilman Ballard asked if that could be on the next meeting.

Mayor Menna asked Administrator Shehady if he saw any problem with that.

Administrator Shehady said he felt they would be in a better position by December 16 once they had the budget transfer resolution in place to determine where the funds would come from. He said he also thought there should be a discussion in Executive Session because this was a contract negotiation. He asked if they would like to do that at this meeting for on the 16<sup>th</sup>.

Mayor Menna said he was fine with doing it at this meeting.

#### **PUBLIC COMMENT**

No appearing, Councilman Yassin offered a motion to close the Public Comment, Councilwoman Horgan seconded.

#### **ROLL CALL:**

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

NAYS: None.

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

#### **EXECUTIVE SESSION**

20-274 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation and Potential Litigation. No action to be taken.

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

#### **ROLL CALL:**

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

NAYS: None

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

#### **ADJOURNMENT**

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

#### **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