

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
November 10, 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.

Mayor Menna asked that a remembrance be made on this eve of Veterans Day for those who had served and those who had been lost.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

ABSENT: Councilman Yassin

*Meeting held via video/telephone conference due to Governor's Executive Order.

Mayor Menna noted that he would be asking for a motion to table the resolution regarding the Clerk's retirement to be carried to the next meeting. He also that a resolution regarding the Red Bank Charter School be tabled until the next meeting. He said he realized that there were passionate and important comments to be entertained and asked those comments be held until the next meeting on 11/23 when they would have a full discussion at that time.

Clerk Borghi clarified that the resolution regarding the Clerk retirement had not been placed on the official agenda but had appeared on a draft so there was no need to table. She said the Charter School resolution was Resolution No. 21-299.

Councilman Zipprich offered a motion to table Resolution 21-299 "Resolution Supporting the Red Bank Borough Board of Education in its Recommendation and Request to the N.J. Department of Education to Deny Any Request for Renewal of the Red Bank Charter School." The motion was seconded by Councilman Ballard.

ROLL CALL:

AYES: Triggiano, Ballard, Yngstrom and Zipprich

NAYS: Horgan

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

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

None.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

No one appearing, Councilman Zipprich offered a motion to close the Public Comment period, Councilman Ballard seconded.

ROLL CALL:

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

NAYS: None

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

MINUTES & REPORTS

Workshop Meeting Minutes of 8/4/2021

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

ROLL CALL:

AYES: Triggiano, Ballard, Yngstrom, Zipprich and Horgan

NAYS: None.

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

Regular Meeting Minutes of 8/18/2021

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

ROLL CALL:

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

NAYS: None.

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

ORDINANCES - Public Hearing/Adoption:

None.

ORDINANCES – First Reading:

2021-22: Mayor Menna read, “Ordinance Amending and Supplementing Chapter XII, Entitled, “Open Housing Practices; Rent Control; Protected Tenancy” Section 12-2, Entitled, “Rent Control” Subsection 12-2.1 Entitled, “Definitions”

Councilwoman Horgan offered a motion to approve the introduction of the ordinance, 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.

Mayor Menna announced that the public hearing would be on Tuesday, November 23, 2021 at 6:30 pm.

RESOLUTIONS

21-291 Mayor Menna read, “Resolution for Payment of Bills Amounting to \$1,557,219.91.”

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

ROLL CALL:

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

NAYS: None

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

By Consent Agenda:

- 21-292: Resolution Authorizing Resolution of the Borough of Red Bank to Refund Developer’s Escrow Account Balances
- 21-293: Resolution Acknowledging Receipt of Best Practices Inventory as Prepared by the Chief Financial Officer
- 21-294: Resolution Authorizing The Release Of The Performance Guarantee Posted By HRK at RB, LLC for 24-30 Mechanic Street, Block 29, Lots 5, 6 & 7 and Requiring the Posting of a Maintenance Guarantee.
- 21-295: Resolution Authorizing Change Order No. 1 Related to the Contract with Vulcan Construction, Inc. for the East Side Park, Mohawk Pond Park, & Count Basie Park Improvements Project
- 21-296: Resolution to Honor 2020 Fire Chief Scott Calabrese

Councilman Zipprich offered a motion to approve the resolutions en masse, 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.

By Voice Vote:

21-297: Mayor Menna read, “Resolution Authorizing Person-To-Person Transfer of Plenary Retail Distribution License No. 1340-44-032.”

Councilwoman Horgan offered a motion to approve the resolution, 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.

21-298: Mayor Menna read, "Resolution Authorizing a Shared Services Agreement with the Borough of Fair Haven for Improvements to Harrison Avenue."

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

ROLL CALL:

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

NAYS: None

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

21-300: Mayor Menna read, "Resolution Adopting Amended Borough of Red Bank Personnel Policies and Procedures Manual and Mel Employment Practices Best Practices Checklist."

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

Councilman Ballard asked Interim Administrator McConnell to review what had been amended.

IA McConnell said the Clerk had distributed a brief explanation. He said two of the changes had been statutory in regard to the Domestic Violence policy and said another change had been in regard to the protection of minors. He asked the Clerk to read the explanation she had distributed. He said none of the changes were discretionary.

ROLL CALL:

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

NAYS: None

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

21-301: Mayor Menna read, "Resolution to Approve Separation Agreement and Accept Resignation of Borough Chief Financial Officer."

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

ROLL CALL:

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

NAYS: None

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

Councilman Ballard said he voted in favor but had been saddened to see the former CFO resign.

DISCUSSION & ACTION

- a. Special Events recommended for approval. The following event request are for date only and are subject to final plan review by the Special Events Committee.
 - i. Mayor Menna read a request from Erin Morales to host a skateboarding event on Sunday, May 15, 2022 (rain date Sunday May 22, 2022) from 11am to 5pm in the eastside parking lots.

A discussion followed on the details of the proposed event. IA McConnell said the request was currently for reservation of the date only with more details to follow before it would be considered by the Special Events Committee for approval.

Mayor Menna noted the requestor was listed as an individual and asked if there was an organization involved.

Clerk Borghi said the request letter had been submitted by an individual.

IA McConnell said he believed it would ultimately be organized by businesses with corporate sponsors.

Mayor Menna said he had concerns about liability issues.

Councilman Ballard said the request should be referred to the Parks & Recreation Committee.

It was again noted that the request was for reservation of the date only and that the organizer was told to return to the Special Event Committee in February with more details on the event.

IA McConnell also noted the Parks & Recreation Director sat on the Special Events Committee.

The general consensus was that the date could be reserved but there needed to be a serious review including input from the Parks & Recreation Committee. There were also concerns about possible damage to the Borough property and possible liability issues.

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

ROLL CALL:

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

NAYS: None

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

ii. Mayor Menna read a request from Red Bank 5K to hold a run on June 18, 2022.

Councilman Yngstrom offered a motion to approve the request, 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.

- b. Mayor Menna read a request for free parking on November 26 & 27, 2021 (Black Friday, Small Business Saturday) and from December 13 through December 25, 2021 for holiday shopping.

Councilwoman Triggiano offered a motion to approve the request, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

- c. Mayor Menna read a request for permission to install holiday lights, decorations and tree in the business district in accordance with plans from previous years. Installation to be completed by November 26, 2021. Decorations to be removed by January 15, 2022. Lights to be removed by March 31, 2022.

Councilman Zipprich offered a motion to approve the request, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

- d. Mayor Menna read a request from Red Bank Public Library to install a mural at 84 West Front Street with written consent of the property owner. Application has been reviewed and recommended for approval.

Councilwoman Horgan offered a motion to approve the request, 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.

- e. Mayor Menna read a request from Count Basie Center for the Arts to install a mural at 59 Chestnut Street (Phoenix Productions) with written consent of the property owner. Application has been reviewed and recommended for approval.

Councilman Ballard asked if the murals were permit or if they had an expiration date.

Mayor Menna he believed the murals were approve for as long as they were maintained.

A discussion followed on specifics and maintenance.

Councilman Yngstrom offered a motion to approve the request, seconded by Councilwoman Triggiano.

ROLL CALL:

AYES: Triggiano, Ballard, Yngstrom and Horgan.

NAYS: None

ABSTAIN: Zipprich

There being four ayes, no nays and one abstention, the motion was declared approved.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Stephen Hecht – 135 Branch Avenue - asked that the President of the Library Board or the Director weigh in on the mural proposal if they were attending this meeting. He reviewed the details of the plan to create and install the mural. He also expressed concern about the skateboarding event and said he was pleased the Council was doing their due diligence. He asked that signups for the event be monitored to give priority to Red Bank residents first.

Jennifer Garcia – 30 Drummond Place – said she was speaking on her own behalf and not as a member of the Red Bank Board of Education. She said she was speaking in favor of Resolution 21-299 and in favor of a unified school system, tax payer efficiency and unity.

Ben Forest – 16 Locust Avenue – said he was also speaking for himself and not as a member of the Board of Education. He said his family supported Resolution 21-299. He noted the Red Bank Public School District was an award winning district recognized throughout the State. He reviewed the success of the public school

Craig Dolan – 34 John Street – thanked IA McConnell for a recent discussion they had had. He criticized the length of the discussion on the skate event regarding the securing of the date. He spoke in support of the event. He said he also supported the murals and said he felt they were a great idea. He said the school issued deserves serious consideration noting the additional expense caused by the Charter School.

Anne Kelterborn – 108 Herbert Street – said she was speaking regarding Resolution 21-299 and said she wanted to echo what the previous speakers had said. She said she was impressed by the Red Bank Public Schools and supported a single public school.

Fred Stone – 16 McLaren Street – said he was speaking regarding Resolution 21-299. He said he was the President of the Red Bank Board of Education and thanked the Council for considering the resolution. He said he had no malice toward the Charter School but was concerned about the welfare of the community.

Tiffany Harvard – 126 Spring Street – said she was speaking on Resolution 21-299 and said she agreed with the previous speakers. She also said she had no malice and called for one unified school.

No one else appearing, Councilman Yngstrom offered a motion to close the public comment, 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.

EXECUTIVE SESSION

21-269 The Borough Attorney read a resolution to adjourn to executive session to discuss Personnel and Contract Negotiation. No action to be taken.

Councilwoman Horgan offered a motion to adjourn to Executive Session, 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.

RESUME REGULAR BUSINESS

Councilman Yngstrom offered a motion to resume regular business, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

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