

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
December 15, 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**

Mayor Menna called for a moment of silence for the victims of the recent natural disaster.

**ROLL CALL**

**PRESENT:** Mayor Menna and Council Members Yassin, Triggiano, Ballard, Yngstrom and Zipprich

**ABSENT:** Councilwoman Horgan (Councilwoman Horgan was having technical difficulties logging in to the electronic meeting.

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

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

**PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS**

Mayor Menna said they would hold off on the presentation of the proclamations until Councilwoman Horgan was present.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

Glenn Carter—Executive Director of RiverCenter—said he was speaking on the Broad Street project. He reviewed the issues with the project and reviewed who he felt should bear the responsibility for the cost. He also reviewed the Borough’s policy and past practices. He said he felt the Borough should pay.

Stephen Hecht—135 Branch Avenue—said he wanted to speak regarding Resolution 21-334 to create a Plan Endorsement Committee. He noted vacancies for key Borough personnel and possible changes under discussion by various boards. He said he was suggesting that the resolution be tabled until some of the issues were resolved, particularly the Charter Study.

Councilwoman Horgan joined the meeting at 6:37pm.

William Poku—90 Bank Street—said he felt the Borough was a hostile work environment for black employees. He brought up two employees who were slated to retire.

Mayor Menna interrupted him to notify him that the Council could not discuss personnel matters.

Mr. Poku continued with his comments regarding the retirements and said he believed they had been forced to retire. He said he also wanted to speak regarding Resolution 21-330 regarding the acceptance of an electric vehicle. He said he felt the donation should be rejected because the vehicle was out of warranty. He suggested other places where the vehicle could be donated. He also commented on the issue of hybrid meetings and asked why no one had reached out to a resident who had offered her services.

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

**PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS**

2021 New Jersey Department of Education Exemplary Secondary Educators

- Councilman Zipprich read a proclamation honoring Diana Archila.

Mayor Menna congratulated Ms. Archila.

Councilwoman Horgan congratulated Ms. Archila and commended her on her efforts.

Ms. Archila thanked the Council.

Councilwoman Triggiano also commented on the efforts of Ms. Archila and thanked her for all she had done.

Councilman Zipprich also offered congratulations.

- Mayor Menna read a proclamation honoring Erin Carty

Mayor Menna congratulated Ms. Carty.

Ms. Carty said she loved teaching in the district and said she couldn't imagine being in any other place.

Councilman Zipprich also offered his congratulations.

Councilwoman Triggiano commended Ms. Carty on her dedication and passion.

Ms. Carty said one of the reasons that she loved the district was that they allowed her to bring her passion into the classroom.

Councilwoman Horgan also congratulated Ms. Carty and commended her for all that she did for the district.

## **MINUTES & REPORTS**

### Regular Meeting Minutes of 9/22/2021

Councilman Zipprich offered a motion to approve the minutes, 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.

### Workshop Meeting Minutes of 10/6/2021

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

ROLL CALL:

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

NAYS: None.

ABSTAIN: Yassin

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

### **ORDINANCES - Public Hearing/Adoption:**

No ordinance for Public Hearing/Adoption.

### **ORDINANCES – First Reading:**

No ordinances for First Reading.

## **RESOLUTIONS**

### By Consent Agenda:

21-325: Resolution for Payment of Bills Amounting to \$5,988,307.44

21-326: Resolution Authorizing Transfer of Funds

21-327: Resolution Authorizing Refunds of Water Project Escrow Account Balances

21-328: Resolution Authorizing Tax Credits/Refunds Totaling \$2,903.80 due to Over Payment by Property Owner

21-329: Resolution Authorizing Acceptance of Grant Agreement Between the Borough and the County of Monmouth, Department of Human Services, Division on Aging, Disabilities and Veterans Services

Councilman Yassin offered a motion to approve the resolutions en masse, seconded by Councilman Ballard.

ROLL CALL:

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

NAYS: None

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

### By Voice Vote:

21-330: Mayor Menna read, "Resolution Accepting a Donated Electric Vehicle."

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna thanked the donors of the vehicle.

21-331: Mayor Menna read, "Resolution Confirming Time and Place of Borough Council Meetings for 2022."

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

Councilman Ballard asked if this resolution was usually done on January 1 when the new Council was seated.

Clerk Borghi said for the last two years they had done it in December in order to include the Reorganization meeting on the list.

Councilman Ballard expressed concern that the Councilwoman-elect was not part of the process.

ROLL CALL:

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

NAYS: None

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

21-332: Mayor Menna read, "Resolution Authorizing Change Order No. 2 Related to the Contract with Fiore Paving Company, Inc. Regarding the 2020 Red Bank Road Program"

Councilman Yassin offered a motion to approve the resolution, 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.

21-333: Mayor Menna read, "Resolution Authorizing Change Order No. 5 and Final Related to the Contract with Lucas Construction Group Inc. for the Improvements to East Bergen Place Project."

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

ROLL CALL:

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

NAYS: None

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

By Consent Agenda:

21-334: Resolution Creating a Plan Endorsement Citizens' Advisory Committee to Guide the Borough through the State Planning Commission's Plan Endorsement Process

21-335: Resolution Authorizing Amendment of the Borough's Professional Services Contract with Gene J. Anthony, Esq. to Increase the Amount Not to Exceed from \$12,000 to \$18,000 for Rent Leveling Board Attorney Services

21-336: Resolution Extending the Borough's Professional Services Contract with Suplee, Clooney & Company for Financial Accounting Services until December 31, 2021

21-337: Resolution Accepting the Retirement for Public Works Employee Dewitt Bacon

21-338: Resolution Accepting the Retirement for Public Works Foreman Raymond Livingston

21-339: Resolution Accepting the Resignation of Public Works Employee James Macaluso

Councilman Ballard thanked Director Ebanks for re-writing Resolution 21-334 and asked how many people currently sat on the Green Team because he believed the Plan Endorsement Committee was limited to 10 members.

Councilwoman Triggiano said she was not sure how many people current sat on the Green Team but said she understood from the State that the Green Team was just the organizing tool to bring people together that would serve on the Planning Advisory Committee. She said she did not believe there was an issue with the number of people on the Green Team in regard to the Plan Endorsement Committee.

A discussion followed regarding the language of the resolution.

Clerk Borghi confirmed that there were seven full members of the Environmental Commission and three proposed members for the Green Team which would total 10.

Councilman Zipprich asked if that included the Creative Team and if it was a subcommittee of the Green Team.

Clerk Borghi said that was separate from the Green Team and said both were subcommittees of the Environmental Commission.

Councilman Zipprich asked about a resolution done earlier in the year to designate Environmental Commission members as members of the subcommittee.

Clerk Borghi said the resolution authorized the seven full members of the Environmental Commission to be members of the Green Team but said they had nothing to do with the Creative Team.

Councilwoman Triggiano said that was correct.

Councilwoman Triggiano offered a motion to approve the resolutions en masse, 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.

21-340: Resolution to Approve the Memorandum of Agreement between the Borough of Red Bank and the Red Bank PBS Local 39, Attached Salary Guides, and Sidebar Agreement

Mayor Menna asked if the Council was ready to vote on Resolution 21-340 or if they wanted to discuss it in Executive Session before voting.

Councilman Zipprich said he would like to discuss it in Executive Session.

Councilwoman Triggiano asked if, after discussion, they could return to Regular Session and take action.

Mayor Menna said they could and reviewed the procedure.

#### **MAYOR AND COUNCIL COMMENTS**

Councilman Yngstrom thanked the retiring DPW members, Dewitt Bacon and Ray Livingston, for their service. He said they had been invaluable and reviewed their history with the Borough. He wished them the best in their retirement.

Councilman Zipprich agreed that they were invaluable employees. He also thanked James Macaluso for his service.

Councilwoman Triggiano said she wanted to echo the previous comments and thanked the DPW for their dedication to the Borough. She also wanted to thank all of the hardworking Borough employees and volunteers who had given so much this year.

Councilman Ballard thanked the DPW employees for their years of service. He said the DPW had been depleted over the years. He said their leaving was bittersweet and he wished them the best. He extended his appreciation his Council colleagues, the Borough employees, Board/Committees and residents.

Councilwoman Triggiano said she wanted to congratulate the Environmental Commission and the Borough on achieving Silver Certification with the Sustainable Jersey Program.

Councilman Zipprich also reported that the Historic Preservation Commission was working on the assessment of Rector Place as a Historic District. He also provided an Information Technology update.

Councilman Yassin had no report.

Councilwoman Horgan said Councilman Ballard had been every eloquent and agreed with his comments. She reported that the Parks & Recreation Johnny Jazz Park tree lighting had gone very well and reviewed other winter programs. She also reported on upcoming activities at the Library.

Councilman Zipprich thanked Bruce and Marybeth Maida for a donation of sports equipment to the Parks & Recreation Department.

Councilwoman Triggiano noted this was Councilman Yassin's last meeting and thanked him for his service and for always being accessible.

Councilwoman Horgan said she agreed with Councilwoman Triggiano's comments.

Mayor Menna said he wanted to echo Councilwoman Triggiano's comments and said the three years went by too fast. He thanked him for his enthusiasm, his smile, gracious outlook and inquisitive nature. He thanked Councilman Yassin's family and wished him health and happiness. He also thanked the Council for the long hours spent together and said he appreciated their commitment and recognized the time they

spent away from their families. He thanked their families and friends for their support. He also thanked the employees and volunteers. He said he particularly wanted to thank Interim Administrator McConnell for the long hours he put in.

### **DISCUSSION & ACTION**

RiverCenter letter regarding Water Services to Broad Street

Mayor Menna said this matter had been discussed earlier in the meeting and would be reviewed in Executive Session.

### **PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)**

Ben Forest—16 Locust Avenue—thanked all for their service. He offered a special thanks to Council President Yassin for his service and said he had always been accessible. He said he had not been afraid to make a tough decision. He said it had been an honor to campaign for him.

William Poku—90 Bank Street—asked the Council to publicize the Senior Freeze Act and the Tax Appeal process.

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

ROLL CALL:

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

NAYS: None

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

### **EXECUTIVE SESSION**

21-341 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation and Pending Litigation. Possible action to be taken.

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

ROLL CALL:

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

NAYS: None

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

Councilman Yassin left the meeting prior to Executive Session

### **RESUME REGULAR BUSINESS**

Councilman Yngstrom 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.

Mayor Menna asked that the Clerk call roll.

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

ABSENT: Councilman Yassin

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

21-340: Mayor Menna read, “Resolution to Approve the Memorandum of Agreement between the Borough of Red Bank and the Red Bank PBS Local 39, Attached Salary Guides, and Sidebar Agreement.”

Councilwoman Triggiano 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.

### **PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)**

No one appearing, Councilwoman Triggiano offered a motion to close the public comment, 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**

Councilwoman Horgan offered a motion to adjourn the meeting, 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.

Respectfully submitted,  
Pamela Borghi