

**MINUTES**  
**WORKSHOP MEETING**  
**MUNICIPAL COUNCIL – BOROUGH OF RED BANK**  
**June 9, 2021**  
**6:30 P.M.**

**SUNSHINE STATEMENT**

Councilwoman Horgan 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 joined at 6:31.

**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, Attorney Cannon, Engineer Neumann and Department Heads.

**ABSENT:** Councilman Yassin

**ENGINEERING**

Engineer Neumann reviewed her report and offered an update on various projects including 2019-2020 Road Program, Spring Street Improvements, Eastside Park, Marine Park Parking Lot and Eastside Parking Lots.

Councilman Zipprich asked about Spring Street, the Eastside Lots and Marine Park being subject to CAFRA.

Engineer Neumann said only Marine Park would need a CAFRA permit. She continued her report with an update on the Broad Street project. She reviewed the history of the project and said it was ready to bid. She said she was requesting input. She noted she had received comments from RiverCenter. She reviewed some of the Borough's concerns include the sloping curb and removable bollards to provide for the pedestrian plaza. She said it would require 168 bollards each weighing approximately 80 pounds. She said the idea of lifting them and putting them down was a concern. She said there would also be issues with the design regarding snow plowing, street sweeping and drainage. She explained the cost that would be added to the project and offered an alternative plan. She said she was looking for guidance and said the project was ready to bid. She noted that the financing was already in place.

Mayor Menna suggested the interested parties should meet including Finance and RiverCenter. He said he was concerned about the cost factor and also future plans for the plaza area. He called for a focus meeting on the matter including reaching out to other towns.

Councilman Yngstrom left the meeting

Engineer Neumann said there had been a conversation with Millburn who had implemented a similar plan and said they were now taking it out.

Chief McConnell confirmed that they had spoken to Millburn and that they were removing the sloped curb and bollards because of operational difficulties.

A discussion followed on the design and other towns that might have implemented it. The time line was also discussed.

The Council consensus was to move forward with the revised design.

Councilman Ballard asked about Ms. Neumann's comment that the financing was in place. He asked if the Borough was already "on the hook for the money" or if they had already bonded.

Ms. Neumann said they had funding from an I Bank loan which was around a million dollars and said the Borough had already bonded for the project in its totality. She said there was also a DOT grant in the amount of \$290,000.

Councilman Ballard asked if the project would cordon off the same area that was being cordoned off now. He also asked how long they would be looking to do that.

A discussion followed on the options for a pedestrian plaza and the benefits of the program and new design.

Councilman Ballard expressed concern about the continued use of the Broadwalk.

Engineer Neumann said she did not want them to get hung up on one element of the project. She said, with the sewer improvements, the total project cost would be \$2.4 million. She said the bollards they were discussing were \$100,000. She said that portion could be bid as an alternate.

Councilwoman Triggiano said there were resident stakeholders that had been part of the reopening committee including a Linden Place resident. She said their concerns had been taken into account. She also said that

RiverCenter had never stated they were not in favor of the Broadwalk. She also reviewed the status of the Traffic Circulation Study.

Councilman Yngstrom rejoined the meeting.

Councilman Ballard said the traffic study would not include the impact of shutting down Broad Street.

Chief McConnell said it would. He said, at the last Workshop meeting, they had discussed starting the study during the closure in September and continuing it into October or November so they would have data from both scenarios. He said he wanted to note that the bollards would give them flexibility and the ability to open and close the roadway quicker. He said that would give them the option of doing three or four nights a week which had been a huge difficulty for DPW to close the road for a couple of days and then reopen.

Councilman Zipprich questioned what would happen if they installed the bollards and then the Circulation Study showed they would be a deterrent. He asked if they were putting the cart before the horse.

Chief McConnell said it would be much harder and much more expensive to do it after the fact.

Councilman Zipprich asked Engineer Neumann if they knew what was under Broad Street adding that he believed at one time there were trolley tracks.

Engineer Neumann said she knew there was concrete decking underneath it and reviewed the issues that would be presented with that. She said they were aware of underground issues and explained how they would deal with those.

Councilman Zipprich said he had asked the question because the business community had been struggling and said they wanted to be conscious of disruption to make sure that business owners continue to have access to their business. He asked if the Broadwalk would be impacted by the project.

Engineer Neumann said she wanted to note the position impact of the project. She said there were sanitary sewer issues in Broad Street. She said this would be a vast improvement because all of the services would be upgraded including the mains being upsized. She also noted that RiverCenter, in their letter had wanted them to expand the area of the bollards.

## **BUILDING**

Construction Official Neibert said Building Department fees had not been increased since 2009. He noted there had been a lot of changes in technology that were not reflected in the ordinance and said the Borough was losing money that other municipalities were collecting. He also noted that the Department was supposed to be self-sufficient and costs such as salaries and insurance had continued to go up but the fees had not been increased in twelve years.

Mayor Menna said he appreciated that and agreed. He said it wasn't fair to ask residents who were not taking out permits to subsidize the Department.

Councilman Ballard said he was in favor of the changes adding that he had been calling for ways to increase revenue.

Mayor Menna said it was also the legal and fair thing to do. He called for it to be placed on the agenda as quickly as possible to rectify the situation.

CO Neibert also reported that there had been recent mandates from the State Legislature calling for the DCA to create complete electronic submission for permits, submitting plans, scheduling of inspections, etc. He reviewed the benefits of the program.

Mayor Menna asked what he need the Council to do.

CO Neibert said the Council did not need to take any action at his time. He said he just wanted to advise them.

Mayor Menna said it was a great idea and thanked him for letting them know.

A discussion followed on the platform and vendor that would be used for the program.

## **CLERK**

Clerk Borghi reviewed the upcoming annual liquor license renewals as well as two additional resolutions regarding an inactive liquor license and the issuance of a new theater liquor license. She also reported that she was currently interviewing to fill a position in her office that had been vacant since November so there would be a resolution to appoint someone to the position at an upcoming meeting. She also gave an update on the Primary Election held the day before. She said it was a close race for the municipal positions. She said they were still counting ballots and expected a certificate of the results would be announced the following week. She also reviewed the upcoming meeting calendar. She said the CFO would discuss the possible need for a Special Meeting to adopt the budget.

## **FIRE**

Chief Holiday said, since their membership drive, they had had two new members join the Department and said there were eight more in progress. He said the two new fire apparatus would be arriving within two weeks. He reviewed calls for the month of May and said the Liberty Hose Car Show would be held on July 11. He also reported that, on July 24, there would be a Chief's Election Barbecue at Liberty Hose/First Aid Building. He said

Michael Green would be graduating from the Fire Academy in June and Kate Triggiano would be graduating in July.

## **FINANCE**

He said the budget was slated for introduction on June 23. He said, as the Clerk had noted, there had to be 28 days between introduction and adoption so the Council should schedule a special meeting to adopt or they would have to wait until August. He said there would be a temporary budget amendment at the next meeting to carry the Borough through until the budget adoption.

Clerk Borghi said the Council could schedule a Special Meeting in late July for the sole purpose of holding a Public Hearing and adopting the budget. She said they would have to do a resolution at the next meeting.

Councilman Zipprich asked if they could move the July meeting.

Clerk Borghi said no public hearing had been scheduled for July 14<sup>th</sup> yet so they could easily move it to the 21<sup>st</sup>.

Councilman Zipprich said he was in favor of that.

Councilman Ballard asked if they would be having meetings in Borough Hall by July 21.

Interim Administrator McConnell said that was something that was listed for discussion under his Administration report. He said he had done some research into what time of IT infrastructure would be needed.

Clerk Borghi said the Land Use boards were talking about going back live so there would immediately be a conflict on July 21<sup>st</sup>.

The Council consensus was to have the Clerk prepare a resolution to amend the meeting scheduled to change the July meeting from the 14<sup>th</sup> to the 21<sup>st</sup>.

CFO O'Reilly said there had been a lot of activity with the Bond Counsel so far this year so there was a need to amend the "not to exceed" amount on their contract.

Councilman Ballard asked for confirmation that the issue was that they had set a "not to exceed" amount for Bond Counsel at the beginning of the year and they had exceeded that amount.

CFO O'Reilly said that was correct and discussed how it would be funded.

Councilman Ballard asked what the original amount was and what it would be increased to.

CFO O'Reilly said he did not know the original number but said the resolution would increase it to \$50,000 or \$60,000.

Mayor Menna asked for a historical analysis for what the Borough had spent on Bond Counsel for the past five years.

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

Fire Marshal Welsh offered an update on a new program through GovPilot that would make a lot of activities in his office accessible through the website. He said it could only be made better by allowing for credit card payments instead of payment by check. He said he hoped to launch the program July 1.

Mayor Menna said they had been talking about electronic payments for years. He questioned what the holdup was.

Interim Administrator McConnell said he had asked the same question a couple of weeks ago and said that it was because the Borough had to go back out and do an RFP for banking services. He said the CFO had told him that right now was not the best time because of interest rates and the financial impact. He said they hadn't done it in the last one.

Mayor Menna said he did not understand how the Borough's contract for banking services related to their ability to enter into an agreement for credit card processing services.

Councilman Zipprich said a simpler question was if GovPilot had a module to allow the Borough to collect electronic payments.

Fire Marshal Welsh said, as he understood it, it would take our IT and Finance Departments to work with them to put it together.

Councilman Zipprich said that sounded like a simple way to get it on the website. He said GovPilot could process the payments for the Borough.

Interim Administrator McConnell asked CFO O'Reilly to shed some light on the discussion because he said he was not sure that was how it would work.

CFO O'Reilly said there was a state law that he said he was paraphrasing when he said they could only have one merchant provider processing certain credit card payments. He said it was something that all municipalities had to follow. He reviewed the benefit of including it in their banking services agreement. He also offered specifics on the timing issue regarding a banking services RFP.

Fire Marshal Welsh continued to review the new program versus their old process. He offered an update on enforcement of the bamboo/invasive species ordinance. Regarding OEM, he noted they were entering hurricane

season and reviewed the new system being used to request support and supplies. He reviewed the Code Blue program and the increased cost the County had seen in the past year adding that there had been 42 straight nights that had been under Code Blue. He said there had been 3,060 “bed nights” that had been supplied to County residents and said it should be noted that 801 of those “bed nights” had been done at a Pilgrim Baptist Church in Red Bank. He said it was the only facility being used other than the four hotels. He commended and congratulated Rev. Porter and his staff. He also reviewed a State wide stress test that Emergency Management teams would be participating in.

Councilman Zipprich asked about the fees collected for Fire Prevention and Code Enforcement and asked if they were on budget for the year.

Fire Marshal Welsh said that wasn't necessarily true because there were errors in the reporting for 2020. He reviewed the history over the past year and said they may actually be slightly up.

## **POLICE**

Chief McConnell said it had been a relatively stable month for the Police Department with the exception of an increase in the Uniform Crime Report. He said the number had tripled but said it could be attributed to one night where they had a string of car burglaries/thefts from unlocked vehicles. He said he wanted to remind people to lock their cars and noted that every vehicle that was stolen or broken into had been left unlocked. He said there would also be a couple of resolutions on the upcoming agenda. He said his Administrative Assistant would be retiring and they would be looking to replace her as soon as possible. He said a Patrol Officer had also recently retired and two officers were out on leave so they would be looking to replace that officer in the near future. He said he and the CFO were working on funding for the Body Worn Cameras and that there may be some action by the Council requested at the next Council meeting to get the ball rolling.

Councilwoman Triggiano said she had received some questions on the body cameras and the fact that the State had mandated them. She asked the Chief to review the issue with supply and demand.

Chief McConnell said the State requirement came out in January or February of 2021 and the deadline to implement had been June 1 of 2021. He said, while it wasn't an unfunded mandate, he said it had been severely underfunded. He said legislation had been passed to fund the program and said the funding had been released on the day they were supposed to have them in their possession which made it essentially impossible for anyone to comply. He said all departments were now rushing to buy them and said there were only three realistic vendors in the State that were providing them. He said he had spoken to the Borough's vendor last week and had been told there was a 60 day backlog on orders. He said he was hoping to have them in place by the fall.

Councilman Ballard asked how many cameras the Borough currently had and how they were being utilized.

Chief McConnell said they owned zero but had four on loan from one of the vendors. He said they were used for a trial period and they had been assigned to four officers who were active on the street rather than being rotated so they could get a good assessment. He said they were being returned because it was the end of the trial so they would be without body cameras entirely until the order arrived. He also reported that he was recommending amending the towing fees. He said the fees were collected by the Borough but passed on to the towing contractor. He said the fees had not been raised in six or seven years. He also recommended adjusting the storage fee which did go to the Borough and would help cover the rent and maintenance of the storage yard.

## **PUBLIC WORKS**

Public Works Director Keen thanked his staff for their hard work over the last couple of weeks when it had been exceedingly hot. He said he appreciated their efforts and particularly thanked Bobby Holiday and Mike Conlin for their work on the graphic for the Pride event. He also reported that two utility workers had resigned and said he had been interviewing for the position. He said he hoped to have recommendations to hire before the next Council meeting. He said he also wanted to hire seasonal employees to assist the park staff. He noted his Department had taken over landscaping services due to an increase in the contract. He said the plan was to use the savings to hire seasonal employees.

Councilman Ballard also thanked the DPW Staff and asked if they were focusing on Red Bank residents for the hiring of seasonal staff.

Director Keen said it was not a requirement but said he would consider a resident before someone from outside of the community. He noted that it was a short term summer jobs.

Councilman Ballard said he would prefer to see Borough residents getting the jobs. He also asked how many seasonal employees they were looking to hire.

Director Keen said two to three. He reviewed budget concerns. He said he also had purchase requests including for a parking vehicle. He said every parking vehicle they had had since he had been with the Borough had been a hand-me-down from another department. He said the purchase had been budget for and noted that they had looked at electric vehicles but said the department needed an SUV for collection of money and storage of parts and tools. He also noted that electric vehicles were much more expensive and they did not have the ability to maintain them in house nor did they have charging facilities.

Councilman Ballard said he often saw the parking vehicles parked on the street in front of the Parking Office. He asked how many miles per year they were used.

Director Keen said there were two different uses, one being parking enforcement vehicles which were used by Police Department employees and probably what he was seeing at the Parking Office. He said it would be difficult and unsafe to collect money from the meters without a vehicle.

Councilman Zipprich asked how many other departments used seasonal employees.

Director Keen said the Parks & Recreation Department hired Summer Camp Staff and the Police Department hired seasonal Special Officers. He reviewed the specifics of the DPW season job. He said he was also looking to purchase a jet truck and the reason he needed to act quickly.

Councilman Ballard asked about problems with certain catch basins in the area of Leighton Avenue and River Street. He asked if the truck would resolve that problem.

Director Keen said it would not and reviewed issues with the catch basin in question.

Councilman Ballard agreed that it had been a long standing issue.

Director Keen continued to review actions that had been taken.

Councilman Ballard asked if anything could be done to alleviate the problem.

Director Keen said the way to resolve the problem was to increase the number of outlets and reviewed what that would involve. He said it was a very expensive option and reviewed details.

Councilman Yngstrom asked him to forward the information.

Councilman Zipprich asked that was the same intersection that have been considered for the installation of a traffic rotary.

Chief McConnell said it had been discussed.

Director Keen said there were additional items he would like to purchase through MCIA funds which were an asphalt hot box and mechanics tools.

Chief McConnell said he wanted to clarify that this funding had been approved in 2017 and had been sitting in the MCIA funding since that time since the purchase had never been make.

Councilman Zipprich said he was in favor of making the purchases.

Councilman Ballard asked for an explanation of what a hot box was.

Director Keen explained that it was a trailer mounted piece of equipment that could warm asphalt which would assist with road repairs.

Chief McConnell asked Director Keen to review the Plastic Film Agreement.

Director Keen reviewed a proposed plastic film recycling program. He said it was recommended by the Borough's Environmental Commission.

Councilman Zipprich asked for a description of acceptable materials.

Director Keen reviewed items that would be accepted.

The Council consensus was in favor of the agreement.

Director Keen reviewed highlights from his report including issues with brush pick up.

Councilman Zipprich asked what the brush pick up schedule was.

Director Keen said brush was picked up on the second Thursday on the west side of town and on the third Thursday on the east side of town. He continued to review his report.

Councilman Zipprich asked about the bulk pick up procedure.

Director Keen said there was a change in the new contract. He said the old contract called for bulk pick up with the second pick up of each week while the new contract calls for bulk pick up once per month. He said there had been some confusion with people thinking the old schedule was still in effect. He said they had been trying to get the bulk removed as soon as possible and to educate residents. He said the contractor had been instructed to only remove the number of items allowed by ordinance.

Mayor Menna said a lot of the bulk trash was from tenancies and asked if anyone followed up and issued summonses to the landlord.

Director Keen reviewed the actions that had been taken.

Mayor Menna said it appeared that the answer to his question about follow up was that it was not being done yet.

Director Keen confirmed that was the case. He said, earlier in the year, the problem had been more prevalent and said they had focused on educating people.

Councilman Zipprich asked how the matter would be addressed at apartment complexes.

Director Keen reviewed how that was handled on a case by case basis.

## **PARKS & RECREATION**

Interim Administrator McConnell said Director Dal Pra had filed his monthly report but was not in attendance.

Councilwoman Horgan said she wanted to remind everyone about the Pride Event to be held on June 12 at Riverside Gardens Park.

### **SENIOR CENTER**

Director Reynolds asked if there were any questions on her report. There were none. She said she wanted to invite everyone to their Fathers' Day cookout the following Thursday.

Councilman Zipprich asked if they had returned to a regular scheduled.

Director Reynolds said they were and reviewed regular activities but noted they were limited in what they could do outdoors due to the heat.

Councilwoman Triggiano asked if the reason for the outdoor activities was due to COVID.

Director Reynolds confirmed that that was the case.

Councilman Zipprich asked if the seniors were still wearing masks.

Director Reynolds said a lot of them were even after it had been announced that they could take them off. She said they were still requiring them on the bus.

Councilman Zipprich asked about the contract for Senior Center repairs.

Interim Administrator McConnell said there would be a resolution on the next Council meeting to award the contract.

### **LAND USE**

Mayor Menna thanked Director Ebanks for her report.

Director Ebanks discussed the return to in person meetings for the Land Use boards and asked for the Council's consent.

Mayor Menna noted other towns were resuming in person meetings and said he felt they should do it as quickly and safely as possible.

Councilman Zipprich asked Mayor Menna what the State had said regarding in person meetings as this point.

Mayor Menna said as far as he knew they were permissible with social distancing.

Attorney Cannon said the public health emergency had been lifted and live meetings were permissible.

Ms. Ebanks also asked about a Zoning Board position that needed to be filled. She said the Board had been having quorum issues.

A discussion followed on the appointment procedure.

Director Ebanks offered a status update on the Master Plan.

Attorney Cannon said he had distributed a memo to the Council regarding the State's Cannabis Use Act and reviewed the contents. He reviewed the options for the municipality which included the option to make it a "dry" town. He reviewed the various classes of businesses that could operate under the act. He said the Borough's options were to prohibit all, regulate or do nothing and let the Cannabis Act prevail. He offered details on what that would entail. He said the one thing they could not prohibit was delivery services making deliveries in the Borough. He said, if the Council chose to allow the businesses, the Zoning Officer should provide an analysis of the places in town where it would be allowed. He said the State Act would not change Federal law so the Drug Free School Zone Act would remain in effect and cannabis would still be a controlled dangerous substance under Federal law. He said the Borough would also be able to enact a local excise tax on the cannabis businesses.

A discussion followed on the various options.

Mayor Menna said he was concerned about certain pre-existing non-conforming businesses that were currently operating in residential areas and said he felt they should be precluded from engaging in cannabis sales.

Attorney Cannon noted there was an August 22<sup>nd</sup> deadline for the Council to adopt regulations or the State regulations would prevail. He said that would remain in effect for five years before they would get the opportunity to amend it.

Director Ebanks said, in the classes she had been participating in, she had learned that the town could be as restrictive as it wanted to be and as relaxed as it wanted to be which would be done by ordinance.

Councilman Ballard asked about the five year period and asked if they could revisit the matter in three years.

Attorney Cannon said they could progressively allow more but they couldn't roll it back. He said if they allowed it but then, in five years, decided to prohibit, any existing business would be grandfathered in.

Councilman Ballard again asked if they could revisit the decision in less than five years giving the example of having less regulation.

Attorney Cannon said the legislative intent was that they could loosen controls.

Councilman Yngstrom asked, if they took no action and went by the State legislation, would the Borough still get the taxes.

Attorney Cannon said they could still enact a local tax.

A discussion followed on the options, zoning issues and the ordinance adoption timeline. The consensus was to request an analysis from Ms. Ebanks.

Borough Clerk Borghi suggested the Council amend the August meeting date since they were going to change July anyway. She said by moving the meeting from August 11 to August 18, they would give the Planning Board a second opportunity to review as they had another meeting scheduled for August 16 in case of the need for further discussion or if they faced a quorum issue.

The Council consensus was to move the August meeting to the 18<sup>th</sup>.

Councilman Ballard asked for an update on the home rehab programs.

Director Ebanks reviewed the actions that had been taken in the past month.

Councilman Zipprich asked about a 25 foot Riverwalk easement with 28 Riverside Avenue.

Director Ebanks said she would have to look into that adding that she was not aware of the issue.

Mayor Menna said they would look into it but noted the easement would not have been in the area of the pool.

Interim Administrator McConnell noted the Riverside Avenue Area in Need of Redevelopment study was listed as a discussion item. He asked if the draft resolution had been distributed to the Council.

Clerk Borghi said it had and had been listed on an agenda but had been removed.

Councilman Zipprich asked if property owners in the area had been notified.

Mayor Menna questioned why property owners would be notified as it was only on for Workshop discussion.

Director Ebanks confirmed that it was just a study and said, once the results were ready to be presented to the Planning Board, the property owners would be noticed so they could attend the Planning Board meeting and offer comments.

Mayor Menna noted that he had previously advanced the idea of including Rector Place as part of the Master Plan review to designate the Rector Place corridor as an architecturally significant area and to take appropriate zoning regulations to protect it. He said that would go before the Planning Board as well as the Historic Preservation Committee. He reviewed specifics of the proposed designation.

Clerk Borghi asked if any Council action was needed to refer the matter.

Mayor Menna said there was not. He said he would raise it to the Planning Board and asked Councilman Zipprich, as the liaison to the Historic Preservation Commission, to forward it to that body.

Councilman Ballard asked what would stop someone from acquiring properties before the plan was in place.

Mayor Menna said he was asking the Master Plan Committee to review the matter but said he would not discuss strategy in public.

## **ADMINISTRATION**

Mayor Menna asked if there were any questions on renewing the contract with the Grants Consultant.

Interim Administrator McConnell said it was to renew the contract with the current vendor. He said there was a minor increase in the contract but there had been no increase in the three years the Borough had been working with them. He also reported that there had been a road closure request from the Two River Theater which he said was straightforward. He said they wanted to close Edmund Wilson Plaza three nights a week for performances on the plaza. He also followed up on the discussion regarding protocols for memorials. He said he had sent a draft for Council review and ask them to forward any additions/deletions that may be needed.

Councilman Ballard asked if he was referring to the memo from the Mayor.

IA McConnell said there were two items provided; one was the memo from the Mayor and the other was a draft policy. He also reported on an NJDEP Urban Parks Grant Application which would require a public hearing. He said he hoped that could be included at the June 23<sup>rd</sup> meeting. He also discussed the subject of reopening the Municipal Building and the matter of holding in person meetings. He said he was working on getting Borough Hall opened in a staged manner. He said in the next couple of weeks, they would be doing a significant repair to the elevator and then planned to open by appointment so some of the busier offices didn't get inundated all at once to avoid an unsafe or unhealthy situation. He said they would ultimately reopen the building fully in the coming weeks. He said he also knew the Council wanted to return to in person meetings and said he knew they may want to do a hybrid meeting with in person and electronic. He said he had met with the Borough's IT providers and said they were working on a proposal.

Councilman Zipprich asked that an Education/Technology Committee meeting be scheduled in the next week or so.

IA McConnell noted there were two more items on the agenda listed for discussion. He said the first was the Redevelopment Agency's recommendation for the DPW facility and said the Council needed to decide on next steps. He asked Attorney Cannon if that discussion should be held in Executive Session as they may be contract or property acquisition discussions.

Attorney Cannon agreed that they should discuss the matter in Executive Session.

IA McConnell said the final item was a discussion regarding animal control services and said he would be happy to address any questions or concerns.

Councilwoman Triggiano said, since it was the public portion of the meeting, she asked that he review how the level of service would be affected since that had been a concern from the public.

IA McConnell reviewed the history of the service and said it had become difficult operationally to provide that service locally with existing staff. He said the contract with the SPCA would meet that service in essentially every aspect. He said they had a full team to provide the services which the Borough did not. He said they would handle domestic pet situations as well as wildlife. He said they would not handle wildlife in the home such as a nest of squirrels in the attic. He said the Borough should not be doing that either because that would be pest control rather than animal control which were two different things. He said they would handle emergency situation such as a raccoon in the living room posing a threat. He said they would essentially provide all of the same services that the Borough had and probably with more ease because of their staffing. He said their response time averaged 20 to 25 minutes 24 hours a day.

Councilwoman Horgan said there was also a significant savings.

IA McConnell confirmed that there was a savings.

Councilman Ballard asked how they would measure the response times to ensure they were responding within 20 to 25 minutes.

IA McConnell said when they currently call out Animal Control, they didn't typically track their response time. He said they could track it but noted the 20 to 25 minutes wasn't written into the contract. He said it was what they had advised was their average. He said they could ask dispatch to track the response time.

Councilman Ballard said he felt they should track it.

Councilman Yngstrom said he agreed.

Councilman Ballard asked if there was an escape clause to cancel the contract.

IA McConnell said it was a six month contract so there was no escape clause. He said there was an escape clause in the agreements with the towns the Borough currently provides services to.

Councilman Zipprich asked how many towns the SPCA handled.

IA McConnell said the number was in the high teens and he believed, if they took on Red Bank, Fair Haven and Shrewsbury Township, it would bring them to 21 towns.

Councilman Ballard said the more relevant point was that they divided the County into zones and reviewed other towns that would be in the same zone as Red Bank which, he said, totaled seven towns.

Councilman Zipprich asked about the escape clause in the agreements with the towns the Borough was providing services to and asked if the Borough would have to give notice to those towns.

IA McConnell said he believed it was a 30 day notice. He said he had already discussed the matter with the Business Administrator in Fair Haven.

Councilwoman Horgan asked if the Animal Welfare Committee had weighed in on the matter. She said they had expressed concerns and had wanted to make their concerns known.

Councilman Ballard said the Animal Welfare Committee members had participated in a call with the SPCA along with himself and IA McConnell. He said they were also doing their own research behind the scenes. He said he was not sure if they wanted to make a statement.

Councilwoman Triggiano asked if any other concerns had been brought up during the meeting and addressed.

IA McConnell reviewed details of the meeting.

Councilwoman Triggiano noted that the Borough currently used services from the SPCA.

IA McConnell confirmed that they did. He said they would take animals that could not be reunited with their families until the owners could be located and also take some injured wildlife. He said they also backed up the Borough's Animal Control when they did not have the ability to respond.

Councilman Yngstrom asked if the Borough used other Animal Control Officers from other towns.

IA McConnell said he believed they were currently down to one back up Animal Control Officer from another town. He said that was part of the operational concern.

Councilman Ballard said he knew IA McConnell had sent a cost analysis to the Council and asked if it could be shared with the public.



IA McConnell asked Attorney Cannon to weigh in noting the report contained personnel information.

Attorney Cannon said he could comment on the personnel issue only because he also service as the Borough Attorney in Fair Haven so had recused himself in the matter. He said personnel information would have to be redacted before it was shared with the public. He reviewed the memo and said he could share page 1 but page 2 would have to be reviewed for redactions.

Page 1 of the memo was shared on the screen.

Councilman Ballard said it not just a dollars and sense issue but said there was also a human aspect so he wanted residents to have a full understanding of what the Council was considering.

A discussion followed on the financial impact/availability of services by switching from local animal control services versus a contract with the SPCA.

Councilman Ballard said he was happy with the open/transparent process and thanked the Council for tabling the matter so the public could have all of the information.

## **PUBLIC COMMENT**

Henry Perez—717 Anderson Rd, Jackson—offered to answer questions as someone inside the operations. He compared the performance of the SPCA versus his performance. He reviewed the Monmouth County towns that had said “no” to the SPCA. He suggested they discuss quality of service with those towns. He said he usually hands overtime to the backup because their rate was \$50 per call. He said he did not do after hour calls because it would cost more money for him to come it. He also addressed the issue of removing wildlife from inside a home and said he felt an Animal Control Office was required to respond.

Mayor Menna called for a five minute recess.

Glenn Carter—RiverCenter Director—said he was thrilled to be back in Red Bank. He offered comments on the design for the Broad Street improvements. He also said RiverCenter was totally in support of the Broadwalk and the installation of retractable bollards. He spoke of the benefits and asked them not to bid it as an alternate.

Tricia Kopczewski—27 Brown Place—said she was reading comments from several residents who were concerned about outsourcing animal control. She spoke in support of keeping the services at the Borough level. She continued to read from her statement and was advised that she had reached the five minute limit for comments. She said she was speaking for twelve people so felt she should have 60 minutes and said she planned to continue.

Attorney Cannon muted her and again explained the Borough’s five minute policy. He said he would unmute her and allow her to finish up. He noted there were many more people waiting to speak.

Ms. Kopcaewski—took issue with the policy and continue to claim she should have 60 minutes to speak.

Attorney Cannon again stated the policy and told her she could come back and speak again for an additional five minutes after the other speakers had had an opportunity.

Alan Ao—27 Whitaker Dr., Morganville—thanked the Council for supporting cannabis businesses. He reviewed his experience/credentials and offered himself as a resource. He urged the Council to enact specifics.

William Poku—90 Bank Street—said he was notifying the Council that he had provided the Municipal Court with portions of Council minutes referring to the snow ordinance. He claimed the judge had remarked that the language appeared to be overbroad. He said he would be asking to Court to delay their proceedings so they could have a discussion on the snow ordinance. He criticized the number of tickets that had been issued in a single day and claimed that demonstrated that the ordinance was flawed. He called for a meaningful conversation on the ordinance and said it would be an opportunity for Councilwoman Triggiano to expand on her comments objecting to an increase in fines. He said the issue with sidewalks have been brought to the attention of Councilman Ballard two years prior and said he felt he would be an important person to come into the conversation on snow removal as it impacted seniors.

Cindy Burnham—71 Wallace Street—urged the Council and residents to read the SPCA contract and reviewed specifics including possible additional fees. She said she thought they were making a mistake and said it was her opinion that it was political.

Angela Mirandi—8 West Lake Road—questioned the cost analysis and said she thought it has said the Borough’s saving would be \$58,000. She questioned the listing of a savings of cost and benefits for a DPW employee and asked who that was.

IA McConnell asked the Attorney to comment noting that the memo had been deliberative for the Council and was intended for discussion in Executive Session.

Attorney Cannon said the cost was provided but otherwise it would be a personnel discussion.

IA McConnell confirmed that the Council was aware of the basis for the numbers but said he could not discuss it in public because it was a personnel matter.

Ms. Mirandi also suggested the Borough could have negotiated with Fair Haven for more money. She asked if that had been done.

IA McConnell said they had discussed that issue with Fair Haven and they did not want to give more money.

Ms. Mirandi also asked about the additional costs that could be incurred by residents. She said she felt that should have been in the analysis. She asked if that had been looked at.

IA McConnell said that had not been looked at and said they were looking at the impact on the Municipal Budget.

Tricia Kopczewski—27 Brown Place—continued to quote from attestations to the service provided by the Borough's Animal Control Officer.

No one else appearing, Councilman Zipprich made a motion to close 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.

#### **EXECUTIVE SESSION**

21-157A The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation. No action to be taken.

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

ROLL CALL:

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

NAYS: None

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

#### **RESUME REGULAR BUSINESS**

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.

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