

**MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
AUGUST 14, 2019
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 July 25, 2019.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ABSENT: Councilman Zipprich (arrived 6:37pm)

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, Attorney Cannon, Engineer Berdahl and Department Heads.

ADMINISTRATION

Engineering Report

Administrator Shehady reviewed resolutions that were slated for the upcoming agenda including two for additional engineering services for Affordable Housing and the Eastside Park/Mohawk Pond project. He said the Borough would be seeking to recoup costs on the Eastside Park/Mohawk Pond project but said the payments needed to be made in the interim.

Mayor Menna agreed that it was prudent to have continued monitoring by CME and said the matter could be discussed further in an Executive Session.

Councilman Ballard asked if the Borough was paying CME up front.

Administrator Shehady confirmed that the Borough would cover billable hours as needed up to \$25,000.

Councilman Ballard asked about legal action.

Mayor Menna said that would be discussed in Executive Session.

Councilman Ballard said he did not understand how it was not covered by the contract.

Mayor Menna again noted that this discussion would need to be held in Executive Session.

Attorney Cannon said it was a matter that was scheduled to be discussed in an Executive Session at the end of this meeting.

Engineer Berdahl offered an update on the East Bergen Place project saying it was substantially complete and said they were waiting for work to be done by JCP&L. He said, once that was complete, the contractor would be on site to complete the project. He also reported that construction on the 2019 Road Program had begun and said they were working on Grant Place this week and would be on Mechanic Street in two weeks. He reviewed additional streets that would be covered in the project. He said documents had been sent to the DEP regarding the White Street project and said the construction plans were 75 percent complete and said they were waiting for a decision on the concept plan. He also asked about the recommendation for angled parking on White Street.

A discussion followed and it was the Council consensus that they were in favor.

Engineer Berdahl also reviewed the project at the Senior Center and said they were waiting on plans from MSGFire. He said CME would then complete the bid documents and contract.

Councilman Zipprich asked about approvals.

Engineer Berdahl said Fire SubCode Official John Drucker had approved and again noted they were waiting for final plans.

OEM/FIRE MARSHAL/CODE

Fire Marshal Welsh reviewed his report and asked if there were any questions. He also asked if there were any questions about his recommended changes to the ordinances.

There were no questions and the Council thanked him for his efforts.

Councilman Ballard said they appreciated everything and said they knew he was shorthanded.

SENIOR CENTER

Senior Center Director Jacqueline Reynolds asked there were any questions on her report.

Councilman Zipprich asked how things were working at Trinity Church.

Ms. Reynolds said it was working well.

RECREATION

Director Hoffmann asked if there were any questions regarding his report.

Mayor Menna said he was doing a great job.

Councilwoman Horgan said she had received many positive comments.

Councilman Ballard commended him on his efforts with National Night Out.

Director Hoffmann thanked him and said it was a team effort.

Councilman Ballard asked for statistics on the Summer Camp program including the number of participants from Red Bank and from out of town, the number of scholarship received and denied and if revenue was up or down. He said he noticed that the money received last month was lower than it was for the same month the previous year.

Director Hoffmann said that was because they had received more payments earlier this year.

Councilman Ballard asked why the track uniforms were green.

Director Hoffmann said they had been chosen by the kids in years prior. He also thanked everyone for attending the recent track ribbon cutting.

Mayor Menna also commended him on a job well done with Dog Days.

FINANCE

Administrator Shehady reviewed proposed resolutions for tax appeal and utility refunds.

Councilman Ballard said the budget for 12 months and noted the report showed spending through July. He asked for a month to month comparison.

Administrator Shehady said they would try to modify the report. He reviewed the current report and said CFO O'Reilly had been working with Edmunds for more access and had started working on mock ups of various reports including showing the last five years.

Councilman Ballard asked for quarterly reports comparing this year to last year.

Administrator Shehady reviewed the MCIA Agreement and asked if there were any questions.

PARKING

Director Calu asked if there were any question on his report and offered a summary of statistics. He noted revenue and enforcement were up and credit the filling of part time positions.

Mayor Menna said he had gotten positive feedback that residents were happy with the enforcement of two hour parking. He said, if additional part time manpower was needed, he was willing to move it forward.

Administrator Shehady reviewed the procedure to move forward on the hard wired meters. He said a draft would be reviewed by the Parking Committee and then it would be reviewed by RiverCenter before moving to the Mayor and Council. He said a Public Meeting would be held with a demo of the meter being selected. He said it was one of the largest meter changes the Borough had undergone and said they would be replacing street meters.

He also said they were reviewing staffing including fees, hours and internal policies and procedures.

Mayor Menna asked what would happen with the existing meters.

Parking Director Calu said they were essentially obsolete but said they may have value for scrap or spare parts. He said there would also be a decision to be made regarding the kiosks as they were facing upgrades that could cost a couple of thousand per unit.

Councilman Yassin asked about the search for a permanent director.

Administrator Shehady said Mr. Calu had fielded candidates and made recommendations. He said he could give too much detail as it was a personnel matter.

Councilman Ballard said Mr. Calu's report referenced public and private parking and suggested agreements be made with private lots.

Director Calu reviewed outreach that had been done so far. A discussion followed on what comprised public parking. They also discussed details of Mr. Calu's report and parking plan options.

LAND USE

Director Carter reviewed a proposed ordinance to allow food trucks.

Councilman Zipprich said RiverCenter was unanimously opposed.

Councilman Yassin said the Red Bank Borough Business Alliance and restaurants were also opposed.

Mayor Menna said the idea was to relegate them to peripheral areas.

Councilman Ballard said he felt they should be on public land only or as Special Events. He said he was opposed to having them on abandoned properties.

Councilwoman Triggiano said she felt they should be allowed but with restrictions. She said she also did not envision them on vacant properties and felt they should be allowed at events.

A discussion followed on the options.

RiverCenter Director James Scavone was asked for his comments. He said RiverCenter was fine with the truck being at Special Events but they were opposed to having them allowed on a regular basis. He reviewed the reasons behind that opinion.

Mayor Menna reviewed previous discussions on the matter.

Director Carter reviewed the opinion from the Planning Board regarding the Borough's application for transit village designation. He reviewed the restrictions of such a zone and the process involved.

Councilman Zipprich asked if it would be an expansion of the RiverCenter zone or a whole new one.

Director Carter said it would be a whole new one.

A discussion followed on how the vision process would work.

Councilman Yassin said he felt the benefits were too miniscule for what they were asking. He said if they would have to change zoning, he was not in favor.

Director Carter reviewed what would be involved.

Administrator Shehady noted that existing business that would not be allowed, such as auto uses, would be grandfathered in but said a non-auto business could not change to auto.

Mayor Menna reviewed the previous process on the matter and the reason it did not go forward. He said the money spent to get there was not worth the money they would receive back.

Councilman Zipprich expressed concern about the age of the Vision Plan.

Administrator Shehady said the cost was minimal and the return varied. He said the program didn't have a lot of dollars but many grants offered additional points for municipalities with Transit Village status.

Director Carter said another option was to fold the matter into the Master Plan process. He said the options were 1) to forget the application, 2) go forward with the application or 3) complete the process as part of the Master Plan. He also noted that the Borough's Center Designation was about to expire and would require a similar process. He suggested they fold it all into one.

Councilwoman Triggiano noted that Long Branch and Asbury Park had recently received the designation.

Councilman Ballard expressed concerns about restrictions on Shrewsbury Avenue such as the restriction against a bank with a drive-through.

Administrator Shehady said a large part of Shrewsbury Avenue would not be a part of it.

Councilman Yassin asked what the major changes would be.

Director Carter said he had included that as item #2 in his memo.

A discussion followed on the options to address existing businesses.

Councilwoman Horgan asked what the Borough's chances were of receiving the designation.

Administrator Shehady said he felt if they submitted the application, they would get the designation. He again noted the positive affect it would have on grant applications.

Councilman Yassin suggested they should reshape the area.

A discussion followed on the composition of the district.

Director Carter said the goal tonight was to see if the Council wanted to move forward. He said he would provide more details at future meetings.

The Council consensus was to move forward.

Administrator Shehady also noted there were two performance bond resolutions slated for the next agenda. He said there would also be an ordinance to give a name to the street that was affected by the Denholtz project.

Councilman Yngstrom said, after discussions, he would like to recommend "McKenna Way" for the street name.

The consensus of the Council was that they were in favor of that name.

Attorney Cannon reviewed the additional ordinances that would be needed to affect the change and the times that they should be implemented.

Administrator Shehady reviewed a memo from Director Carter regarding State Highway 520.

Director Carter reviewed the current code which did not allow for gas stations to be combined with retail. He said two recent applications for this type of use had failed. He asked for the Council's opinion on the matter.

A discussion followed with some Council members in favor of keeping it as is and others feeling a change could help revitalize the area and offer local jobs.

Councilman Ballard asked how two existing businesses had been allowed.

Attorney Cannon said they had been granted variances.

The majority of the Council members were in favor of amending the ordinance to allow the combined use. A discussion followed on the various restrictions that should be included.

POLICE

Chief McConnell reviewed his reports. He said the National Night Out event had gone great. He said he expected it would be bigger and better next year. He said a consultant report on their records/property/evidence operations had gone well but said no formal report had been issued yet. He noted the Department had had two retirements recently and said he was starting the application process to replace one of those officers and would be looking to promote another. He said he was also seeking to replace a dispatcher who had left the previous month. In addition, he said the annual resolution to hire crossing guards for the upcoming school year would be on the next agenda.

Councilman Ballard asked if the Department's Records Bureau would be overseen by a civilian.

Chief McConnell said that was the eventual goal but said they needed an officer to be familiar with procedure because a civilian was more likely to come and go.

Councilman Yassin thanked the Chief for letting him go on a "ride along" with Officer Vescio.

Administrator Shehady said he wanted to mention that there would be an ordinance coming up that would designate four spaces in the English Plaza lot for compact cars only. He said the Police Department and the Department of Public Works had reviewed the matter. He said it was being done at the request of RiverCenter.

PUBLIC WORKS

Director Keen said a water refill station had been installed at Count Basie Park and hoped to have another installed at Riverside Gardens Park by the end of the week. He reviewed artwork recently done in the parks by Public Works Supervisor Robert Holiday. He said the recent storm had resulted in a lot of brush and the department had worked to get it all picked up.

Administrator Shehady said they would include more stats next month including information on Animal Control calls. There was a discussion of more outreach and the possibility of a dog census.

Administrator Shehady also complimented Public Works Supervisor Terrence Walton for his assistance at the National Night Out event.

BUILDING/CONSTRUCTION

Construction Official Corcione reviewed his report.

Administrator Shehady said the SubCode Official had submitted his resignation and said they would be discussing the need to backfill the position.

CLERK

Municipal Clerk Borghi reviewed her report and noted upcoming proclamations/presentations scheduled for the next agenda.

ADMINISTRATION

Administrator Shehady reviewed the IT and Grant reports. He noted that the phone system had been upgraded and calls could now be forwarded to cell phones. He said under the Borough's "bring your own device" policy, please would normally have to give out their personal cell numbers. He said the VIOP system allows people to send and receive calls through the borough phone number

Councilman Ballard asked if this would subject their personal devices to OPRA and if the phones would be "OPRAable."

Administrator Shehady explained the phones were not subject to OPRA but records were. He said Borough employees/officials should not be using personal accounts for Borough business.

Councilwoman Horgan asked what the saving would be in eliminating Borough cell phones.

Administrator Shehady estimated that about a half dozen phones have been removed from use so far at a saving of \$30-\$50 each per month.

Noise Ordinance – Administrator Shehady said he had forwarded information on the noise ordinance to Council members.

Councilman Ballard said he had received complaints about noise into late hours.

Mayor Menna asked for the Attorney's opinion on the matter.

Attorney Cannon reviewed the Court requirements regarding decibel levels. He said, if a complaint was filed, neighbors would have to testify. He suggested it be left to the discretion of the Police. A discussion followed on enforcement issues and police issues summonses versus citizen complaints.

JIF Renewal – Administrator Shehady said he was working with the insurance broker to review option. He said the decision to renew or to shop around would be made in September.

RiverCenter Interlocal Agreement – Attorney Cannon reviewed an agreement that would formalize the ongoing cooperation between the Borough and RiverCenter regarding the English Plaza/White Street project. He said he had emailed it to the Council for review and said it would be on the next meeting agenda for approval.

COUNCIL COMMENTS

Councilman Ballard asked for a firm cut off on agenda additions.

Mayor Menna said he agreed and said he would like to see the cut off at 5pm on the Friday before the meeting for anything other than emergency matters.

CORRESPONDENCE

None.

PUBLIC COMMENT

Cindy Burnham—71 Wallace Street—said she was in support of closing the Community Garden until the Borough could do their due diligence regarding the possibility of lead being present. She offered information on someone she had spoken with at Rutgers that was willing to provide testing for free. She asked for an update on the testing.

Administrator Shehady thanked her for the information and said he had met with the various professionals the previous Monday morning and said they were working on a soil testing plan. He said they were putting together standards and expected to take samples on Friday to be sent to a lab.

Ms. Burnham asked if they were testing for items other than lead.

Administrator Shehady said, right now, they were just testing for lead. He said they were seeking a fast turnaround to address any immediate issue.

Ms. Burnham said she believed there were other issues and called for additional testing.

Allison Gregory—109 Bank Street—distributed copies of photos to the Council regarding various sign issues in the Borough. She said the new street signs were nice but said there were others that needed TLC. She also called for more crossing enforcement on Shrewsbury Avenue and asked Council members to join her when school starts so they could see the crossing issues first hand.

Mayor Menna said, regarding signs, he had seen many poles with ads in the train station and Shrewsbury Avenue areas. He said it demeaned the character of the neighborhood and called for Code Enforcement to remove them.

Ben Forest—16 Locust Avenue—said he wanted to address the discussion on the noise ordinance. He agreed that it was a problem and said there were different issues in different neighborhoods. He said it was a diversity issue. He said he agreed that letting the Police handle it as a third party was best.

Freddie Boynton—PO Box 2074—suggested the Borough deal with those who place the stickers on poles by taking them to court.

Mayor Menna said many are from out of the area.

Mr. Boynton also reviewed how noise issues were addressed in other towns.

William Poku—90 Bank Street—asked the Council to consider an alternate order of business and proposed they hold the audience portion earlier. He also said a recent block party event had been well attended. He questioned the five minute limit in place for public speakers. He noted that he had previously suggested that a plaque be placed in Johnny Jazz Park to honor noteworthy individuals and asked if a committee was working on it.

Suzanne Viscomi—25 Cedar Place—asked about the water stations and the locations.

Councilman Zipprich said two were already in place and a third was being added at Riverside Gardens by the end of the week. He said a fourth was also planned for Eastside Park.

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

ROLL CALL:

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

NAYS: None

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

EXECUTIVE SESSION

19-195 Mayor Menna read a resolution to adjourn to executive session to discuss Litigation (State v. Sharma – Red Bank Municipal Court Appeal); no action to be taken.

Councilwoman Horgan 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 resolution was declared approved.

RESUME REGULAR BUSINESS

Councilman Zipprich made a motion to resume Regular Business, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi