

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
August 18, 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 people of Haiti who had recently suffered a natural catastrophe, for the Gold Star parents of service personnel who has served in Afghanistan and for the people of Kabul in this turbulent time.

ROLL CALL

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

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

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

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Proclamation

Councilman Ballard read a proclamation proclaiming August 31, 2021 as Overdose Awareness Day.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Sue Viscomi—25 Cedar Street—asked if the public could see the details of the settlement agreements for the two Borough employees. She asked if she could file an OPRA Request for the documents.

Attorney Cannon said he had not drafted the agreement but said portions may have to be redacted.

Interim Administrator McConnell said he had reviewed the agreements with the Labor Attorney and had been told they would be public record once adopted by the Council but said he agreed that there may be some items that would need to be redacted.

Clerk Borghi said Ms. Viscomi was welcome to file an OPRA Request and the documents would be reviewed for content and to see if they could be released with or without redactions.

Stephen Hecht—135 Branch Avenue—said he had a question about the bill list. He said there were 25 checks for a total of \$13,725 that were listed for Financial Advisory Services to the Redevelopment Agency. He asked what those services would be.

IA McConnell said they were professional services that the Redevelopment Agency had entered into and the checks were for invoices the Finance Advisor had submitted. He said, off the top of his head, he did not know what the service were but said Mr. Hecht could OPRA the actual invoices.

Mr. Hecht asked if 25 checks in one lump was something that was typical or atypical.

IA McConnell said he wasn't sure he would categorize it as either. He reviewed the possible reasons why they might have been processed that way.

Cindy Burnham—71 Wallace Street—said she wanted to follow up on Mr. Hecht's question and there were two Council members who served on the Redevelopment Agency. She asked if they could provide information on the checks.

Councilwoman Horgan suggested CFO O'Reilly should be able to respond to the question since he was in charge of Finance.

Ms. Burnham also asked about Resolution #21-235 regarding the Broad Street improvements. She noted there had been discussion on the number of bollards and asked if the bid had been adjusted to reflect that.

IA McConnell said it had and reviewed details of the changes.

Ms. Burnham suggested that rather than create bump outs there should be officers posted. She asked if that would save money.

IA McConnell said it would not save money as it would require three additional police officers being added to the department as opposed to the bump outs which were a one-time investment.

Ms. Burnham asked how many police officers the Department currently had on a shift.

IA McConnell said they did not disclose that for security purposes.

Ms. Burnham said she also had a question about the proposed cannabis sales.

Mayor Menna suggested she hold her comments for the public hearing that was scheduled on that matter. Ms. Burnham said she would. She said she also had a question regarding Resolution #21-230 to increase the contract amount for Gene Anthony, Esq. regarding his services to the Rent Leveling Board. She asked how many cases he had presided over in the last two years and asked what he did.

Councilwoman Horgan said she could address some of that as she had been liaison to the Board for the past 14 years. She said they were currently having issues with the Colony House and had received numerous complaints from the residents. She said Mr. Anthony had many more cases to deal with as a result of that. She said she did not believe that, in the last 14 years, he had asked for more money than had been stated on his original RFP. She said this was an exceptional circumstance and it was to help people that lived in a rent controlled building who were disabled, elderly and underserved. She said Mr. Anthony was doing his due diligence.

Mayor Menna clarified that the resolution did not mean that Mr. Anthony's fee would be increased but reflected an anticipated increased workload that emanated from the Colony House matter. He said the resolution would increase the contract amount to an amount "not to exceed" \$12,000. He said that did not mean Mr. Anthony would be paid that amount but that, if he submitted vouchers in excess of the original contract amount of \$6,000, he could be compensated for his work.

Ms. Burnham said she wondered how many cases he had had over the last 14 years. She said she did not think it was a busy job which was why she was questioning the increase in salary.

No one else appearing, Councilwoman Triggiano 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.

MINUTES & REPORTS

Regular Meeting Minutes of 5/26/2021

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

ROLL CALL:

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

NAYS: None

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

Workshop Meeting Minutes of 6/9/2021

Councilwoman Horgan 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:

2021-15: Mayor Menna read, "Ordinance Supplementing Section 490-10: "Fees and Escrows" of Article III: "Administration and Enforcement" of Chapter 490: "Planning and Development Regulations" of the Borough's Revised General Ordinances to Adopt and Implement New Development Impact Fees upon Certain Development"

Mayor Menna called for a motion to open the Public Hearing.

Councilman Ballard offered a motion to open the public hearing, 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.

Mayor Menna said Development Impact fees were legal under Title 40 of Municipal Land Use Law but expressed concern about the process.

A discussion followed on the possible legal challenges to the ordinance.

No one appearing, Councilman Ballard 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.

Councilman Ballard offered a motion to adopt the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

Councilman Zipprich left the meeting at 7:01 pm.

2021-16: Mayor Menna read, "Ordinance Supplementing the Revised General Ordinances of the Borough to Insert New Chapter 362: "Fireworks" to Prohibit the Use of Fireworks, Except as Permitted By State Law"

Mayor Menna called for a motion to open the Public Hearing.

Councilman Ballard offered a motion to open the public hearing, seconded by Councilwoman Triggiano.

ROLL CALL:

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

NAYS: None

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

Councilman Ballard said he wanted to comment on the previous ordinance and thanked the Council for going forward with it to bring in more revenue and ease the tax burden on residents.

Attorney Cannon also noted that the ordinance could be amended if the Council chose to move forward with some of the changes mentioned during the discussion. He also reviewed resources that the Committee could review.

No one appearing, Councilman Yngstrom offered a motion to close the Public Comment period, Councilwoman Triggiano seconded.

ROLL CALL:

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

NAYS: None

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

Councilman Ballard offered a motion to adopt the ordinance, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

2021-17: Mayor Menna read, "Ordinance Amending the Revised General Ordinances of the Borough to Amend Chapter 490: "Planning and Development Regulations" to Permit and Regulate Cannabis Businesses, and to Amend Chapter 478: "Parks And Recreation" and Chapter 574: "Smoking" to Prohibit Possession of Cannabis in Borough Parks and Consumption of Cannabis on Borough Property, and to Create New Chapter 270: "Cannabis" to Prohibit Consumption of Cannabis in Public Places and Prohibit All Underage Possession of Cannabis and Impose a Local Cannabis Transfer Tax and Local Cannabis User Tax within the Borough"

Mayor Menna called for a motion to open the Public Hearing.

Councilwoman Triggiano offered a motion to open the public hearing, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Jeffrey King—24 Elizabeth Parkway, Eatontown—commended the Council for their progressive Zoning plan and said it was appropriate for Red Bank. He said it showed good leadership and said the dividends would pay off to the community. He reviewed what he saw as the positive aspects of the ordinance and compared it to the one adopted in Eatontown. He compared cannabis regulations to those for alcohol.

Cindy Burnham—71 Wallace Street—expressed concerns about a specific area of the map associated with the ordinance which she said was a residential area.

No one else appearing, Councilwoman Triggiano offered a motion to close the Public Comment period, Councilwoman Horgan seconded.

ROLL CALL:

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

NAYS: None

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

Councilwoman Triggiano offered a motion to adopt the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading:

2021-18: Mayor Menna read, “Ordinance Amending and Supplementing Chapter 680, “Vehicles and Traffic,” Section 680-38, “Schedule IV: “Time-Limit Parking”

Councilman Yngstrom offered a motion to introduce the ordinance, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held on 9/1/2021 at 6:30 pm.

2021-19: Mayor Menna read, “Ordinance Establishing Salaries or Wages of Officials and Employees of the Borough of Red Bank, in Monmouth County.”

Councilman Yngstrom offered a motion to introduce the ordinance, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held on 9/1/2021 at 6:30 pm.

RESOLUTIONS

By Consent Agenda

Mayor Menna called for a motion for the following resolutions to be moved by Consent Agenda:

- 21-224: Resolution for Payment of Bills Amounting to \$ 4,541,858.27.
- 21-225: Resolution Authorizing Tax Credits/Refunds Totaling \$6,218.71 due to Over Payment by Property Owner
- 21-226: Resolution Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87 – NJ 2018 (Pedestrian Safety Grant -- \$15,000.00)
- 21-227: Resolution Authorizing Contract Purchase of a 2021 Ford Expedition (Fire Department)
- 21-228: Resolution Authorizing Contract Purchase of Firefighter Protective Clothing and Equipment

- 21-229: Resolution Authorizing the Purchase of a 2021 Ford Explorer (Parking Utility)
- 21-230: Resolution Authorizing Amendment of the Borough's Professional Services Contract with Gene J. Anthony, Esq. to Increase the Amount Not to Exceed from \$6,000 To \$12,000 for Rent Leveling Board Attorney Services
- 21-231: Resolution Awarding Contract for Rehabilitation Housing Services for 72 Bank Street to Dylas Construction, LLC in order to Advance the Borough's Affordable Housing Rehabilitation Plan
- 21-232: Resolution Ratifying and Confirming the Appointment of a Part-Time Clerk (Fire Marshal's Office)
- 21-233: Resolution Ratifying and Confirming the Appointment of a Full-Time Police Officer
- 21-234: Resolution Authorizing the Appointment of Regular Crossing Guards for the 2021-2022 School Year
- 21-235: Resolution Accepting Bids and Awarding Contract for 2019/2020 NJDOT Improvements to Broad Street
- 21-236: Resolution Adopting and Approving the Borough's Policy and Guidelines for Memorials and Monuments on Borough Property
- 21-237: Resolution Adopting and Approving the Borough's Policy and Guidelines on Water and Sewer Utility Account Credits for Unintentional Water Usage
- 21-238: Resolution Approving Modification of Sewer Utility Account Billing to 53 Fisher Place
- 21-239: Resolution to Approve Settlement Agreement between the Borough and the Local 1075
- 21-240: Resolution to Authorize Extended Grace Period for 3Q Taxes.
- 21-241: Resolution Appointing Lawrence W. Luttrell, Esq. as Alternate Public Defender for the Borough of Red Bank

Councilman Ballard said he had questions on Resolutions 21-227 and 21-229. He asked if the Police Department leased their vehicles.

IA McConnell said it was not a traditional lease. He said they were purchased through the Monmouth County Improvement Authority (MCIA) which was similar to a lease but was actually a purchase that was financed through the County. He said that was the same mechanism being used for the vehicles being purchased through the references resolutions.

Councilman Ballard said the vehicles on the agenda were listed as purchases.

IA McConnell said the police vehicles were purchased as well. He said it pays like a lease but, in the end, the Borough owned the vehicle. He confirmed that the vehicles on the agenda were also being purchased through MCIA funding.

Councilman Ballard asked why the language was different for these vehicles.

IA McConnell said he would try to find a resolution to compare but said they were all done as purchases. He said he thought they had been worded the same way but they were all technically purchases and the Borough paid the debt service on the MCIA purchases as a whole. He reviewed past purchases.

Councilman Ballard said he also had questions on Resolution 21-235 regarding the contract for Broad Street improvements. He asked if the \$2.8 million was debt service or grant money.

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

IA McConnell said he believed it was a combination of the two. He said funding had already been approved through a bond ordinance.

Attorney Cannon clarified that this resolution would award the contract and noted the funding had already been authorized.

Councilman Ballard asked, since they would be adding to the debt service, if anyone on the Committee knew how much debt the Borough had incurred since January 1.

Attorney Cannon said they would just have to total the Bond Ordinance adopted in 2021.

Councilman Yassin said they could come up with that number.

Councilman Ballard asked if it could be available by the next meeting and asked if the CFO was in attendance.

CFO O'Reilly joined the meeting and reviewed the bond ordinances adopted in 2021. He said there was one for MCIA purchases in the amount of \$1.75 million; one for general capital in the amount of \$3.3 million and one for water/sewer that he was unsure of the amount.

IA McConnell said he believed it was for \$2.7 million and asked CFO O'Reilly if that sounded correct.

Mr. O'Reilly said it did.

Councilman Ballard said he totaled \$7.8 million and asked if that sounded correct.

Mr. O'Reilly said it did.

Councilman Ballard asked how much debt would be rolling off by the end of the year.

Mr. O'Reilly said he could look it up but it would take a few minutes.

Councilman Ballard said he also had a question on Resolution #21-241 regarding a contract with Lawrence Luttrell. He said the Council has just received an email from Mr. Luttrell who was representing a client in regard to a Borough ordinance and asked if there was a conflict.

Mayor Menna explained that, even though the municipality appointed the Public Defender, the municipality was not their client. He said the clients were the defendants. He said this was an appointment for an Alternate Public Defender and said he would not be paid unless he was utilized. He said the Alternate would be needed when there were two defendants on the same case and the Public Defender could only represent one because of a possible conflict.

Councilman Ballard again noted the Council had received a letter from Mr. Luttrell in regard to a client.

Attorney Cannon clarified that, as a Public Defender, he would not have a conflict with the municipality. He said the appointment hadn't been needed this year until now and also noted that Mr. Luttrell had served in the position last year.

Councilman Yassin offered a motion to move Resolutions 21-224 through 21-241 en masse, seconded by Councilwoman Horgan

ROLL CALL:

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

NAYS: None

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

By Voice Vote:

21-242: Mayor Menna read, "Resolution to Approve Settlement and Separation Agreement and General Release (John Cain)"

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

Councilman Ballard said he wanted to make a statement regarding Resolutions 21-243 and 21-244. He said they were revisiting an issue that he had objected to last year. He said the Borough was handing out money to gentlemen that never should have been let go. He said, while he found it abhorrent, he felt the gentlemen deserved the Borough's gratitude and respect. He said he wanted to personally apologize to them. He said he would supported the resolutions because they deserved that and more.

Councilwoman Triggiano said she wanted to state that the matter had been discussed in Executive Session and, while she also had emotions about the matter, she did not feel it was appropriate to discuss them currently.

ROLL CALL:

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

NAYS: None

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

21-243: Mayor Menna read, "Resolution to Approve Settlement and Separation Agreement and General Release (Robert Green)"

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

ROLL CALL:

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

NAYS: None

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

21-244: Mayor Menna read, "Resolution Authorizing Change Order No. 1 Related to the Contract with Fiore Paving Company, Inc. for the 2020 Red Bank Road Program in Accordance with the Requirements Set Forth in N.J.A.C. 5:30-11 et seq."

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

Councilman Ballard said he had a question on the resolution. He noted the resolution would increase the resolution by \$227,000 due to "unanticipated circumstances." He asked what those circumstances were.

IA McConnell reviewed the details of the increase which was regarding additional work on Hudson Avenue which was being done to save a number of trees that the Shade Tree Committee did not want removed. He said it required the adjustment of curb lines which substantially increased the amount of concrete work. He said that lead to some additional traffic maintenance and police man-hours. He said there was also an allowance in the contract for unforeseen fuel and asphalt costs. He said there were also some other locations where trees had to be removed and they had been able to include that work as an add-on to the contract. He said that resulted in an overall net saving to the Borough rather than going to an independent contractor. He said there was also some additional work that had to be done at the First Aid Building. He said there were also two areas that needed immediate improvement and said there had been funds left in the bond. He reviewed the areas that needed roadwork repairs.

Councilman Ballard said this sounded like a significant change and asked if the job should be rebid.

Attorney Cannon said if it was under a 20 percent increase, it did not have to be rebid.

IA McConnell confirmed that it was under 20 percent.

Councilman Ballard said he understood that that was the law but said it didn't sound right.

Attorney Cannon said the Borough was getting a better price due to economy of scale.

IA McConnell said 60 percent of the work he had discussed as part of the increase was related to work they were already doing.

A discussion followed on the work and the bid process.

ROLL CALL:

AYES: Yassin, Triggiano, Yngstrom and Horgan.

NAYS: None

ABSTAIN: Ballard

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

MAYOR AND COUNCIL COMMENTS

Councilwoman Horgan reported on the Parks & Recreation Summer Camp program which she said had five action packed week. She said the Department hoped to expand next year to six weeks. She said the Summer Basketball League had concluded the previous night and reviewed the program. She said the Jazz in the Park concerts had been well attended and reported on attendance at the Movies in the Park events. She gave an update on the re-turfing project and explained the reasons for delays. She said there had been robust sign up for eight fall soccer teams and also reviewed other sports programs. She said the Department was working on a 9/11 anniversary ceremony. She reviewed work being done at Eastside Park and Count Basie park. She said the Library would be coordinating the Town wide Yard Sale and would also be holding the Second Annual Red Bank Always Beautiful Photo Contest. She said a Little Free Library had been installed and a ribbon cutting ceremony had been held the previous week. She also reported that the Library's Wi-Fi would be upgraded through a grant and said the walking tours would resume in the fall.

Councilman Ballard said he had no report. He said he wanted to follow up with CFO O'Reilly to see if he had been able to get the information on the retiring debt.

Mr. O'Reilly said he did not have the information available.

Councilwoman Triggiano said she had no report for the Police Department. She thanked the members of the Fire Department for continuing to do education outreach with the youth in the Borough. She reported on a fundraiser being held by Westside Hose Company. She reviewed actives at the Senior Center and, on behalf of the Environmental Commission, reported on the upcoming plastic film recycling program.

Councilman Yassin had no report.

Councilman Yngstrom reported that there was an invasive species of insect known as the spotted lantern fly that was detrimental to agricultural crops and hardwood trees. He said images would be posted on the website and said if anyone saw one they should kill it and report it to the New Jersey Department of Environmental Protection. He said they were not harmful to humans or animals but were very harmful to trees.

Councilman Ballard said he wanted to change his vote on Resolution 21-236. He said he had meant to abstain.

Mayor Menna asked the Clerk to correct the record to show the change in Councilman Ballard's vote.

DISCUSSION & ACTION

Mayor Menna read the following requests that had been recommended for approval by the Special Events Requests (subject to Final Plan Review by Special Events Committee):

- Request from Red Bank Charter School to hold a Welcome Back Picnic at Eastside Park on September 1, 2021 from 3pm to 8pm.

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

ROLL CALL:

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

NAYS: None

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

- Request from Pilgrim Baptist Church to hold Community Day on their property on August 21, 2021 from 10am to 2pm and request to close Leonard Street between Bridge and Leighton avenues.

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

ROLL CALL:

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

NAYS: None

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

- Request from Red Bank Tango to use Riverside Gardens Park on the following Sundays: September 26 (6pm-8pm), October 10 (5:30-8:30pm) and October 24, 2021 (5:30 to 8:30pm).

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

ROLL CALL:

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

NAYS: None

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

- Block Party Requests

- South Street, September 18, 2021 from 4pm to 11pm

- Elm Place, September 11, 2021 from 2pm to 10pm

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

ROLL CALL:

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

NAYS: None

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

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Ben Forest—16 Locust Avenue—said he was a member of the Board of Education but was speaking on his own behalf and that of his wife and not on behalf of the school district. He said he wanted to comment on various reports that a company would be approaching the Council to seek a PILOT project of some significance. He said he had attended the Planning Board meeting held on Monday and said the Attorney had indicated that, if he had views, he needed to express them to the Council. He said he wanted to express how much he and his wife opposed the use of a PILOT (Payment in lieu of taxes). He the program could allow the funds to not go to the school district. He said the public schools had suffered for 12 years of underfunding. He said anything that would exacerbate that underfunding was unthinkable.

Mayor Menna said he appreciated Mr. Forest's comments. He said the request for the area of designation had not been completed by the Planning Board. He said, if they act in the affirmative, then it would come to the Council for further action. He said, right now, there was nothing before the Council and it might never get to that point. He said he appreciated the comments but said he should hold his thoughts because he did not know what the Planning Board was going to do.

Mr. Forest said he appreciated the Mayor's comments but again noted the Board Attorney had said that it was not appropriate to talk about the PILOT at the Planning Board and had said he should bring it up to the Council.

Mayor Menna said that was correct but it should be discussed when it was before the Council.

Mr. Forest said he understood that and said the issue could come before the Council and said he recognized that it was not on the agenda at this meeting. He thanked the Council for their time and patience on the topic.

Sue Viscomi—25 Cedar Street—said had previously asked about a quote for sidewalk repairs at a West Sunset Avenue property. She said the Mayor had said he would look into it. She said her second comment was that she had previously expressed the idea to not just stream the meetings but also post

them afterward. She said her third comment was regarding the recent Planning Board meeting and asked who was paying for the report that had been discussed. Her final comment was that she agreed with the comments regarding the PILOT program. She also disclosed that she was a member of the Board of Education but said she was speaking for herself. She said she did not feel it would benefit the town.

Mayor Menna said the report was not paid for by the Borough but was paid for by the person seeking the designation. He said, regarding the sidewalk repair, he had asked that the matter be reviewed by the Administrator and said he had not received the report yet.

Ms. Viscomi asked about the posting of public meetings.

Clerk Borghi said all Council meetings remained posted on the Borough's Facebook page after they were streamed.

Ms. Viscomi said the other Boards were not posted. She asked that the other meetings be posted like Council meetings.

Mayor Menna said they would look into it.

Memone Crystian—15 Marion Street—asked how the Police Department was doing regarding the mandated implementation of the full use of body cameras. She also asked if there was a street cleaning schedule. She said she couldn't find one on line and asked if one could be created. She also asked about bulk trash pickup. She said there use to be two pick up days per month and now there was only one and it was very limited. She said she was disappointed in the privatization of the service. She said she felt that the Borough had done a disservice when it privatized because so many men had lost their livelihood. She said the Borough had not saved money and service had gotten worse. She said it was systemic racism because it was primarily black men that had been affected. She said the Borough had done the same thing again with letting go two other African American Department of Public Works men. She said recycling services had gotten worse and she had learned at this meeting that the Borough had to pay a settlement regarding that. She continued to criticize the decision.

Mayor Menna said Ms. Crystian raised some good questions. He said he had seen throughout the state simple calendars that had been distributed with schedules that were simple and understandable. He said they would look at it and said he felt they needed to be more proactive. He said, regarding the body cameras, he said he knew the Chief was working on the funding and the implementation of the Attorney General's guidelines.

Chief McConnell reported that the body cameras had been ordered for the entire Police Department. He said, at this time, it was just a matter of supply and demand. He said 38,000 police officers in the state all required them at the same time. He said they were waiting for them to be delivered. In regard to the bulk pick up information, he said it was on the Borough website and reviewed the information. He said he would talk to the DPW Director about posting a schedule for the street sweeper.

Jeffrey King—24 Elizabeth Parkway, Eatontown—said he wanted to clarify his comments. He said he had mentioned events in Riverside Gardens Park but had not mentioned White Street. He said there were alcohol events held there and questioned whether the ordinance would provide for cannabis events of that nature.

No one else appearing, Councilman Yngstrom offered a motion to close the Public Comment period, Councilwoman Triggiano seconded.

ROLL CALL:

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

NAYS: None

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

Councilman Ballard said two members of the Board of Education had spoken on their own behalf regarding the matter before the Planning Board. He said it should be noted that the only reason this was an issue was because the Council had voted to put it in the Planning Board's hands. He said if they had voted "no" to the study, it would not be an issue. He said he supported the schools and the children of Red Bank and thanked the individuals for speaking out.

EXECUTIVE SESSION

21-245 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation and Potential Litigation. No action to be taken.

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

ROLL CALL:

AYES: Yassin, Triggiano, Zipprich and Horgan.

NAYS: None

There being four 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: Yassin, Triggiano, Ballard, Yngstrom and Horgan.

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi