

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
JANUARY 10, 2018
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Borough Clerk Borghi, Chief Financial Officer Poulos, Attorney Cannon, Engineer Neumann and Consultant Hartnett

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 January 1, 2018.

WORKSHOP

Special Improvement District property list—Mayor Menna explained that, since the Special Improvement District was enacted and later expanded, there had been several changes to properties such as changes in not for profit status. He said the designations will have to be changed by Block and Lot number. He said it had been reviewed by RiverCenter, the district's management corporation. He said the Borough Attorney would prepare an amending ordinance.

Mayor Menna announced the following ordinance would not be acted upon. He said it needed to be reviewed by the Personnel/Finance Committee. He called for a motion to table.

2018-01 An Ordinance Establishing Salaries or Wages of Officials and Employees of the Borough of Red Bank in Monmouth County.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None.

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

WORKSHOP—Continued

Municipal Impound Facility—Chief McConnell explained that the Borough was no longer using the Tinton Falls facility that had been provided under a shared services agreement. He said a local business was willing to rent the Borough a vacant lot previously used to store impounded vehicles. He said the impound fees and auction proceeds would more than pay for the rental of the property.

Mayor Menna said it was a logical solution and agreed that the fees would cover the rental. He said an agreement and resolution would need to be drafted.

Attorney Cannon said they may want to also consider increasing the impound fees.

Councilman Whelan agreed that it was a smart move. He also thanked Councilman Zipprich and DPW Keen for allowing the Police Department to use their facilities while they were trying to find a solution.

Mayor Menna said the matter would be placed on the agenda for the next Council meeting.

Puppy Mill Ordinance—Mayor Menna said this discussion would be held until later due to the number of people in attendance who would want to speak on this matter.

APPROVAL OF MINUTES – December 27, 2017

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Zipprich, Horgan

NAYS: None

ABSENTE: Ballard

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

APPROVAL OF MINUTES – January 1, 2018

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

MAYORAL APPOINTMENTS

No Mayoral appointments.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Ballard reviewed the budget calendar including proposed introduction and adoption dates.

Councilman Zipprich said the DPW Committee would be meeting the following Wednesday at 1pm.

Councilwoman Horgan had no report.

Councilman Taylor reported that the Environmental Commission had met the previous night for the first time in 2018 and had elected new leadership. He said they had changed the meeting calendar so that the Commission would meet on the second Tuesday of the month and the subcommittees would meet on the fourth Tuesday. He said the Code Committee would have its first meeting the following Thursday.

Councilman Whelan had no reported other than to thank the Police and Fire Departments for their work during the recent storm.

Councilman Yngstrom reported on upcoming Parks and Recreation programs including the Sweetheart Dance on February 9 at the Senior Center, a family ski trip on February 10 and the Couch to 5K class starting March 27. He also reported that spring sports registration was underway. He noted he was the new chair of the Parking Committee and said they had had their first meeting the previous night. He said they had had some great ideas and wanted to put out an RFQ for a parking consultant. He noted that the Council members were not parking experts and said the data was needed to make such a big decision. He said he hoped that the RFQ would be drafted for the next Council meeting and said they would be working with RiverCenter, the Police Department and the Planning Department to get it right.

Mayor Menna said he also wanted commend the Public Works Department for their efforts during the storm and said Public Information had been excellent. He also commended the Office of Emergency Management. He also reviewed upcoming Martin Luther King Day events.

COMMUNICATIONS AND PETITIONS

Mayor Menna read a Request from Red Bank Environmental Commission to host Earth Day event on Saturday, April 21 from noon to 4pm in the Municipal Parking Lot with a rain date on Sunday, April 29. Subject to approval of final plan.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Mayor Menna read a request from Monmouth Day Care to hold 9th Annual Touch a Truck event in Red Bank Middle School Parking Lot on Saturday, September 22 from 10am to 2pm. Subject to approval of final plan.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

ORDINANCES – First Reading

Mayor Menna noted that the Workshop discussion on the Puppy Mill ordinance had been held from earlier in the meeting. He reviewed the proposed ordinance and explained that it would prohibit commercial sales of puppies or kittens from non 501c3 establishments excluding puppies or kittens brought to establishments from rescue facility or Humane Society. He said the ordinance had been adopted by many other municipalities in the State as well as Monmouth County. He reviewed the ordinance adoption process and noted it could be amended or scrapped all together. He opened Council discussion on the matter.

Councilman Whelan said he did not think the ordinance was in the proper form for introduction. He said he was in favor of banning sales from puppy mills. He suggested they put regulations in place to verify

that puppies sold in Red Bank were from a reputable breeder. He said he felt the all-out ban was not the right move.

Councilman Zipprich asked the Mayor about the County ordinance.

Mayor Menna confirmed that there was an ordinance done at the County level but said it was more of a "feel good" ordinance since the County did not oversee a retail component. He said it was more of a public policy statement.

Councilman Zipprich asked the Clerk to get the County Ordinance and distribute to the Council.

Councilman Taylor said he didn't want to unfairly business for something they may not be doing. He said he agreed that the ordinance should be tweaked to ensure they were not impacting businesses that were not doing anything wrong.

Mayor Menna called for a motion to introduce so they could open the matter to public comment.

2018-02 Mayor Menna read, "An Ordinance Amending the Code of the Borough of Red Bank by Adopting New Article VIII, "Regulating the Sale of Dogs and Cats and Providing for a Prohibition on the Sale of Certain Dogs and Cats from Pet Shops" to be Added to Chapter 231, "Animals."

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

Councilman Whelan asked why they were introducing a flawed ordinance.

Mayor Menna noted it was only introduction and said it could be amended before the public hearing.

Councilwoman Horgan agreed that it could be amended but said she felt it was important to move forward.

Councilman Taylor again questioned the introduction of a flawed document.

Mayor Menna noted there was a motion and second before the Council. He said if that motion failed, they could consider a motion to table.

Councilman Yngstrom said he felt they should introduce the ordinance and then listed to the public input.

Attorney Cannon pointed out that, if there were substantial changes between the introduction and public hearing, the ordinance would have to be reintroduced.

Councilman Taylor again questioned the introduction.

ROLL CALL:

AYES: Yngstrom, Ballard, Zipprich, Horgan

NAYS: Taylor, Whelan.

There being four ayes and two nays, the motion was declared approved.

Public Hearing to be held February 28, 2018 at 6:30 pm

Mayor Menna opened comment to the public.

Gary Hager—Owner of Bark Avenue—said it was important to understand that the Pet Protection Act stated that pet shops could not purchase from Hobby Breeders and purchases must be made through USDA approved list. He said they could not buy from breeders who have a certain number of violations over the course of two years. He said it was a matter of consumers' choices. He said he was not against rescue but rescue agencies weren't always aware of behavior and/or health issues. He said the law already states that pet shops cannot buy from a puppy mill. He said he agreed that they should not purchase from mills but questioned the rescue/shelter requirement.

Dr. Joseph Fretta—72B West Front Street—Said he would rather buy a puppy from a reputable seller. He compared it to purchasing a used car. He said he didn't think it should be up to the Council to tell people how to run their business.

Jeff Morton—said the ordinance before the Council had been written by the SPCA. He reviewed other policies/directives from the organization. He said it was already illegal to purchase from a puppy mill. He said there was misinformation in the ordinance and reviewed specifics. He said New Jersey was the number one state for consumer protection regarding animals. He said there were only 20 pet stores in the state while there were 111 animal shelters and 500 animal rescue facilities. He noted the number of dogs brought in from out of state. He said they should not take away a business owner's ability to offer quality animals and noted they offered a guarantee on the pets.

Violet Savage—51 Spring Street—said she was the Chair of the Red Bank Animal Welfare Committee. She said the committee unanimously supports the ordinance. She noted the number of puppy mills and said there were limited inspections. She said penalties amounted to a slap on the wrist. She asked the Council to look closely at the issue. She claimed there had been violations by the local business which she said was available for review.

Debbie Marks—19 Morford Place—said she was also on the Animal Welfare Committee and said she was very passionate about the matter. She said she had researched the issues. She said there had been an incident at the store but said it had been handled very well.

Elizabeth Spurrier—11 Victoria Court, Long Branch—said she works at the SPCA and had bought a dog from Bark Avenue. She said it had been a very positive experience.

Debbie Grimaldi—116 Drs. James Parker Blvd.—said she should have a right to choice. She said she had had a bad rescue experience and had chosen to go to Bark Avenue. She compared the adoption of a pet to the adoption of a child. She said there were bigger issues in town.

James Scavone—Executive Center RiverCenter—questioned language in the ordinance. He said it stated that pets can be obtained from Hobby Breeders but eliminates the ability of the stores to sell that category.

Mayor Menna said an amendment could be considered.

Mr. Scavone asked if the Council would consider allowing the store to obtain dogs from a reputable breeder. He urged the Council to look at the ordinance and not limit businesses from doing legal or moral sales but to ban sales from mills only.

Cindy Knowles—owner of Furrylicious, White House Station—said she was a pet shop owner and spoke of her good experiences with Bark Avenue. She also noted that a pet shop cannot buy from a Hobby Breeder but only from USDA regulated breeders without violations. She said there were only 1,500 breeders that they could buy from and all were inspected yearly. She reviewed the restrictive regulations. She urged the Council to look at the ordinance and said it had been written incorrectly. She said pet stores were highly regulated and were liable for up to two times any medical costs. She said there was no liability or regulations for shelters and rescues.

Councilman Whelan asked Attorney Cannon about the Hobby Breeder reference and apparent conflicting language.

Attorney Cannon reviewed the actual State code and reviewed the proposed amendment to the Borough ordinance noting that it would require pet sellers to source the animal from rescues for shelters. He said that was not part of the State code.

Kate Triggiano—22 Leighton Avenue—said it seemed that the ordinance was not about adopting versus buying but felt it was more about transport and sourcing. She expressed concern that puppy mills were an underregulated industry and that people should know what they were buying. She said they should not be allowed to operate from a PO Box address.

Councilman Ballard asked the Clerk to get information on the inspections for the breeders.

She said the inspections would be held by the State but noted the business owner does regularly file the required reports with the Clerk. She said she would forward those reports.

Councilman Zipprich asked for a copy of the State Regulations.

Lacie Solis—Manager, Bark Avenue—reviewed her credentials and said the store's staff took very good care of the animals. She reviewed the information gathered on the animals to determine the best breeders. She stressed the level of customer service that was given. She cited issues in a neighboring town.

Attorney Cannon asked her for her opinion on what the holes were in the ordinance and how it could be improved.

Ms. Solis noted the store already files a copy of the breeder reports with the town and reviewed the information that was included.

Councilman Yngstrom asked how she would define a puppy mill.

Ms. Solis said it would be a breeder that had bad inspections and reviewed her own observations.

Dana West—Store owner, Middletown—said she was the owner of a store in Middletown and said she had never had any problems. She said puppies get minor sicknesses from time to time and said all of her puppies were from USDA breeders.

Matty Guliano—Chaplain, SPCA—said the SPCA had supplied the ordinance. He spoke of why he was in support of the ordinance and reviewed his experience. He noted the number of municipalities that had passed the ordinance. He noted the issues with pets purchased from “less than desirable” breeders.

Karen Fasano-Thomsen—Alston Court—identified herself as an Attorney and said she was the Chair of the Legislative Committee of the Animal Welfare Advisory Committee. She said the ordinance was not an assault on a local business owner but a public policy directive toward the humane treatment of animals. She said 111 municipalities had passed the same or similar ordinances. She said some allowed for the sale from Hobby Breeders by agreeing that the term needed to be defined in the Red Bank ordinance. She said the issue was that there was no manpower or funding to monitor/enforce Hobby Breeders. She said that was why that language was often omitted from the ordinances. She also said the USDA was unreliable. She said local municipalities had the authority to enact legislation regarding any issue that had not been completely legislated by the State. She reviewed the Pet Purchase Protection Act which she said

was signed by Governor Christie in 2015. She said he had vetoed legislation that was almost identical to Red Bank's ordinance because it had included sanctions for pet store owners carrying fines of up to \$20,000. She said the bill he signed was essentially the same but without the fines. She said they were not looking to prevent pet owners from adopting the breed they desired. She said she understood the desire to obtain a hypo allergenic animal but said those animals represented less than seven percent of pets in the nation. She reviewed USDA regulations and the problems with reports/inspections.

Mayor Menna noted the municipality would not have the authority to supersede Federal regulations.

Ms. Fasano-Thomsen said 240 different jurisdictions in the United States had enacted identical or similar legislation. She said there had been multiple challenges on the Federal and State level and said they had all failed. She said the proposed ordinance was sustainable and enforceable.

Bill Brooks—77 Tower Hill Avenue—said the Borough needed to clarify the term Hobby Breeder. He also asked if he would be allowed to buy a dog from a reputable breeder under this ordinance.

Attorney Cannon told Mr. Brooks he, as an individual, would not be prohibited from buying a dog from wherever he wanted. He added that the ordinance would only affect retail establishments.

Councilman Whelan asked, if the ordinance was adopted as is, would Bark Avenue still be able to operate in Red Bank. He asked if they could sell animals from reputable breeders.

Ms. Fasano-Thomsen stated that it would not allow animals from breeders but said the Borough could amend to allow sales from certified breeders and said the borough would have to certify the breeders.

Councilman Whelan pointed out that that was not in the current version of the ordinance.

Attorney Cannon clarified the issue by stating that pet shops currently had to source their dogs from a USDA licensed breeder. He said the proposed ordinance would further limit pet shops to sourcing the animals from an animal rescue organization or an animal care facility. He said he presumed that would vastly affect the business model at Bark Avenue.

Councilman Whelan said it seemed they had a lot of work to do. He said it was great dialogue and suggested that they should have heard the input before the vote to introduce. He also noted that the Mayor had pointed out earlier that the County resolution was more of a public relations matter and said Red Bank had an active pet store that would be affected.

William Poku—90 Bank Street—said the matter was a civics lesson and said there was passion on both sides. He said he agreed with Councilman Whelan and said the ordinance should be fully reviewed with all parties.

Jacqueline Fretta—72B West Front Street—spoke of her positive experiences at Bark Avenue.

Tom Leach—Attorney representing Pet Stores—agreed that Governor Christie had vetoed previous legislation. He said over 100 municipalities had passed similar laws but there were only 20 stores in the State. He said most were passed in towns without stores. He said pet stores do not buy from Hobby Breeders and said they cannot buy from substandard breeders or mills. He said it was enforced by the State. He offered to work with the Borough to draft an ordinance for better enforcement.

Sean DiSomma—South Street—said the ordinance represented a lot of risk. He said it was obvious that the Council and Mayor were targeting one business and that they should expect a lawsuit. He questioned the cost of such a suit.

Mayor Menna disagreed and said they were not targeting one business. He said it was a policy statement.

Mr. DiSomma said it only applied to one store in town.

Mayor Menna said there were other pet stores in town.

Mr. DiSomma said the others did not sell dogs. He said the State had one of the most stringently regulated puppy industries in the country. He again said he felt it was targeting one local business and carried open ended risk to the tax payers. He claimed the SPCA was driving the adoption of these ordinances because they were looking to get the adoption fees.

Jonathan Dubreuil—owner of Shake A Paw, Greenbrook, NJ—said the ordinance would essentially put Bark Avenue out of business and send employees to the unemployment line. He said later a rescue facility could open as a 501c3 which would be tax exempt and would offer no consumer protection to its customers. He said the owner would have to liability for medical reimbursement if the animal had medication issues. He noted pet stores were liable for up to double the purchase price and said it was the strongest consumer protection law in the nation. He said the rescuer could obtain dogs from anywhere without restrictions. He said the ordinance would shut down Bark Avenue but it would not shut down puppy mills because rescues would continue to buy from them.

Cindy Burnham—71 Wallace Street—expressed concern because she believed Councilman Whelan had been dating a woman who owned a pet store.

Councilman Whelan said that was not correct.

Ms. Burnham said she believed the woman ran Bark Avenue or her father ran Bark Avenue.

Councilman Whelan said his girlfriend's father owned a roofing and siding company based in Long Branch.

Ms. Burnham said she had heard his girlfriend's father owned Bark Avenue and she was going to call for Councilman Whelan to recuse himself.

Councilman Whelan said he had, at one time, dated the daughter of the owner of Bueno Sera.

Gary Hager—Bark Avenue—said the store model offered the opportunity to visit with expert personnel and puppies. He recommended that consumers do research on line and go to a store to interface with a breed. He said it was a better experience. He said the store was the only option to purchase a specific breed.

Councilman Zipprich asked Mr. Hager if his business was a licensed kennel or if he was in the business of breeding dogs.

Mr. Hager said he was not a licensed kennel and did not breed dogs.

No one else appearing, Mayor Menna thanked everyone for their comments and said it had been very helpful. He again announced that the Public Hearing would be held on February 28, 2018 at 6:30 pm. He said between tonight and the Public Hearing, the Council would have discussions with stakeholders and the Committee.

PUBLIC COMMENT—Ordinances on First Reading and Resolutions Only

Mayor Menna opened public comment on Ordinances on First Reading and Resolutions only.

Stephen Hecht—135 Branch Avenue—asked about Resolution 18-20.

Mayor Menna explained the resolution was to extend the time of the contract and that there was no increase in cost.

Mr. Hecht asked why the contract had been extended.

Mayor Menna said it was determined that more review was needed.

Mr. Hecht also asked about Resolution 18-21. He said he was confused about the reference to the financial operations in regard to the agreement with the interim administrators.

Mr. Hartnett said there would be no change in the current operations. He said the language referred to the fact that they would be providing oversight.

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

ROLL CALL:

AYES: Yngstrom, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

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

ORDINANCES – Public Hearing and Final Adoption

None.

RESOLUTIONS

By Consent Agenda:

Mayor Menna called for a vote on the following resolutions by Consent Agenda:

- 18-16 A Resolution Appointing Eugenia Poulos as Fund Commissioner and Eva Biviano as Alternate Fund Commissioner to Central Jersey Health Insurance Fund.
- 18-17 A Resolution Appointing Clifford Keen as Fund Commissioner and Eugenia Poulos as Alternate Fund Commissioner to Monmouth County Joint Insurance Fund.
- 18-18 A Resolution Appointing Lawrence W. Luttrell as Alternate Public Defender for the Borough of Red Bank.
- 18-19 A Resolution Authorizing the Release of Maintenance Guarantee Posted by 211 Broad Street, LLC for Block 105, Lot 12.04.
- 18-22 A Resolution Amending the 2018 Temporary Appropriations.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-20 Mayor Menna read “A Resolution Extending Professional Services Contract with Government Strategy Group for Management Enhancement Review Services Pursuant to Non-Fair and Open Process Established by N.J.S.A. 19:44A:20.4”

Councilman Taylor again expressed his concern with the fact that the Borough was operating without an Administrator and said the practice was inherently flawed.

Mayor Menna said an advertisement had been prepared an advertisement that would have a return date of February 9. He said, by using better ad placement, he hoped they could get the type of candidates they would like to see.

Councilman Taylor said they had done that in June and criticized the lack of communication to certain Council members.

Mayor Menna said the Departments were all working professionally and adequately. He noted how well things had run during the recent storm.

Councilman Taylor said that was irrelevant and said the process was flawed. He criticized statements by Council members that none of the candidates were qualified when they had not interviewed them.

Councilwoman Horgan said the entire Council had met with the consultants and agreed to hire them.

Councilman Taylor said they agreed to hire them as consultants.

A discussion followed regarding the number of candidates and attendance at the interviews that had been held.

Councilman Taylor said he wanted to restate his objection.

Mayor Menna said his objection was noted.

Councilman Yngstrom said the Borough was running great and said Government Strategy Group were doing a great job. He said he felt more informed in the past two weeks than he had all of last year. He said he thought this was a great way to find the perfect candidate for the job.

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

ROLL CALL:

AYES: Yngstrom, Ballard, Zipprich, Horgan

NAYS: Taylor, Whelan.

There being four ayes and two nays, the motion was declared approved.

18-21 Mayor Menna read “A Resolution Repealing and Replacing Resolution No. 18-15, Approving a Contract for Administrative Services, and Appointing an Interim Business Administrator and Assistant Administrator.”

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

ROLL CALL:

AYES: Yngstrom, Ballard, Zipprich, Horgan

NAYS: Taylor, Whelan.

There being four ayes and two nays, the motion was declared approved.

PROCLAMATIONS

None.

PAYMENT OF VOUCHERS

18-23 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$ 1,386,357.13.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

OLD BUSINESS

Councilman Zipprich commended the Department of Public Utilities on the outstanding job the Department had done during the recent blizzard. He also thanked James Scavone and RiverCenter for the success holiday season in the business community.

NEW BUSINESS

Councilman Whelan called for more consistency. He again questioned the vote on the pet shop ordinance without any public discussion. He noted that there had been criticism in the past regarding voting on parking garage matters before they had more information through a parking study. He again called for more consistency and said he felt they should have had more information before they voted.

Councilwoman Horgan said they had been asked to vote on a matter regarding 55 West Front Street without the relevant information.

Councilman Whelan disagreed and said the information had been discussed.

Councilwoman Horgan said it had not been discussed before introduction.

Councilman Zipprich said there was a great deal of information to be assembled regarding the pet shop ordinance. He said the good news was that they had until the end of February to collect the data.

AUDIENCE

Sean DiSomma—South Street—asked what the process would be going forward regarding the Administrator position.

Mayor Menna said that resumes would be collected and distributed to the Council. He said the full Council would review the candidates in Executive Session.

Mr. DiSomma asked if applicants would be required to disclose conflicts. He called for an ordinance to require those disclosures.

Attorney Cannon said that was address in the Local Government Ethics Law.

Mr. DiSomma asked about the disclosure of political affiliations.

Mr. Cannon said the Legislature had not enacted such a law.

Mr. DiSomma again called for the introduction of an ordinance to require those disclosures. He also asked about the salary ordinance.

Mayor Menna explained that it had been tabled for revisions.

Mr. DiSomma asked Council Ballard, as Finance Chair, about the recent expiration of the two percent property tax cap and asked what the Borough's risk would be in regard to increases in salaries.

Mayor Menna noted those negotiations had not taken place and also said he did not think it was a fair question for Councilman Ballard since he had just taken office this week.

Mr. DiSomma asked the other members of the Finance Committee the same question.

Attorney Cannon said no Council member could answer how they thought the next contract negotiation would go.

Mayor Menna also pointed out that the salary ordinance would establish a salary range for each position but would not set a specific salary.

A discussion followed on the reason for establishing ranges.

William Poku—90 Bank Street—told the Council that the NAACP had recent lost its secretary that he would probably be taking on the acting-Secretary position. He said he had been asked to follow up on a letter that had been sent to the Mayor and Council in the past. He asked if they still had a copy.

Mayor Menna said he remembered the letter and said he thought the Administrator had responded. He said he would discuss it with the Borough Attorney and would respond.

Freddie Boynton—PO Box 2074—praised the Police Department and Street Department for their efforts during the recent storm. He said people were told to remove their cars for plowing but the plows did not plow to the curb. He said cars had returned and were parked into the street so the roads were not passable. He questioned how a fire truck would get down the streets. He also said the plows were driving too fast and said drivers were not trained.

Councilman Zipprich asked if Mr. Boynton knew what credentials each driver had. He suggested Mr. Boynton address his questions to the Director.

Ben Forrest—16 Locust Avenue—said he was glad to hear the update on the parking study. He thanked the Mayor and Council for being indulgent with the speakers at this meeting even though they had noted the three minute time limit earlier. He said it was good to hear the comments and asked the Council to reconsider the three minute time limit. He said the town had done a great job on snow removal. He said he appreciated Councilman Taylor's comments regarding the Administrator and stressed the need to get the right person.

William Poku—90 Bank Street—said he wanted to support Freddie Boynton's statements. He criticized the priority given to certain streets. He said he had read that 260 tickets had been issued which he said he felt was unnecessary. He said he didn't feel all of the streets had the same level of priority. He compared to other towns that did not issue tickets.

Mayor Menna said Red Bank had traffic flow issues that were not the same as other towns. He stressed the need for enforcement.

Mr. Poku said, if there were going to issue tickets and remove cars, they needed to plow curb to curb.

Sue Viscomi—25 Cedar Street—said she was glad that the tickets had been issued. She said there had been issues with a fire truck getting into Cedar Crossing due to cars that were buried in the snow. She said she was glad the town had taken the initiative to enforce the ordinance.

Councilman Zipprich thanked Ms. Viscomi for providing information earlier in the day that had been helpful to the police department.

No one else appearing, Mayor Menna closed the public comment.

Councilman Taylor asked if anyone would be representing the Borough at an upcoming meeting regarding Exit 109 revisions.

Councilman Whelan said the Police Chief would be there.

Councilwoman Horgan said she believed it was the same night as a Council meeting.

EXECUTIVE SESSION

18-24 Mayor Menna read a resolution to adjourn to executive session to discuss personal matters; it was anticipated that no action would be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Zipprich offered a motion to adjourn from executive session and return to regular business, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi