

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
APRIL 25, 2018
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Interim Administrator DeRoberts, Borough Clerk Borghi, CFO Poulos, Attorney Cannon and Engineer Neumann

ABSENT: Councilman Whelan

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.

Mayor Menna announced that Workshop Discussion items on an Alarm Ordinance and on a Grease Trap Ordinance that had been published on the website had been removed from the agenda to be reviewed by the Attorney.

He also said that Resolution 18-116, A Resolution Authorizing the Reduction of the Performance Guarantee Posted by Fortune Square, LLC for 94 Drs. James Parkers Boulevard, Block 75.01, Lot 86, and Resolution 18-118, A Resolution Appointing Special Law Enforcement Officers Class I, should be tabled.

18-116 A Resolution Authorizing the Reduction of the Performance Guarantee Posted by Fortune Square, LLC for 94 Drs. James Parkers Boulevard, Block 75.01, Lot 86.

Councilman Zipprich offered a motion to table the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

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

18-118 A Resolution Appointing Special Law Enforcement Officers Class I

Councilman Zipprich offered a motion to table the resolution, seconded by Councilwoman Horgan.

Councilman Taylor asked what the rationale was for tabling Resolution 18-118.

Mayor Menna explained that, as a member of the Finance Committee, Councilman Taylor was aware that they were going through an extensive review of the budget with adjustments to be considered. He said it made sense to act on it at the next Council meeting.

Councilman Taylor thanked him for the explanation.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

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

SUSPEND REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to suspend the regular order of business, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Affordable Housing Presentation

Affordable Housing Attorney Leslie London provided the Council with an update on pending Declarative Judgement that she had filed on behalf of the Borough and advised that there was a need to have a Housing Element Plan. She said she believed there was a proposal before the Council from CME

Associates. She reviewed the process that would follow once the plan was complete which would result in a Court approved plan that would cover a ten-year period from 2015 to 2025. She said, during that ten-year period, the Borough would be protected from any Builder's Remedy lawsuit.

Mayor Menna suggested the Council add a resolution to appoint Municipal Engineer and Planner, CME Associates, to revise and complement the existing Affordable Housing Ordinance for review by the Council. He said it would essential be amendment to the Housing Element of the Master Plan.

RESUME REGULAR ORDER OF BUSINESS

Councilman Zipprich offered a motion to resume the regular order of business, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

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

WORKSHOP

No workshop items.

APPROVAL OF MINUTES – April 11, 2018

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

MAYORAL APPOINTMENTS

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Ballard reported that the Finance Committee had met to continue to work on the budget. He said they were working to offer a budget that would not be "horrific." He said it would be introduced in the coming weeks.

Councilman Zipprich said the Historic Preservation Commission had met to review the Historic Ordinance update. He said it had been referred to the Commission's Attorney for review. He said the Commission also reviewed a number of applications that had been received from the Zoning Officer. He said the Red Bank Borough Education Founding was conducting a raffle on the following Friday and offered ticket information. He said he had met with the DPU staff and the Engineer earlier in the day to review ongoing projects in the various divisions including the Water Meter Replacement project. He also reported that the RiverCenter Wine, Beer and Food Festival had had a record attendance. He said he had also met with the RiverCenter Visual Improvement Committee regarding the English Plaza and White Street Improvement project. He congratulated the Environmental Commission on its first Earth Day Expo and said he had been proud to cut the ribbon on the Borough's electric vehicle charging stations at the event.

Councilwoman Horgan reported that the Education/Technology Committee had met on April 16. She reviewed several projects that IT Director Matt Ryan was working on including the installation of cameras in Marine Park and server room enhancements.

Councilman Yngstrom said the Parks and Recreation Department had had a student intern named Alec McCourt. He reviewed the work he had performed and thanked him for his efforts. He reported that the next Marine Park meeting would be held on May 2 at the Senior Center from 4:30 to 6pm with a second session from 7 to 9pm. He reviewed upcoming Parks & Recreation events. He said the Parking Committee was reviewing proposals for a consultant and hoped to have an award at the next meeting. He also reported that the Shade Tree Committee had given out 200 tree plantings at the recent Expo event.

Councilman Taylor reviewed the Earth Day Expo and said it went very well with tremendous weather. He thanked the other departments who assisted with the event. He said he looked forward to future events. He also reported that the Police Department would be sponsoring a National Take Back Prescription Drugs event from 10am to 2pm on Saturday, April 28. He said the Code Committee would be meeting on Monday, May 13 and said they were continuing to assess vacancies on upper floors of the downtown area.

Councilman Yngstrom said he wanted to address the tabling of Resolution 18-118, A Resolution Appointing Special Law Enforcement Officers Class I. He said the Chief had brought it to his attention that, if the resolution was not approved at this meeting, one of the Specials would not be able to go to the academy and would not be able to be hired so the Police Department would not be able to fully service the parks in the summer.

Chief McConnell explained that the Class that was needed was only run once per year and, if someone didn't make this class, they couldn't get in until the following May. He said it was also very difficult to find applicants already trained as Class Is because they tend to promote to Class IIs or to become Patrolmen. He reviewed the three applicants being recommended for hire and said only one had to attend the academy so suggested they hire the one now and address the other two later.

Councilman Taylor suggested they make the one appointment.

Councilman Taylor offered a motion to retract the tabling of Resolution No. 18-118, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

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

COMMUNICATIONS AND PETITIONS

Mayor Menna read a request from West Front Street Partners to install a temporary banner on the fence along 55 West Front Street to be removed upon completion of construction expected to occur by 12/31/2018.

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

PUBLIC COMMENT – Ordinances on First Reading and Resolutions Only

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

No one appearing, Councilman Zipprich offered a motion to close the public comment portion of the meeting, seconded by Councilman Ballard.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

ORDINANCES – First Reading

ORDINANCES – Public Hearing and Final Adoption

2018-12 Mayor Menna read, "An Ordinance Amending Chapter 680, "Vehicle and Traffic", Subsection 680-60, "Schedule XXVI: Restricted Parking for Handicapped Persons" of the Revised General Ordinances of the Borough of Red Bank."

Mayor opened the public hearing and asked if anyone would like to speak.

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilwoman Horgan offered a motion to approve the adoption of the ordinance, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

RESOLUTIONS

18-114 Mayor Menna read, "A Resolution Authorizing Approval of Sidewalk Cafés."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-115 Mayor Menna read, "A Resolution Authorizing Disposal of Surplus Property."

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

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-116 Mayor Menna read, "A Resolution Authorizing the Reduction of the Performance Guarantee Posted by Fortune Square, LLC for 94 Drs. James Parkers Boulevard, Block 75.01, Lot 86."

Councilman Taylor offered a motion to table the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-117 Mayor Menna read, "A Resolution Accepting Performance Guarantee Posted by Yellow Brook Property Co./Brownstones at Red Bank, LLC for Block 75.03, Lots 46, 47, 48.01, 53, 54.01, & 56."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-118 Mayor Menna read, "A Resolution Appointing Special Law Enforcement Officer Class I."

Mayor Menna noted that the resolution would be amended to hire one Special Law Enforcement Officer Class I, specifically Ceilie Reynolds.

Councilman Taylor offered a motion to approve the resolution as amended, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-119 Mayor Menna read, "A Resolution Extending the Agreement with Government Strategy Group to Provide Professional Management Services for Administrative and Financial Operations."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-120 Mayor Menna read, "A Resolution Ratifying the Appointment and Salary for Position of Business Administrator."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-121 Mayor Menna read, "A Resolution to Authorize Certain Stipends for Additional Duties."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-122 Mayor Menna read, "A Resolution Amending the 2018 Temporary Appropriations."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-123 Mayor Menna read, "A Resolution Authorizing CME to Prepare Housing Element Plan."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

PROCLAMATION

Mayor Menna read a proclamation proclaiming April 27, 2018 as Arbor Day in the Borough of Red Bank.

PAYMENT OF VOUCHERS

18-124 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$3,414,087.20."

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

OLD BUSINESS

NEW BUSINESS

AUDIENCE

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

EXECUTIVE SESSION

18-125 Mayor Menna read a resolution to adjourn to executive session to discuss Potential Litigation; no action will be taken.

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

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Zipprich offered a motion to adjourn from executive session and to adjourn the meeting, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi