

**MINUTES  
WORKSHOP MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
AUGUST 29, 2018  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**ABSENT:** Councilman Yngstrom (arrived at 6:40pm)

**ALSO PRESENT:** Administrator Shehady, Borough Clerk Borghi, Attorney Sobel, Engineer Neumann and Department Heads.

**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 18, 2018.

**REPORTS OF DEPARTMENTS/OFFICES**

**Administration**

Administrator Shehady reviewed items slated to be included on upcoming Council agendas including an ordinance regarding Smoke Free Tobacco in Public Places and resolutions regarding the Board of Education Primary School Access Road Easements and the Monmouth County Shared Services Renewal. He reviewed the origins of each item and asked if there were any questions or concerns.

The Council discussed the specifics of the Smoke Free legislation including areas to be included. They were in favor of including “e-cigarettes” in the ban. They also discussed the project timeline for the Primary School Access Road Project.

Under Discussion Items, Administrator Shehady asked the Borough Engineer to review their monthly report. Mayor Menna noted the Engineer report had been distributed to the Council and commended CME on their efforts. He also noted the Grants Report has been distributed as well as the Parking Report. Mayor Menna reviewed the Comcast Renewal procedure.

Administrator Shehady noted that Comcast representatives would be attending the next Council meeting for a Public Hearing on the matter. He said he also wanted to point out that, so far, the Grant Writers had applied for \$1.7 million in grants. He said they were actively working on more. He also gave an update on repairs to the Municipal Building that were needed as a result of a recent HVAC rupture. He said the repairs would be direct billed to the insurance company which would expedite the process.

Mayor Menna commended the Department of Public Works staff, the Administrator and Department Heads for their efforts.

Administrator Shehady said they were working to get contractors in place and said the Departments were working terrifically under the circumstances. He asked Engineer Neumann to come forward and said there would be a resolution on the next Council agenda regarding the Monmouth County Open Space Grant. Ms. Neumann said, as the Council was aware, the Borough has undertaken Phase 1 of a project at Eastside Park and Mohawk Pond which she said was going out to bid in September. She reported that Phase 2 would piggy back on that project to include improvements to the Eastside Park baseball field as well as the playground surface. She said, at Count Basie Field, they would be looking to add solar lighting and enhancing the picnic area around Mohawk Pond. She said they had also looked at improvements at Riverside Gardens Park including landscaping and refurbishing the existing boardwalk. She said the cost of the improvements would be \$450,000 to \$500,000 and noted the grants was a matching grant. She said the most they would receive was \$250,000. The Council discussed specifics of the proposed improvements.

Administrator Shehady as representatives of GSG to give an update on the Best Practices Summit scheduled for Saturday, September 15. Ken DeRoberts explained the summit and said 28 area communities had been invited. He reviewed the goals of the event. He said it was not meant to be a presentation but rather collaborative sharing.

**Municipal Clerk**

Administrator Shehady explain that the agenda had a listing for a report from each Department but noted that those, like the Clerk, that had a note stating “September/October” would not be giving a report until the following month.

Clerk Borghi explained that an issue had arisen regarding an appointment when it was found that the Code did not provide for Alternate members which had been serving for some time.

Mayor Menna said he was in favor of making that amendment and moving forward with the appointment. He said he had asked the Chair to review and provide information to the Clerk on inactive members so that they

could be replaced.

Administrator Shehady said the next item on the agenda was to confirm the meeting dates for December.

Clerk Borghi confirmed that there was a meeting scheduled for December 26. There was a discussion to consider an alternate date or possible hold just one meeting in December.

Councilman Yngstrom asked Clerk Borghi about the Navesink River Municipalities Commission who usually met in the Courtroom on the 1<sup>st</sup> Wednesday. She said she remember discussing is with him and asking if they could use the 3<sup>rd</sup> or a municipal building in another town. He asked if she had heard from any other member members. She said she had not and added that she had no information about members from other towns.

### **Finance**

Administrator Shehady reviewed some housekeeping resolutions slated for the September 12 meeting. He said there were also three resolutions regarding Change Orders. He said in the past resolutions had been adopted without certain essential elements such as Certification of Funds, an end date for the contract and the total authorized amount. He said the three change orders would be for the North Prospect Bulkhead, Marine Park Pump Station and Bulkhead. He said he had met with DPW Director Keen and CFO Poulos to review the numbers.

Mayor Menna asked the Administrator to prepare a summary of the changes for the Council's review.

Administrator Shehady said the costs for the bulkhead and Marine Park were for work that had already been done and said the resolutions were for housekeeping purposes. He said the Bellhaven project would have a proposal for construction and design. He reviewed the numbers for each project.

Councilman Zipprich asked in the Marine Park work was related to Hurricane Sandy.

Administrator Shehady said some of it was but noted that the costs were going to be allocated to a grant and to the Water Utility.

Councilman Zipprich asked if the Borough had been fully reimbursed for Sandy-related damages.

CFO Poulos said they were still working on it and reports were still being filed.

Administrator Shehady said he and CFO Poulos had been working with the Departments to get the numbers for the 2018 Bond Ordinance for various capital projects. He said they were trying to keep it as minimal as possible. He said road maintenance would probably be the bulk of the project.

Councilman Taylor asked if the Road Program would include curbs and sidewalks.

Administrator Shehady said some were included but said it depended on the road. He said they were also going to try to lump in the 2019 Road Program as well since it was so late in the year. He said it would probably also include a contribution to the English Plaza/White Street project being done by the Special Improvement District.

CFO Poulos reviewed her budget status report. She reported that they had gone out for an RFP for Banking Services. She said the proposal were due by September 11 and 15 banks had requested information so far. She said they had a good response at a pre-bid meeting.

Administrator Shehady added that the benefit would be more competitive interest rates and more services.

CFO Poulos also reported that they would be going out for proposal for merchant services/credit cards. She said Department Heads had been gathering information regarding their transaction.

Administrator Shehady said they hope to accept bids in October with a target roll out date of January 1, 2019.

CFO Poulos reviewed plans to produce a Purchasing Policy Manual that would establish policies such as required quotes, etc. and other procedures following local purchasing law. She also reported that Administrator Shehady was introducing an EXCEL based budget document so the Departments could work on their individual budget.

Administrator Shehady said it was his goal was to move up the timeline on the adoption of the budget. He said he hoped to have the 2019 budget adopted in early spring.

### **Emergency Management**

Administrator Shehady said there was no report from Emergency Management at this meeting and said it would be forthcoming. He asked if the Council had an questions regarding this Department.

### **Police Department**

Chief McConnell reviewed his report including various statistics. He discussed his review of proposed multi-way stop intersections. He and Engineer Neumann reviewed the criteria needed to designate a four-way stop. Councilmembers suggested additional locations. Chief McConnell again noted the need for the intersection to meet the required criteria. He said the intersections he was recommending were Pearl Street/Oakland Street and South Street/East Bergen Place.

Administrator Shehady said he would work on an ordinance for those.

He also discussed currently vacant positions which were one dispatcher and one patrolman. He said funds both positions were in the budget as the previous employees had left. He noted new hires would also come it a

lower starting salary.

Mayor Menna asked if he needed an answer at this meeting.

Councilman Ballard confirmed that the Finance Committee had briefly discussed it and stressed the need to have reserve funds going into 2019.

Councilman Zipprich agreed and noted they were also studying the management report to possibly implement some of the recommendations.

Chief McConnell said he did not need an answer at this meeting and said he would work with the Administrator to find a way to achieve savings without eliminating the positions.

Administrator reviewed meetings that had been held regarding an unsafe parking issue on Bank Street. He said one option was to have parking restrictions in that area.

Councilman Whelan reviewed issues with residents who had visitors that exceeded the two hour limit in residential areas.

Councilman Zipprich said Public Works had also suggested alternate side of the street parking for street cleaning purposes.

Administrator Shehady said they had reviewed that option and said he felt that should be looked at Borough-wide.

Mayor Menna said they could also do a four hour limit.

Councilman Taylor asked what prevent the homeowner from getting a residential sticker to exempt him from the limit.

Administrator Shehady said that would not be allowed.

The Council discussed the difficulty of implementing various recommendation.

Most of the Council members were in favor of implementing Borough-wide alternate side of the street parking.

Mayor Menna noted that loss of parking that that would be created by eliminating one side.

The Council consensus was to do further review.

### **Fire Department**

Administrator Shehady noted the Fire Department would have a resolution on the 9/12 agenda regarding the authorization of leases with various fire houses and the annual contribution to the fire companies.

Fire Chief Jensen reviewed his report. He said the Department had applied for a grant for radios and for a second grant for emergency bail out kits. He said it was great working with them. He said he had been working with the Administrator to review our insurance rating with ISO. He also explained to the Council that Engine 96 was well beyond its 20 year life span. He asked the Finance Committee to review the company's request for a new truck. He said the company was looking for a quint-style truck and explained the benefits of have a pumper-ladder combination for the west side of town. He said they could also reduce the fire department fleet by one truck since this apparatus could replace both an engine and a ladder so there would be no need to replace the second ladder truck on the east side of town. He said he was also aware the aging apparatus can negatively affect the insurance rating.

Administrator Shehady asked for the Council's comments on the request.

Councilman Whelan said he supported looking into but noted that the Fire Committee had been looking as consolidation of the Department. He suggested reviewing what the Department would look like in the future to help with public perception.

Mayor Menna explained the need to plan for equal distribution of quality equipment on both sides of the railroad tracks. He said it was a two year process so felt they should start strategizing a plan.

Councilman Zipprich noted that the Management Report had also recommended the Chief's consolidation plan. He also pointed out that the Chief had mentioned that this truck would allow them to reduce equipment by one truck.

Councilman Whelan also noted that many of Relief's former members had transferred to Westside Hose making it a stronger company.

Councilman Taylor asked if they had ensured that the proposed truck would fit in the firehouse.

Chief Jensen said that would be in the specs.

Councilman Taylor asked if that apparatus would fill the needs of the community.

Chief Jensen said it would.

Councilman Ballard asked the Chief to again explain how it would reduce the fleet by one piece of equipment.

Chief Jensen explained that the engine would be replaced by an engine/ladder combination. He said this would provide for a ladder to be housed on the west side of the railroad tracks and eliminate the need to maintain two ladders on the east side of town. He said the second ladder would be put up for sale.

Administrator Shehady said some of the companies would also take the apparatus as a trade in.

### **Public Utilities**

Director Keen reviewed his report.

Administrator Shehady noted there would be a Parking Study Kick Off meeting on September 24 and was being held in collaboration with RiverCenter.

Director Keen reported that the Public Works Department had been down four people throughout the summer. He thanked everyone for their patience. He said the Department would be eliminating one position.

Councilman Zipprich noted that the Department had volunteered to eliminate that position.

Director Keen said that was correct. He also reported that there would be a second Trap/Neuter/Release (TNR) meeting on September 13. He said the first one had went well but had had limited attendance. He reviewed the goals of the program.

Councilman Zipprich asked the Clerk when animal licensing took place.

Municipal Clerk Borghi said the licenses were due for renewal January 1 of each year and were considered late on March 1.

Councilman Zipprich asked when that information was advertised.

Ms. Borghi said the information was published on the website at the first of the year and letters were sent to current license holders.

Councilman Zipprich asked if they should have information at the TNR meeting.

Ms. Borghi said she wasn't sure if the meeting was targeted at pet ownership and, even if it was, she discouraged pushing to licensing at this time of year since all licenses expire 12/31.

Director Keen touched on the Parking Study and also noted they had new enforcers in place. He said they had been short staffed but expected to have better enforcement moving forward. He also reported on the bottle refill stations. He said the Environmental Commission had worked hard to get a grant to pay for the stations and said they would soon be installed in various locations throughout town. He distributed renderings of the stations. He said plastic bags were no longer allowed in the recycling stream which he said was not a local decision but had come from the County.

A discussion followed regarding local businesses accepting plastic bags for recycling.

Director Keen said brush collection would be collect by a schedule. He said over the past two years, they had collected as they had seen it but going forward would adhere to the schedule. He said they would work with Code Enforcement to ensure resident understood. He also reported on the street sweeping schedule. He said the street sign replacement project was moving forward and said were waiting for hardware to begin installation.

Mayor Menna said, following up on the plastic discussion, the Clerk had provided information on a Borough ordinance that required any local business the issued plastic bags to also have a collection site. He said the Council should seriously discuss, at a future meeting, with issue of addressing plastic waste.

Councilwoman Horgan asked if the signs would have protections against theft.

Director Keen said they would and noted a special tool would be needed to remove the signs. He also reported that crosswalks had recent been painted in anticipation of the opening of the school year. He reported on the East Bergen construction project. He said the irrigation meters were now available for water customers and noted that those wishing to have one installed would have to hire a licensed plumber and obtain a plumbing permit.

Administrator Shehady said that info would be advertised on the website in September. He also noted that it could affect revenue in the coming year.

Councilman Zipprich said he wanted to thank Director Keen and his team for willfully giving up the one position.

### **Senior Center**

Administrator Shehady said there were no resolutions or ordinance for the Senior Center and the report was forthcoming.

### **Recreation**

Director Hoffmann said there would be a resolution on the next agenda authorizing the application for a grant and reviewed the details. He also reviewed the highlights of his report including the conclusion of a successful summer series and the receipts of \$10,000 a donation to go toward the scholarship program. He reported on the Summer Camp program and said they had taken the participants on 37 trips. He said two new programs were put in place over the summer; first the two concert series sponsored by Jamian's which was very successful and the Campout at Count Basie which had been rain out on both scheduled dates. He reviewed programs expected to roll out in the next 90 days.

### **Land Use (Planning & Zoning)**

Administrator Shehady explained that there would be two Ordinances from this Department on the upcoming

agenda. He said one would be regarding tattoo parlors and one would be for Alternative Treatment Centers (ATC). He said both would be referred to RiverCenter for input.

Planning/Zoning Director Carter reviewed the ordinances. He said tattoo parlors were currently only allow in one area of town and said the ordinance would allow the establishments in more commercial districts.

Mayor Menna said tattoo parlors had evolved over the years into an art form.

Director Carter asked for Council input on where the ATCs would be allowed. A discussion followed. It was determined that they did not want to allow them in residential zones and that they should be limited to commercial areas. It was also determined that the restrictions against being near schools, etc. were included in the State regulations.

RiverCenter Director Scavone said the RiverCenter Board had recommended that they be treated like a pharmacy. He also noted the State prohibition regarding being 1000 feet from a school was for illegal drugs.

Administrator Shehady said the Act adopted by State said an ATC could not be within 1000 feet of a school.

Police Chief McConnell said the definition of school was K-12 and said preschools and day care centers were not included.

Administrator Shehady noted municipalities had the option of adopting drug free zones that were strong than the State's.

Administrator Shehady noted the Department report had been forwarded. He also said a Development Project would be forthcoming.

There was a discussion regarding entertainment uses that weren't really addressed in the existing Code. Director Carter said they had been working within the existing Code and he recommended leaving it as is.

Councilman Yngstrom asked about the status of the sign ordinance. Director Carter said the ordinance had been worked on for the last five years with little progress. He reviewed options and said he felt he had been able to make interpretations of the Code and implement Administrative procedures. He said he had also drafted an amendment that would delete many unused sections of the Code that would take the section from 30 pages to 19.

Councilman Yngstrom said he remembered it being discussed in the Code Committee and it being stated that Director Carter was going to work with Director Scavone.

Director Carter reviewed those discussions and said he was seeking direction from the Council to move forward. He said he felt they might be trying to solve a problem that wasn't really a problem.

Councilman Taylor suggested a simplified document to direct people who were looking to install signs and said he would like to see the issue resolved this year.

Administrator Shehady said there was a Green Building Development Checklist that had been received from Sustainable Jersey that had been given to the Building Department to be distributed to developers.

Redevelopment Agency Proposal—Administrator Shehady reviewed the benefits of such an agency and asked Ken DeRoberts and Joe Hartnett to elaborate.

Mr. DeRoberts said he first wanted to report on the positive feedback he had received regarding the recent Management Report. He reviewed a proposal to establish a Redevelopment Agency and the benefits of such an agency.

Mr. Hartnett noted this was something that had been recommended in the report. He offered more details on the recommendation and said the Council would not give up any authority. He said everything would still have to be approved by the Council and/or Planning Board. He reviewed the importance and benefits of creating such an agency.

Councilman Ballard criticized a recommendation that was made to focus on riverfront development noting that he did not this residents had enough river access.

Mr. DeRoberts clarified that they were saying the river was not being well used as a resource and said they were recommending more public access.

Mr. Harnett the question showed the need for someone to work with the Council to identify their goals. He reviewed issues facing the Borough.

Councilman Ballard said he felt these were things that should be handled by the Business Administrator.

Mayor Menna said Mr. Shehady was an extraordinary Administrator and said his job was to make sure the every aspect of Municipal Government ran effectively and serves the public well. He noted that he was only one person and added that he felt Red Bank was regressing in development potential and in the ability to use its best resources. He said he felt that that was because they had not had the human power to effectively deal with it. He said he felt someone was needed on a day to day basic to deal with the issues that came with redevelopment projects because it took a great deal of time.

Councilman Ballard again said he felt Mr. Shehady had the ability to do those things.

Mr. Harnett said having the ability and having the time were two different things.

Councilman Ballard said no one withheld what the job entailed adding that it was included in the study.

Mr. Hartnett said the study also recommended a redevelopment agency.

Mayor Menna suggested that it be structured so that the administrative costs would be borne by those who participated in the redevelopment process through application fees.

Councilman Zipprich noted the improvements that had been made by Administrator Shehady and said he should work as a facilitator in the matter of redevelopment. He reviewed work he felt needed to be done.

Councilman Ballard asked for an explanation as to how this proposal would not cost the Borough.

Mr. DeRoberts said there would be startup costs but, going forward, costs would be covered by developers.

Administrator Shehady reiterated that seed money would be needed to get the agency up and running but agreed that once everything was in place, costs would be covered.

Mr. DeRoberts also said one element that should be addressed in the first year phase was Municipal facilities. He said there were creative ways to do that using public/private partnerships.

Councilman Whelan said he felt that any money the Borough put into the agency would be recovered on one project.

Mayor Menna reviewed the need for and benefits of such an agency.

Mr. Hartnett also noted that the Statutes provided mechanisms to get money to get started for Redevelopment Agencies that might not be available to the Borough.

Administrator Shehady said that part of his job was to get involved with redevelopment projects but said the choice was whether the Borough wanted to be reactive or if it wanted to be aggressive. He noted competition in the area and the aggressive pace. He said there was limited capital and said an agency would enable the Borough to expand and to move quickly. He elaborated on possible projects.

Councilman Zipprich also pointed out that the agency would work to develop design standards and, if done smartly, it would help to maintain the Borough's attractiveness and viability and a destination town.

Mayor Menna stressed the need to move forward.

Councilman Zipprich said he had been supportive of the idea as long as the design standards were met and the historic element and cultural fabric were protected.

Councilman Taylor said those elements were addressed in the Master Plan but also noted that the Master Plan had not been updated in several years.

Councilman Zipprich understood that Glenn Carter had been empowered last year to being working on it.

Councilman Taylor said he did not believe Mr. Carter was tasked with developing a comprehensive Master Plan.

The general consensus was that was Council was in favor of moving forward.

### **Building/Construction**

Construction Official Corcione reviewed his report.

Administrator Shehady said the Department was working on outstanding permits and violations and trying to get them abated. He said Mr. Corcione had done a good job of identifying and prioritizing and reviewed details.

### **Fire Marshal/Code Enforcement**

Fire Marshal Welsh reviewed his report. He highlighted items included the fact that they were looking try to reduce costs of notifications by doing less certified mailing and more via email. He said his office was also working toward reducing paper. He said the Code Ordinances had to be tightened up. He said revisions to the Code had resulted in some errors that needed to be corrected. He said they were also looking at new inspection software.

Administrator Shehady said it would help with the generation of some reports. He said much of the current reporting was being done by paper and pencil. He reviewed improvement that would be offered by a software system. He noted the heavy workload in the office. He said the Department was implementing a regular presence in the business district.

Mr. Welsh reviewed the changes to inspections procedures that had been put in place.

Councilman Zipprich asked if his Department was still doing a shared service with Little Silver.

Mr. Welsh said for fire only.

### **Court**

Administrator Shehady said a report would be forth coming.

Mayor Menna noted there had been no complaints that he was aware of regarding the court.

Councilman Shehady thanked the Council. He acknowledged that it was a long meeting and credited that to the fact that it was the first of its kind. He said there had been a lot to cover. He said he anticipated future meetings

would go more smoothly. He said the goal was to cut down on confusion and improve communication. He said it would help committees work together rather than by silo.

Mayor Menna thanked him for putting it together and said he thought it was productive. He said they had created a path for the few council meetings in regard to action items. He said these items would be placed on the agenda and Council members may vote or against them.

**Public Comment**

Suzanne Viscomi—23 Cedar Place—said she would like them to consider Drs. Parker Boulevard and Bridge Avenue for a four-way stop. She also said she saw bulk pick up items put out randomly and suggested a schedule might be more cost productive. She said she was also happy to hear about the second meter being available and said she had already gotten information on it. In regard to Zoning, she said she recalled the Council had previously looked at other towns for simplified ordinances.

Ben Forest—16 Locust Avenue—said he liked this meeting format and said it was refreshing to hear the less formal dialog. He expressed concern that there was no public input. He said he supported the Zoning ideas and he thought proper planning was needed. He said he was also concerned that there should be more time to digest the discussions. He also had concerns about the quality of the audio.

Freddie Boynton—PO Box 2074—said he was concerned about water that had been running at the intersection of Leighton Avenue and Newman Springs Road. He said it had been running for six months and questioned why it had not been fixed. He also questioned why there were two foremen assigned in the Street Department and questions employee breaks.

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

**ROLL CALL:**

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

NAYS: None

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

**EXECUTIVE SESSION**

18-216 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel and Potential Litigation; no action to be taken.

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

**ROLL CALL:**

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

NAYS: None

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

Councilman Taylor offered a motion to adjourn from executive session, 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.

Councilman Taylor offered a motion to adjourn the meeting, 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.

Respectfully submitted,  
Pamela Borghi