

**MINUTES**  
**WORKSHOP MEETING**  
**MUNICIPAL COUNCIL – BOROUGH OF RED BANK**  
**October 3, 2018**  
**6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**ABSENT:** Councilman Taylor

**ALSO PRESENT:** Administrator Shehady, Borough Clerk Borghi, Attorney Cannon, 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 a resolution to award a contract for a Redevelopment Agency. He said the request for proposals was advertised and they had only received one response. He asked the Council how they would like to proceed.

Mayor Menna said he felt they should move ahead. He pointed out they would have to adopt a fee ordinance along with the appointment.

Councilman Yngstrom said he agreed.

Councilman Ballard said he was not sold on the idea. He said he felt the Business Administrator had been chosen because he had those skills. He said he felt that hiring an outside company did not make sense.

Councilwoman Horgan said she did not agree. She said she felt the Administrator had much on his plate and that this was a recommendation from the Management Report.

Councilman Ballard said he understood and was not necessarily disagreeing with the need but said he felt when they were interviewing for the Administrator position that they had been looking for someone who specifically had the skill to oversee redevelopment.

Councilman Zipprich asked if Councilman Ballard was focusing on the financial impact.

Councilman Ballard is it was that and also from an efficiency perspective.

Mayor Menna again stressed the need for a parallel fee ordinance so the Agency would pay for itself with application and review fees. He reviewed how the process would work and noted it would only be for larger projects with fees paid in advance. He said the financial impact should be neutral. He said they wouldn't make money on it but at least it wouldn't be a negative. He said the Administrator would be dealing with the smaller applications. He said he didn't feel they needed a full time employee but did need full time activity.

Councilman Whelan said good points had been made but he felt the Council should go forward with it. He said he felt the Administrator should focus on overseeing the Borough and all the facets of its operations. He noted he had been in favor of redevelopment and pointed out that the agency would be run by a company that had already been working with the Borough so they could hit the ground running.

Councilman Yngstrom said he agreed.

Councilman Zipprich said he agreed that Redevelopment had been in the Administrator's job description and understood the concern about the funding.

Councilman Ballard asked about the term of the contract.

Mayor Menna suggested they leave it open ended with a clause that allowed it to be broken by 90 days notice..

Attorney Cannon confirmed that the Council would need a contract and an ordinance for fees.

Councilman Ballard noted the proposal had stated they would need seed money.

Councilman Whelan noted the number of project that had been lost due to bureaucracy.

A discussion of current fees followed.

Mayor Menna reviewed the current procedure versus the recommended procedure. He also stressed that if they put this on the Administrator he would be spending 30 percent of his time on it and they would end up with the same issues they had had in the past.

Councilman Ballard again questioned why they had looked for a particular skill set and then didn't use it.

Councilwoman Horgan said the Administrator would still be involved.

Councilman Zipprich asked how it would impact the budget.

Administrator Shehady said he would work with the CFO to certify the funds.

Mr. Shehady moved on to the Engineer's reports. He noted there were three resolutions slated for the upcoming agenda. He said the first on was for Phase 1 of Eastside Park/Mohawk Pond and asked Engineer Neumann to review.

Ms. Neumann noted there was a 2015 grant in place for the project. She said they had received two bids for the project and noted the low bidder was GR Masonry. She said their price was in line with the funding and they had verified pricing with the bidder and checked references. She said they were recommended award of the contract. She said they had also provided information on CME's fees for construction services.

Administrator Shehady noted the award of the contract for the work was on the agenda under Public Utilities and the award for Engineer's Construction Services was listed under Administration. He asked if there were any questions on those items.

Council members asked questions about the two bids that were received.

Administrator Shehady noted there was another award to CME for Construction Services regarding the East Bergen Place Improvement Project regarding a change order.

Mayor Menna asked that the Engineer look into shielding the pump station at the intersection of East Bergen Place and Hudson Avenue.

Engineer Neumann said she would look into it but noted the controls faced the street so access would need to be considered.

Administrator Shehady reviewed a schedule update on the East Bergen Place Improvement Project and said the information would be placed on the agenda the next day.

Mr. Shehady also reported that there was a resolution needed to award a contract to T&M Associates for Construction Services regarding the Primary School Access Road. He also reviewed the contents of Engineer's Report and the August Grants Report. He said the link to the Parking Survey was now available and had been posted to the Borough's website and Facebook page. He reviewed the report from the Information Technology Department including major projects such as the email server and a disaster recovery plan.

Council members asked about the timeline for the changeover on the email system. Mr. Shehady estimated it would be in place by the end of the year.

Administrator Shehady said he had also included a draft of the Personnel Policies in the Council Packet and noted the document had been reviewed by the Labor Attorney. He said it followed the previous template but had added language regarding items including updates to the Whistleblower Laws, a Social Media Policy and a Bring Your Own Device Policy. He said if there were concerns, the matter could be held until October 24 instead of October 10.

Mayor Menna said he had no issues.

Councilman Ballard said he had gotten the packet at the end of Monday so he hadn't had a chance to review all of the attached documents.

Administrator Shehady said it was the goal to have the packet done earlier and said the Personnel Policies could be held until the 24<sup>th</sup>. He also noted that there were also issues with the fact that a large portion of the manual had been incorporated into the Code and, while the Policies Manual had been updated, the Code had not. He said it was his recommendation, along with the Labor Attorney, to remove those references and add language that states the Personnel Policies will be adopted by resolution. He asked Attorney Cannon for his opinion.

Attorney Cannon agreed that it would be easier to update the Manual document and adopt by resolution.

Administrator Shehady said, if the Council approved, he would work on an ordinance repeal the language from the Codified Ordinances and institute adoption by resolution.

Councilman Zipprich asked how it might affect other ordinances.

Mr. Shehady said it shouldn't.

Borough Clerk Borghi confirmed the content of the two different sections of the Code and some of the discrepancies.

Administrator Shehady updated the Council on the issue of the Special Ruling regarding Limited Brewery Licenses and noted that the ruling had been suspended.

Mr. Shehady noted the RiverCenter had submitted a request for upcoming holiday events. He asked RiverCenter Executive Director James Scavone to address the Council.

Mr. Scavone said the holiday decorations and lights were essentially the same as in past years. He said they were requesting two fewer days for free parking than they had in the past. He also described a new event slated for Sunday, December 9 which would include ice skating and "live" snow globe on Broad Street. He reviewed

details regarding the skating rink. He said they also planned to have vendors on Wallace Street during the event.

### **Municipal Clerk**

Clerk Borghi noted she had forwarded a report to the Council and asked if there were any questions. She reviewed the meeting schedule for the remainder of 2018.

### **Finance**

Administrator Shehady noted the CFO had submitted a budget status report for August and September.

CFO Poulos said the Department budgets were on track.

Administrator Shehady said they would be reviewing in the next few weeks for any areas that may be in the need of transfers. He said he did not anticipate anything significant.

Councilman Zipprich asked when the Departments would start working on their budgets for next year.

Administrator Shehady said they had already and reviewed some of the details.

Councilman Ballard asked if there was any anticipated savings.

Mr. Shehady said there should be a reduction in debt along some operational savings. He also reported that Ms. Poulos had submitted a memo on the banking services award.

Councilwoman Horgan noted that the memo recommending awarding to one bank and she said she thought it was going to be spread around.

Administrator Shehady said that was an option but it would make things messier.

Councilman Zipprich said in years past they had used multiple banks.

CFO Poulos reviewed the benefits offered by the one bank and the savings that would result. She said it would bring significant savings and would be easier to work with one bank. She said they could keep smaller accounts in a separate bank if the Council preferred.

Administrator Shehady said it was his recommendation that they stick with one.

A discussion followed on the history of where the Borough had had accounts.

Councilman Zipprich asked about potential savings.

Administrator Shehady said it could result in a savings in \$75,000 to \$100,000 with the addition of merchant services (credit cards) which had yet to be implemented.

CFO Poulos also reported on the upcoming Tax Sale. She said there had been 162 accounts in the sale when they filed but it had been brought down to only 37. She said that was the lowest number since they have been doing the sale.

The Borough Attorney asked for a copy of the list of properties to review in regard to Code issues.

### **Public Utilities**

Director Keen reviewed highlights of his August/September report. He discussed staffing issues, the street sign replacement project, storm sewer issues and gave an update on the repairs at Borough Hall.

Administrator Shehady said the staff had done a fantastic job of cleaning up around town. He said Code Enforcement was following through with residential properties and said he felt Borough properties should also be in compliance. He reviewed some of the areas they had been focusing on. He specified two areas that had recently been spoken about publicly by people who were misinformed. He said the tennis court area at Marine Park had recently been cleaned up and some people had been trying to misconstrue what had been happening there. He said there were no plans other than clean up. He said concerns had also been brought up at the last Council meeting regarding the baseball diamond at East Side Park. He said that property would be cleaned up in the next two weeks. He said nothing major was being done with the property because they were waiting to hear on the Monmouth County Open Space Grant application.

A discussion followed on how that property was typically used.

### **Police Department**

Administrator Shehady said Chief McConnell had submitted an August report and noted he could not close out September until the following week.

Chief McConnell reviewed crime statistics.

Administrator Shehady said they had met with the County regarding the Shared Dispatch services. He said the Chief had provided a recommendation and asked if the Council had any questions. The Chief reviewed details of the shared services proposal which he said would result in a cost increase.

Administrator Shehady said the Borough would eventually have to participate.

Councilman Whelan said he felt the County may offer more incentives in the future.

Councilman Yngstrom asked the Chief if he had looked into sharing services with some of the smaller nearby

towns.

Chief McConnell said he had looked into it. He said if they did bring in another town, they would need to hire additional staff.

### **Recreation**

Director Hoffmann reviewed his report including a summary of the Summer Camp program. He said the only complaints they had received were regarding the heat and the location. He said he had looked into alternate locations such as Charter School and the Middle School

Mayor Menna suggested the Salvation Army.

Mr. Hoffmann said he would follow up. He also reviewed upcoming fall programs, Halloween programs and a planned "holiday" day camp for parents that needed a place for kids on works days when there was no school. He reviewed his department's financials.

Mayor Menna said there was an issue with spectators at Red Bank Catholic football games held at Count Basie Field. He said they have been parking on the grass at Mohawk Pond. He called for the Police Department to issue summonses to the offenders.

Councilman Zipprich asked Director Hoffmann about returning jazz concerts to Johnny Jazz Park.

Mr. Hoffmann said he would work on it for next year.

Councilman Ballard asked how they would staff the holiday day camp.

Director Hoffmann said the camp would only be for grades K through 6<sup>th</sup> and would be manned by existing staff.

### **Finance Continued**

Administrator Shehady said he wanted to return to a financial matter. He said he had circulated a letter regarding a billing anomaly for sewer charges. He noted Riverview Towers had had an issue with their pool and had submitted a request regarding their bill. He said he had met with their Board President, the Borough CFO and the Borough DPU Director to discuss the matter. He said there had been a situation where the pool uplifted and there was a water issue but that water had not entered the sewer system. He said, as a result of the water usage, the sewerage fee was almost \$50,000 for one quarter and noted their usually fee was \$16,000 to \$17,000. He said, after review, he was recommending that a credit be issued because the unusually high charge would be passed on to the residents. He said it would not affect the Borough because they had budget for the normal usage.

Mayor Menna agreed and offered more details on the incident with the pool.

Administrator Shehady also noted that they were not disputing the water usage, only the sewer fees because they were determined by a formula based on water usage and the water had not entered the sewer system. He said the credit would have to be authorized by resolution.

There was a discussion regarding the irrigation meters.

### **Senior Center**

Senior Center Director Reynolds reviewed highlights of her report including staffing issues. She said the center had received nine new members and reviewed upcoming programs.

Councilman Zipprich asked if the nine members were all from Red Bank.

Ms. Reynolds said six were from Red Bank and three were from out of town.

Mayor Menna asked for a year end tally of Red Bank residents versus non-residents. A discussion followed on the possibility of getting assistance from other towns.

Councilman Yngstrom urged all Councilmembers to visit the Senior Center.

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

Administrator Shehady said the Commercial Recreation/Entertainment Use ordinance was scheduled for the upcoming agenda.

Zoning Director Carter reviewed details of the ordinance.

Councilman Yngstrom said he was in favor of the ordinance adding that he felt it would help with the vacancy rate.

Administrator Shehady said Director Carter was also working on the sign ordinance which he said he hoped would be done by the end of the month. He also noted that Mr. Carter had submitted an August and a September report along with a Development Projects report.

Councilman Whelan said he would to see a report on changes that have taken place since Director Carter came on board.

Mayor Menna agreed that Mr. Carter had made many positive changes to cut both time and expenses for applicants. He said he would also like to see the amount of fees that have been collected as part of Mr. Carter's independent reviews.

Director Carter reviewed various changes including zoning permits, simplified forms and the use of email to expedite applications and to save postage costs.

### **Building/Construction**

Administrator Shehady said Construction Official Corcione had been doing a fantastic job and had been providing pivot table reports in EXCEL. He asked Mr. Corcione to review highlights from his reports.

Construction Official Corcione said construction for August and September was consistent but noted the Department was ahead for year to date. He said Certificates of Occupancy were also consistent and also ahead year to date.

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

Administrator Shehady said Fire Marshal Welsh had forwarded his report but was not in attendance due to a scheduled vacation.

### **Municipal Court**

Mayor Menna said the Council had received the Administrator's memorandum regarding Court staffing.

Administrator Shehady explained that a staff member was leaving due to health issues and said he agreed with the Court Administrator that the position needed to be filled. He said it was a part time position that had been budgeted for.

Councilman Ballard asked if the workload could be covered by existing staff.

Councilman Zipprich asked when they would start to use attrition to reduce staff as recommended in the Management Report.

It was recommended that the matter be discussed with the Administrative Office of the Courts (AOC).

CFO Poulos noted that when a previous full time employee left, she was replaced with a part time position.

Councilman Ballard again asked if the work could be covered by existing staff.

Administrator Shehady confirmed that the position being discussed was needed for 20-25 hours per week.

Mayor Menna said he agreed with Councilman Ballard's basic premise but agreed that, even if they had other Borough staff available to fill in, they would not be able to because court employees must be certified by the AOC.

### **Public Comment**

Cindy Burnham—71 Wallace Street—asked if the Borough had not yet received the grant for East Side Park and Mohawk Pond.

Administrator Shehady asked which grant she was referring to.

Ms. Burnham said she was referring to the matching grant from Monmouth County for East Side Park and Mohawk Pond.

Mr. Shehady asked if she was referring to the one that was just applied for.

Ms. Burnham said it was the one for East Side Park and she wasn't sure when it was applied for.

Administrator Shehady said there was one that had already been received and a second one that had just been applied for.

Ms. Burnham asked what the first one was for.

Mr. Shehady said it was for East Side Park. He said there was Phase 1, Phase 2 and Phase 3 of the project.

Ms. Burnham asked if they had received the grant.

Mr. Shehady said they had received Phase 1.

Ms. Burnham said she had heard from several people on East Bergen Place that were concerned about their trees. She recommended that, if something needed to be done with a tree, the Borough should knock on the door and talk to the resident.

Mayor Menna thanked her for her comment.

Susan Viscomi—25 Cedar Street—said she wanted to commend the comments of Councilman Ballard.

Cindy Burnham—71 Wallace Street—said she wanted to thank the Department of Public Works and Councilman Zipprich for their help with the brush pick up issues in her neighborhood. She said she also thought the Public Works information on the web site was confusing in regard to brush pick up and called for better enforcement.

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

**ROLL CALL:**

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

NAYS: None

There being five 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 Potential Litigation; no action to be taken.

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

ROLL CALL:

AYES: Whelan, 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 resume regular business, seconded by Councilman Yngstrom.

ROLL CALL:

AYES: Whelan, 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 the meeting, seconded by Councilman Whelan.

ROLL CALL:

AYES: Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi