

**MINUTES**  
**WORKSHOP MEETING**  
**MUNICIPAL COUNCIL – BOROUGH OF RED BANK**  
**April 3, 2019**  
**6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

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

\*Councilman Zipprich arrived at 6:32 pm

\*Attorney Cannon left the meeting at 7:20 pm and Attorney Sobel joined.

**SUNSHINE STATEMENT**

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on December 12, 2018.

**ADMINISTRATION**

**Energy Aggregation Presentation**

Administrator Shehady reviewed a program that would offer residents a way to lower their electric bills. He noted it would require the adoption of an ordinance by the Council.

Administrator Shehady introduced Stacia Scaduto who offered more details on the program. She said it would guarantee a lower rate the JCP&L and there would be no fee or penalty to opt out. She confirmed that the Council would need to adopt an ordinance which would lead to a bidding process. She said if the rate was lower than JCP&L, the rate would be offered to residents. She added that if there was no rate lower than JCP&L, the program would not move forward. She said the program was different from other such programs because they offered consumer protections.

Councilwoman Triggiano asked about requiring renewable energy.

Ms. Scaduto said all suppliers must meet state requirements for renewable energy. She said a higher renewable number could be offered as a separate option.

Administrator Shehady reviewed the process once the ordinance was adopted including Board of Public Utilities review. He said once finalized, they would hold the auction. He said there would be public outreach including presentations and mailings. He said the result of the auction would be discussed at a subsequent Workshop meeting. He reiterated that, if the auction did not realize a savings, they would hold off on moving forward.

Mayor Menna said he had had experience with the program in two other municipalities. He said there had been no problems and said it had been favorable received. He said there had been extensive education process.

Councilwoman Horgan asked how it was funded and how Ms. Scaduto's firm was paid.

Ms. Scaduto said the supplies paid their fee.

Councilman Ballard confirmed that the program wasn't offered as an opt-in but rather as an opt-out.

Ms. Scaduto said that was the case but confirmed the rate would have to be lower to move forward. She said the opt-out process was very easy with a post card or phone call.

Administrator Shehady noted that those that want more renewable energy may have a higher rate.

Ms. Scaduto said the state allowed companies to charge more for renewable energy.

Councilwoman Triggiano asked if there was a delivery services charge.

Ms. Scaduto said there was not noting that the electricity would still be delivered by JCP&L.

**Affordable Housing Settlement**

Chris Dochney of CME reviewed the Settlement Agreement and Vacant Land Use report that had been done the previous year. He said the required number of units should be met with the project planned for the former VNA property. He said all new developments would be required to provide Affordable Housing units. He reviewed the requirements that would be placed on Developers. He also reviewed Ordinance changes that would be required to implement the agreement. He said these changes would mean the Borough would be in compliance through 2025. He also reviewed additional legislation that would be required moving forward including a resolution to confirm the Borough's intent to cover any shortage of funds coming into the trust fund.

Mayor Menna said that would be negotiated to limit exposure.

Mr. Dochney said it was a remote possibility but he wanted to make sure the Council was aware.

Councilwoman Triggiano asked about where funds would come from for first time home buyers.

Mayor Menna reviewed the success of previous programs.

Administrator Shehady said the Ordinances/Resolutions would be on the agendas for upcoming meetings. He also noted there would be resolution to authorize additional funding to CME for additional work.

### **Engineering Report**

Administrator Shehady said Attorney Cannon was working on resolutions for easement regarding the English Plaza project.

Attorney Cannon confirmed.

Engineer Neumann offered an update on the East Bergen Place project and said she expected it to be finished around the first of May. She also reviewed the Eastside Park/Mohawk Pond project and said the contractor was working with the Environmental Commission and the Shade Tree Committee. She also reported that the Senior Center Fire Suppression system would require redesign and could not be replaced as is. She said it would need to be publicly bid and said a conservative estimate on the work would be ten to twelve weeks.

Councilman Zipprich said users of the Center were concerned. He said the Borough was looking for a place for them to use in the interim.

Administrator Shehady said the project need to be done right and the Borough had to follow procurement laws. He said he had been receiving phone calls and he let them know that the Borough was doing everything in their power to get it resolved.

Engineer Neumann reviewed other open projects with the Council.

There was a discussion on the notices issued to residents regarding the need to make water system improvements before paving projects.

### **Professional Services Contracts**

Administrator Shehady said these resolution were done due to the need to formalize the resolutions with the required elements.

### **Two River Water Reclamation Authority Update.**

Administrator Shehady reviewed the Two River Water Reclamation Authority update.

### **IT Report**

Administrator Shehady reviewed the IT Report including the plans for cameras at the Public Works and Recycling facilities

Councilwoman Horgan asked about the status of cameras being installed in the Parks.

Administrator Shehady said he could not give a date. He said there had been more pressing issues and the past proposals had been very expensive. He said he would get more information.

### **Shared Services Agreement with Board of Education**

Administrator Shehady explained that E-Rate was a way to finance technology equipment. He said the Board of Education wanted to move ahead and needed an agreement in order to have access to a pole at the Library. He said the agreement would authorize them to run fiber at the location.

### **Grants Report**

Administrator Shehady reviewed the report.

### **CLERK**

Borough Clerk Borghi reviewed Ordinances for Public Hearing on the next agenda. She also reported that Sidewalk Café renewals were now due and resolutions to renew would be done as they came in. She also advised that there would be a presentation to the Red Bank Middle School Basketball team at the April 10 Council meeting. She reminded Council members that the Annual Financial Disclosure statements would need to be completed in the month of April. She reviewed several Proclamations that would be on the April 10 agenda.

Attorney Cannon left the meeting.

Attorney Sobel joined the meeting.

### **LAND USE**

#### **Master Plan Review Ordinances**

Director Carter said, as part of the Master Plan review, he was recommended several ordinances that would be on the next agenda.

Councilmembers asked about details of the Ordinances.

Mr. Carter reviewed the ordinances and said there were two additional ones that were not related to the Master Plan review but were necessary to bring the Code into compliance with Land Use Law.

Mayor Menna commended Mr. Carter's efforts to streamline services. He also suggested a review of the In House Review fee.

Mr. Carter said the standard fee was \$50 to \$100 for a one to two family house and \$100 for commercial.

Mayor Menna said those fees should be reviewed because of the time spent particularly for commercial or multiple units.

A discussion followed on the rates/fees. Mayor Menna suggested \$150 to \$200.

Administrator Shehady said he and Director Carter would discuss and report back.

#### **Lot Coverage/Impervious Surfaces**

The Council discussed lot coverage issues. Councilman Yngstrom said he would like to see an increase in the use of impervious surfaces and would like an ordinance to require it.

Director Carter asked if the goal was to improve water quality.

Councilman Yngstrom said it was and reviewed his concerns.

Mr. Carter reviewed flooding issues versus water quality. He said there were issues with hardscape and said it was possible to address both issues.

#### **Teak Bond Release**

Administrator Shehady review a resolution on the next agenda regard the release of a performance bond regarding the property known as Teak.

#### **SENIOR CENTER**

Director Reynolds ask if the Council had any question regarding her report. She highlighted activities of the center since it had been relocated. She thanked Westside Hose Company for their assistance in letting them use their facility for meal distribution. She said the Red Bank Volunteer Fire Department had been providing Firewatch Services while they have been back in the building.

#### **PUBLIC WORKS**

Director Keen reviewed his report and said the Department had the need for a backup Animal Control Officer. He said there would be no additional cost as they would only be used as a call-in when someone else wasn't available. He said the Department was doing Spring Cleaning in the parks and said the water refill station was operational. He said two more should be installed in the next month to month and a half. He said there had been an increase in summonses in the Parking Utility due to enforcement of ordinances.

Administrator Shehady said they had been focusing on pedestrian and bicycle safety as well as illegal parking. He said the need for turnover was an item listed in the Management Review report. He said they were looking to hire more part time enforcement officers and assign them to sectors.

Director Keen said they were also improving the Parking kiosks.

Administrator Shehady said this had also been in the report and has been asked for by the Community. He said they were looking at a new vendor to evaluate and compare. He reviewed the benefits of smart meter heads and the proposed locations. He said more details would follow and noted that Red Bank was an early adopter of the new technology. He said, in a few years, it would be mainstream.

Director Keen offered an update on the Street Sign replacement project. He also reported that brush pick up was ongoing. He also reported that there was an opening in the water/sewer department and said he would like to fill it.

Administrator Shehady asked him to review the process for residents to request irrigation meters.

Mr. Keen said they would need to get a permit and hire a plumber. He said residents could all Public Works and they would guide them through the process. He also noted that improvements to State Highway 35 were expected to start soon.

Administrator Shehady reviewed the schedule and said it was expected to be complete in mid-June. A discussion followed on Riverside Avenue issues and improvements.

#### **EMERGENCY MANAGEMENT/CODE ENFORCEMENT/FIRE MARSHAL**

Fire Marshal Welsh reviewed his report. He also reviewed a proposed ordinance to amend registration and inspection fees and to reduce inspections to once every three years. He said they were getting good compliance with the sign ordinance.

Mayor Menna called for the need to get the word out to landscapers regarding the rules on brush.

Fire Marshal Welsh said there was a need to permit landscapers.

The Council agreed.

Administrator Shehady said they would address that in May or June.

#### **BUILDING**

Construction Official Corcione reviewed his report.

Mayor Menna commended him on swiftness of having the fire damage home on Rector Place removed.

#### **PARKS & RECREATION**

Director Hoffmann reviewed activities being coordinated by the Department. He said he would have a resolution to hire a Summer Camp Coordinator. He explained the need to fill the position now was because the person would also be coordinating Spring Break Camp at the end of April. He reported that the Red Bank Elks had donated \$2,000 to Red Bank. He said the organization had been a great partner for several events.

## **POLICE**

Chief McConnell said the March report had not yet been completed because the stats were not available. He said there would be a resolution on the upcoming agenda to accept a Distracted Driving Grant. He said the PBA was also recommending a resolution to increase the extra duty rate. He said Red Bank's rate was currently lower than surrounding towns and would still be lower with the proposed \$5 increase. He said they were not recommending an increase for the schools. He said he was also recommending a ordinance to add a No Parking zone on Chestnut Street at the Chestnut and West Street site triangle.

Mayor Menna called for enforcement.

Chief McConnell agreed.

Administrator Shehady noted that they were also adding an additional Parking Officer. He said they were also looking at obstacles such as bollards or planters to deter illegal parking.

Mayor Menna reviewed issues on West Front Street.

Administrator Shehady also reported that an inventory of street lights had been done and said he would like to see them converted to LEDs.

Chief McConnell said there was also a need to update the alarm ordinance with an increase in fees. He said he would also be asking for a resolution to fill to police positions by the end of April.

## **FIRE DEPARTMENT**

Administrator Shehady asked if there were any questions about the Fire Department report.

## **FINANCE**

Administrator Shehady said there would be resolutions on the next meeting for an increase in the temporary budget and to appoint Blau & Blau as Special Tax Appeal Attorneys. He also noted there would be a resolution regarding an OEM Mutual Aid Agreement with the County as part of the Emergency Operation Plan.

## **Correspondence**

None.

## **Public Comment**

Cindy Burnham – asked about the cost for the new parking meter heads.

Administrator Shehady said they would be on a 30 days trial and estimated the cost would be \$300 total. A discussion followed on when the old meter heads were installed.

Ms. Burnham asked if the irrigation meters would also have the \$44 rental fee.

Mr. Shehady said they would not.

Suzanne Visconti – 25 Cedar Street – asked about the road cleaning process/street sweeper issues and the status of an ordinance. She said the ordinance would also help with stagnant vehicles.

Administrator Shehady said an alternate side of the street ordinance was in draft format. He said they were working on a comprehensive street list and schedule. He said he hoped it would move forward in May. He asked her to email concerns on vehicle issues and they would look into it.

Mayor Menna called for residential parking stickers.

Fred Stone – 16 McLaren Street – express concerns about the census and the likelihood that an undercount could hurt the Borough.

Mayor Menna said it would benefit the Borough to encourage participation. He reviewed suggested means of outreach.

Councilman Zipprich and Councilman Yassin said the Human Relations Advisory Committee had been involved in the last census and would be assisting in the one coming up.

Administrator Shehady said had attend a League of Municipalities meeting with representatives who had reviewed outreach plans and will be sending information to him.

Councilman Zipprich said it would also depend on how the census was crafted.

William Poku – 90 Bank Street – expressed concerns with lead issues at the Bergen Place Improvement project. He suggested it was prudent to have people do an assessment and make repairs now. He suggested the Council should help with replacement costs.

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

## **ROLL CALL:**

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

NAYS: None

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

## **EXECUTIVE SESSION**

19-78A        Mayor Menna read a resolution to adjourn to executive session to discuss Litigation (OceanFirst Tax Appeal) and Personnel (Public Works, Code Enforcement, Finance); no action to be taken.

Councilman Ballard offered a motion to adjourn to Executive Session, seconded by Councilman Yngstrom.

### **ROLL CALL:**

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

NAYS:        None

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

Councilman Yngstrom offered a motion to adjourn the meeting, seconded by Councilman Yngstrom.

### **ROLL CALL:**

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

NAYS:        None

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

Respectfully submitted,

Pamela Borghi