

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
April 10, 2019  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, Attorney Cannon and Engineer Neumann.

**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.

Mayor Menna announced that the appointments for the Redevelopment Agency positions would be tabled until the April 24, 2019 Meeting and Resolution 19-84 would be held until after a discussion to be held in Executive Session.

**PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS**

**Red Bank Middle School Girls' Basketball presentation.**

Councilman Yngstrom and Mayor Menna congratulated the members of the team on a successful season and presented each with a Certificate of Recognition.

**Certificate of Recognition**

Fire Marshal Tom Welsh reviewed the actions of Code Enforcement Inspector Frank Woods when he discovered a gas leak during a routine inspection. He said Mr. Woods efforts helped avert a possible disaster.

Mayor Menna and Councilman Yassin presented Mr. Woods with a Certificate of Commendation to recognize his efforts.

Mr. Woods thanked the Mayor and Council, the Administrator and Mr. Welsh.

**Proclamations**

Mayor Menna read the following Proclamations

Donate Life Month - April 2019  
National Library Week - April 7-13, 2019  
Jazz Appreciation Month - April 2019  
Get Yourself Tested Month - April 2019  
Autism Awareness Month - April 2019  
Child Abuse Prevention Month - April 2019

**Sustainable Jersey Silver Plaque Presentation**

Councilwoman Triggiano reviewed the efforts of the Environmental Commission, its Green Team and Creative Team to achieve Silver Status with Sustainable Jersey. She reviewed initiatives that had earned points toward certification. She noted the Borough has received a \$10,000 grant as a result of the effort which has been used to implement water bottle refill stations. She and other members of the Environmental Commission who were in attendance placed the Silver plate on the plaque.

**RiverCenter Budget (Public Hearing/Adoption)**

Mayor Menna noted that the RiverCenter budget had been introduced at the March 27, 2019 Council Meeting and that this was the public hearing. He asked if anyone would like to speak.

William Poku—99 Bank Street—asked about business outreach. He noted two funeral homes in town that had been owned by African Americans were gone. He asked if RiverCenter encouraged African American businesses.

RiverCenter Director James Scavone said they approached all businesses without regard for their race, sexual orientation or religion. He also noted that they do not reach out to Funeral Homes.

Councilman Zipprich thanked Mr. Scavone and Treasurer Robin Fitzmaurice for their efforts with the district's budget and the presentation.

19-79 A Resolution Adopting 2019 Budget of the Special Improvement District

Councilman Zipprich offered a motion to confirm the appointments, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

**Redevelopment Agency Appointments**

Tabled to April 24, 2019.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

Jay Herman—11 Vista Place—noted that he had come to town 30 years ago and had invested in property at a time when the town was dead. He reviewed his family's charitable efforts and the time he had spent as a member of the RiverCenter Board. He said he had been a part of the turning around of the town in the 1980s. He said he felt the reverse tax appeals filed on his properties as well as those of other property owners were without rhyme or reason. He noted that he had never appealed his taxes and said he paid them even though he that that they were higher than they should be, because he felt he was part of a family. He said he felt assaulted. He explained to the public what a reverse tax appeal was and said it could happen to them. He asked the Mayor if he would apply the action to a single family home.

Mayor Menna said no single family homes would be affected.

Samantha Bowers—4130 W. 18<sup>th</sup> Avenue, Wall Twp.—said her family had owned buildings in town for 40 years and had tried to maintain those properties. She said she was scared of what was happening and expressed concern for their properties and for the business community. She said the businesses were the golden goose for the town and said she thought the action was a big mistake.

William Poku—90 Bank Street—said he thought Red Bank was turning into Georgetown. He noted that he had a pending tax appeal against the Borough and criticized the Tax Assessor.

James Scavone—RiverCenter Director—said he was speaking on Resolution 19-84. He reviewed conversations he had had with the Mayor and Council on ways to make Red Bank more business friendly. He said suing for a reverse tax appeals was not the way to do that. He reviewed his concerns about the action. He said they had been told there was no cost to the filings, however, he warned of the cost of the loss of future business. He noted a similar action in Pennsylvania had been ruled unconstitutional. He also noted that many of the subject properties had never filed a tax appeal. He said if the Borough was successful, the additional costs would be passed on to the tenants and could result in a rise in vacancies. He said he was concerned about how the properties were chosen and questioned the potential for residential properties to be included. He said the residents would also be affected if values of the downtown properties decreased. He called for a town hall meeting on the matter and again said he believed it would have a devastating effect.

Ingeborg Perndorger—6 Robin Road, Rumson—said she owned two properties in town that were not on the list but said she felt devastated by the action and said she felt it was tearing the fabric of the community apart. She asked what criteria was used to choose the properties and what the Assessor's role was in the process.

Stephen Hecht—135 Branch Avenue—said he was concerned about unintended consequences. He said he had been coming to meeting for years to discuss the ineffectiveness of the Tax Assessor. He said this action was frightening to the public. He said he felt the root cause was an incompetent Tax Assessor. He said he understood the position was tenured and reported to the County Tax Assessor. He suggested the Borough go to the County and report he was unable to perform despite his tenure.

Amy Goldsmith—16 Locust Avenue—said she wanted to speak on Ordinance 2019-17 regarding Electricity Aggregation. She said she felt it was a great idea but said they should not just focus on electricity and natural gas. She said they should call for 100 percent renewable energy. She noted other towns had done that and said it should be a policy issue rather than just a financial one. She recommended adding that language to the ordinance.

George Sourlis—2 Bridge Avenue—said he was speaking regarding the reverse tax appeals. He said his was one of the properties targeted. He called it disappointing and noted the competition from business districts in other towns. He said people had choices and asked why businesses would come here. He said the legal fees could be better spent. He said taxes had gone up and services had gone down citing the needs for restaurants to contract with private haulers.

No one else appearing, Mayor Menna asked for a motion to close.

Councilman Ballard offered a motion to close the Public Comment, seconded by Councilman Zipprich.

**ROLL CALL:**

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

NAYS: None

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

**MINUTES & REPORTS**

Regular Meeting Minutes of 3/27/2019

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

**ROLL CALL:**

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

NAYS: None

ABSTAIN: Ballard

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

**ORDINANCES - Public Hearing/Acceptance:**

None.

**ORDINANCES - First Reading:**

2019-10 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 680, Vehicles and Traffic, Section 680-35, "Schedule I: "No Parking."

Councilwoman Triggiano offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-11 Mayor Menna read "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating To Shed Heights."

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-12 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning And Development Regulations, Relating To Dwelling Apartment Uses Above The Street Level."

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-13 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Permitted Uses in the Professional Office Zone."

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-14 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Restoration of Non-Conforming Structures."

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Triggiano.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-15 Mayor Menna read, “Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Engineering Inspection Fees.”

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilman Yngstrom.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-16 Mayor Menna read, “Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Presubmission Reviews and Applications for Development.”

Councilman Yassin offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-17 Mayor Menna read, “An Ordinance Establishing an Electric and/or Natural Gas Aggregation Program.”

Mayor Menna asked if any Council members had questions.

Councilmember discussed details of the program and how it would be implemented.

Councilwoman Triggiano offered a motion to approve the introduction of the ordinance, seconded by Councilwoman Horgan.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-18 Mayor Menna read, “An Ordinance to Implement the Borough’s Third Round Housing Plan Element and Fair Share Plan Consistent with the Terms of a Settlement Agreement Reached between the Borough of Red Bank and the Fair Share Housing Center Regarding Compliance with the Borough’s Third Round Affordable Housing Obligations in Accordance with in re: N.J.A.C. 5:96 And 5:97, 221 N.J. 1 (2015), the New Jersey Fair Housing Act, and Relevant Regulations and Policies Adopted by the New Jersey Council on Affordable Housing.”

Councilman Ballard offered a motion to approve the introduction of the ordinance, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

2019-19 Mayor Menna read, “An Ordinance to Amend the Borough’s Planning And Development Regulations Consistent with the Terms of a Settlement Agreement Reached between the Borough of Red Bank and the Fair Share Housing Center Regarding Compliance with the Borough’s Third Round Affordable Housing Obligations in Accordance with in re: N.J.A.C. 5:96 And 5:97, 221 N.J. 1 (2015), the New Jersey Fair Housing Act, and Relevant Regulations and Policies Adopted by the New Jersey Council on Affordable Housing.”

Councilman Ballard offered a motion to approve the introduction of the ordinance, seconded by Councilman Zipprich.

**ROLL CALL:**

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

NAYS: None.

There being six ayes and one nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 4/24/2019 at 6:30 pm.

**RESOLUTIONS**

19-80 Mayor Menna read, "A Resolution for Payment of Bills Amounting to \$4,859,819.86.

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

**ROLL CALL:**

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

NAYS: None

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

19-81 Mayor Menna read, "A Resolution Amending the 2019 Temporary Appropriations

Councilman Ballard offered a motion to approve the resolution, 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.

19-82 Mayor Menna read, "A Resolution Honoring Robert Colmorgen on his 50th Anniversary in the Red Bank Volunteer Fire Department.

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-83 Mayor Menna read, "A Resolution Requesting Approval of Items of Revenue and Appropriation (Distracted Driving Grant - \$5,500)

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-85 Mayor Menna read, "A Resolution Authorizing the Borough of Red Bank to Participate in Intra-County Mutual Aid and Assistance Agreements with Participating Units in the County of Monmouth.

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-86 Mayor Menna read, "A Resolution Authorizing Approval of Sidewalk Cafés

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-87 Mayor Menna read, “A Resolution Authorizing the Borough Planner to Perform Additional Affordable Housing Planning Services to Assist the Borough in the Court-mandated Compliance Process

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

19-88 Mayor Menna read, “ A Resolution Ratifying and Confirming the Appointment of a Temporary/Seasonal Assistant Camp Supervisor.

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

19-89 Mayor Menna read, “A Resolution Authorizing Release of the Performance Guarantee Posted by Teak Ventures, LLC for 64 Monmouth Street, Block 31, Lots 32 & 33.

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

19-90 Mayor Menna read, “A Resolution Authorizing the Settlement of Tax Appeal Filed by the Borough in the Tax Court of New Jersey Entitled Borough of Red Bank v. Oceanfirst Bank, Docket No. 007770-2018 Regarding the Property Located at Block 7, Lot 17.02 on the Borough Tax Maps.

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

19-91 Mayor Menna read, “A Resolution to Appoint a Chief Financial Officer

Councilman Ballard reviewed the process to choose a new CFO and announced the position would be filled by Peter O'Reilly.

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

ROLL CALL:

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

NAYS: None

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

19-92 Mayor Menna read, “ A Resolution Authorizing Contract Modification #1 to a Professional Services Contract with T&M Associates for Engineering Services to Include Roadway Reconstruction for Pearl Street Improvements

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

19-93 Mayor Menna read, “A Resolution to Authorize a Professional Services Contract with Gregory Cannon Individually and with Sobel Han LLP for Municipal Attorney Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-94 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Daniel J. O'Hern Individually and with Byrnes, O'Hern & Heugle, LLC for Special Counsel for Tax Appeals Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-95 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Martin Allen Individually and Difrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. for Special Counsel for Tax Appeals

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-96 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Gene J. Anthony, Esq. for Rent Leveling Board Attorney Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-97 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Gregory R. Valesi Individually and with CME Associates for Municipal Engineer Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-98 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with William G. McGuinn Individually and with Hoagland, Longo, Moran, Dunst And Doukas, LLP for Municipal Prosecutor Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-99 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Kevin P. Wigenton, Esq. for Municipal Public Defender Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-100 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Charles J. Fallon Individually and with Fallon & Company LLP for Municipal Auditor Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-101 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Ronald D. Cucchiaro Individually and with Weiner Law Group LLP for Labor Counsel Attorney Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-102 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Lisa A. Gorab Individually and with Wilentz, Goldman & Spitzer, P.A. for Municipal Bond Counsel Attorney Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-103 Mayor Menna read, "A Resolution to Authorize a Professional Services Contract with Leslie G. London Individually and with Mcmanimon Scotland Baumann, LLC for Special Counsel for Redevelopment Services

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

19-104 Mayor Menna read, "A Resolution Authorizing Person-to-person Transfer Of Plenary Retail Distribution License No. 1340-33-033-010 (Red Enterprises to Abracadabra)

Councilwoman Triggiano offered a motion to approve the resolution, seconded by Councilman Yassin.

**ROLL CALL:**

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

NAYS: None

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

## **MAYOR & COUNCIL COMMENTS**

Councilman Yassin thanked the Mayor and Council for holding the vote on 19-84 for more discussing noting that he had concerns that had not been addressed. He said he appreciated them giving it another look.

Councilman Yngstrom reported that the Spring Egg Hunt would be the following Saturday at 2pm at County Basie Park with a rain date of April 20<sup>th</sup>. He also reported that a parade had been added to the Memorial Day program which would begin at noon. He said Westside Jazz Concerts would begin Friday, May 31, at 6:30 pm.

Councilwoman Triggiano said the Environmental Commission was working with the Library on an Earth Day display. She also reported that TCNJ Student has helped out with the Community Garden and said they were looking for volunteers to help with an April 14 clean up. She congratulated Environmental Commission Creative Team Member Kate Okeson on recently being honored for Outstanding Achievement in "Educator in Visual Arts." She said the Environmental would also be participating in a town wide clean up on April 27 and would be hosting an Earth Day Expo at Borough Hall on Sunday, April 28.

Councilman Ballard reported that the Finance Committee was continuing to work on the budget and were working with the interim CFO and the Administrator. He said he expected it to be introduced in early May. He

also reported that the Borough had received a \$100,000 NJ DOT Safe Streets to Transit Grant and noted the Borough was the only town in Monmouth County and only one of five in the state to receive the grant. He commended the work being done by grants consultants Millennium Strategies for their efforts.

Councilman Zipprich reported that RiverCenter had reviewed the final plans for the White Street/English Plaza contract and said it was going out to bid. He thanked the members of the business community for speaking out and for challenging the Council to deliberate on this types of matters. He again thanked Jim Scavone and Robin Fitzmaurice for their presentation and their ability to maintain a flat budget. He said he also wanted to clarify that the “pillow tax” charge by the hotels did not fund the Visitor’s Center but went directly to the Borough.

Councilwoman Horgan said she had no additional report and commended Educator Kate Okeson for her much deserved award.

## **DISCUSSION & ACTION**

No items.

### **PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)**

Amy Goldsmith—16 Locust Avenue—said she was the New Jersey State Director of Clean Water Action. She noted Little Silver had recently passed a resolution banning plastic bags, Styrofoam and straws and suggested Red Bank should do the same. She named several other municipalities that had enacted similar legislation. She reviewed steps people could take to help with the effort. She said she would like to see the ordinances for events call for them to be zero waste and offered her organization to find ways to help.

Mayor Menna reviewed a previous attempt to enact a plastic bag ban and suggested it was time to try it again.

Councilwoman Triggiano thanked Ms. Goldsmith for her presentation and said she had confirmed much of the information provided. She agreed that the Borough should work hand in hand with the business community.

Mayor Menna suggested they should start small with their homes or offices and Ms. Goldsmith’s instinct would be helpful.

Dan Riordan—53 Elm Place—asked about Executive Session resolution and minutes. He criticized the format and said it should include more information.

No one else appearing, Councilman Yngstrom made a motion to close the public 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 motion was declared approved.

## **EXECUTIVE SESSION**

18-105 Mayor Menna read a resolution to adjourn to executive session to discuss Litigation (Reverse Tax Appeals) and Personnel (Parking director); Possible action to be taken.

Councilman Yngstrom offered a motion to adjourn to Executive Session, 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.

## **RESUME REGULAR BUSINESS**

Councilman Zipprich made a motion to resume Regular Business, 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.

Attorney Cannon said the Council would not be taking action on Resolution 19-84.

Attorney Cannon read, “Resolution Instructing The Borough’s Special Tax Appeal Counsel, Blau & Blau, To Voluntarily Dismiss All 2019 Affirmative Tax Appeals.”

Councilman Yassin offered a motion to approve the resolution, 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.

Attorney Cannon said the Council had also discussed a Personnel Matter regarding the position of Parking Director but no action was being taken.

Mayor Menna asked if there was any additional Public Comment.

Ben Forest – 16 Locust Avenue – asked for clarification on the resolution adopted.

Mayor Menna explained that the Council had voted to dismiss the 2019 Tax Appeals.

Mr. Forest asked if the Council would consider them again in the future.

Mayor Menna said he could not say that as there could be a different Council in the future.

Jay Herman – 11 Vista Place – thanked the Council for listening and thanked them for the decision.

Freddie Boynton – PO Box 2074—said there were three Borough-owned trees adjacent to the AME Zion Church that were resting on the roof of the building. He said he had reported the issue to Public Works and had been told it would be taken care of. He said he was concerned that the trees would cause damage to the roof. He asked the Mayor to have someone look at the situation and have it taken care of.

Mayor Menna said he would get information from the Director of DPW and look into the matter.

Mr. Boynton also criticized the time limitation for public speakers. He said he thought the Administrator noting that time was up was disrespectful.

Mayor Menna said the Administrator was not being disrespectful and was just applying the policy.

## **ADJOURNMENT**

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

## **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