

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
May 8, 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, and Attorney Cannon.

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.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Mayor Menna read the following Proclamations:

- Prescription Drug Take Back Day – April 27, 2019
- Older Americans Month - May 2019
- Municipal Clerk Week – May 5-11, 2019

Mayor Menna swore in Patrolman Piero Vescio

Mayor Menna and Councilwoman/Police Commissioner Triggiano presented a Certificate of Recognition to Dispatcher Billy Morrison.

Councilman Yngstrom announced details of a Memorial Day Parade to be held on May 27, 2019. He said the event would honor Veterans, Members of the Military and Police Departments. He said the Parks & Recreation Committee and Director Hoffmann had done a great job. He urged all local veterans to participate.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Dan Riordan – 53 Elm Place – asked about the Bond Ordinance of \$300,000 wanting to know which properties were included, who would be administering the funds and how would they be used. He said he also wanted to ask about Resolution 19-140 and asked if the Parking Director would be paid a flat or hourly rate, if it was an individual or several people, how they would interact with the current department and if it was an interim or permanent appointment.

Mayor Menna said it was an interim appointment and said the matter had been discussed at the recent Workshop meeting. He asked Administrator Shehady to address the rest of the questions.

Administrator Shehady said the expected purpose of Ordinance 2019-21 was to address issues at Borough properties including 90 Monmouth Street, the Senior Center and the Public Works facility. He said the Mayor and Council would have oversight of the projects and funding. He said the Redevelopment Agency would be taking on the Municipal Facilities issue as one of its first priorities. He said funding would primarily be used for the professionals such as Engineers, etc.

Administrator Shehady said, in regard to Resolution 19-140, that there would be one individual serving as Parking Director and that he would oversee the utility. He said the position would answer to the Director of Public Works and the Administrator. He said the rate of pay was \$10,750 per month and the individual would work 30 hours per week.

Sue Visconti—25 Cedar Street – asked about Ordinance 2019-20 regarding false alarms noting that she had an alarm system and said it was often triggered by cooking. She asked if residents would be fined.

Mayor Menna said it was an existing ordinance that had been on the books for year and said they were just amending the amounts of the fines. He said fines would be imposed with discretion. He said they would educate rather than penalize.

William Poku—said he had questions about Mt. Laurel issues in regard to the NAACP.

Mayor Menna said this portion of for agenda items only and asked him to hold his comments to the end.

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

Councilwoman Horgan offered a motion to close the Public Comment, seconded by Councilman Yngstrom.

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 4/24/2019

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES - Public Hearing/Adoption:

2019-20 Mayor Menna read, "Ordinance Amending And Supplementing Chapter 213, Alarm Systems, Article 213-9: False Alarms To Amend Penalties."

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

No one appearing, Councilwoman Triggiano offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

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

RESOLUTIONS

Mayor Menna noted Resolution 19-141 should be considered before introduction of Ordinance 2019-21.

Mayor Menna read, "A Resolution Authorizing 2019 Temporary Capital Budget."

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 motion was declared approved.

ORDINANCES - First Reading:

2019-21 Mayor Menna read, "Bond Ordinance Providing for the 2019 Capital Improvement Program by and in the Borough of Red Bank, in the County of Monmouth, State of New Jersey; Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$2,685,000 Bonds or Notes to Finance Part of the Cost Thereof."

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

Councilman Ballard said he had some concerns about the Ordinance. He said he had no issue with the repairs to the Senior Center but said he did have issues with the portion to be used for the Redevelopment Agency. He said he had never supported the creation and said he felt it was an extra layer of government that was not necessary. He also said he had concerns regarding the Road Program because no list of streets was provided.

Administrator Shehady clarified that a potential list of streets had been identified but said there were not listed to allow for flexibility.

Councilman Yassin asked about separate the bond.

Administrator Shehady said that would incur additional costs.

Councilman Zipprich confirmed that there was basic framework in place for the Road Program but that it would be fine-tuned.

Attorney Cannon explained that approving the bond ordinance did not mean the money was automatically spent. He said it was more of a credit authorization and reviewed the bonding process.

A discussion followed on how roads would be chosen.

Administrator Shehady said the numbers were not arbitrary and said the estimates had been based on previous years. He noted that the work included the paving of Broad Street. He said the Borough had received a DOT grant for the work but said there was a limited time line to do the work.

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.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-22 Mayor Menna read, "Ordinance Authorizing Sandwich Board Signs."

Thereof."

Councilman Zipprich 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 no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-23 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Illuminated Signs Facing the Navesink and Swimming Rivers."

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 no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

2019-24 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning and Development Regulations, Relating to Motor Vehicle Service Stations in the NB Zone."

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 no nays, the motion was declared approved.

Mayor Menna announced the Public Hearing would be held 5/22/2019 at 6:30 pm.

RESOLUTIONS

Mayor Menna asked if there were any questions before calling for a vote on the resolutions.

Councilman Ballard said he wanted to confirm that the Parking Director was month to month and that part of his duties was to search for a permanent director.

Administrator Shehady confirmed that that was the case.

Mayor Menna read the following resolutions and called for a motion to adopt en masse:

- 19-122 A Resolution for Payment of Bills Amounting to \$6,464,381.16.
- 19-123 A Resolution for Emergency Temporary Appropriations #4 to the Calendar Year 2019 Budget
- 19-124 A Resolution Appointing Special Law Enforcement Officers Class I
- 19-125 A Resolution Authorizing Approval of Sidewalk Cafés
- 19-126 A Resolution to Amend the Time and Place of Borough Council Meetings For 2019
- 19-127 A Resolution Authorizing CFO to Conduct Financial Matters Between Meetings During June, July and August of 2019

- 19-128 A Resolution of the Borough Council Endorsing the Housing Element and Fair Share Plan
- 19-129 A Resolution of the Borough Council Adopting an Affordable Housing Spending Plan
- 19-130 A Resolution of the Borough Council of Intent to Appropriate Funds or Bonds for Affordable Housing in the Event of a Funding Shortfall
- 19-131 A Resolution of the Borough Council Adopting an Affirmative Marketing Plan
- 19-132 A Resolution of the Borough Council Adopting a Rehabilitation Program Manual
- 19-133 A Resolution of the Borough Council Adopting a First-time Homebuyer Program Manual
- 19-134 Resolution Authorizing Change Order No. 3 Related to the Contract with Lucas Brothers, Inc. for the Improvements to East Bergen Place Project in Accordance with the Requirements Set Forth in N.J.A.C. 5:30-11.9 et seq.
- 19-135 A Resolution Awarding a Professional Services Contract to CME Associates for Additional Engineering Services for the East Bergen Avenue Project Change Order #3
- 19-136 A Resolution Awarding a Professional Services Contract to MSGFire, Inc. for Engineering Services for Senior Citizen Center Fire Sprinkler System Repairs
- 19-138 A Resolution Authorizing the Release of Maintenance Guarantee Posted by Butch's Lube N' Wash for Block 97, Lot 11.02
- 19-139 Resolution Designating Official Signatories Of The Borough Of Red Bank
- 19-140 A Resolution Awarding a Professional Services Contract to Tom Calu Consulting, LLC., Inc. for Professional Management Services for Parking Utility Administration And Operation

Councilman Yngstrom offered a motion to approve the resolutions en masse, 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.

MAYOR & COUNCIL COMMENTS

Councilman Ballard said the Finance Committee had met and reviewed the budget. He said the expected to introduce at the May 22 meeting.

Councilman Zipprich reported on a Mother's Day luncheon at the Senior Center and said the International Food Festival sponsored by RiverCenter had been rained out. He said there would be a ground breaking for the White Street improvement project on May 20. He also thanked Fire Marshal Tom Welsh for uncovering a couple of pieces of historic infrastructure and turning it over to the Historic Preservation Commission.

Councilwoman Horgan had no report.

Councilman Yassin thanked the Mayor for providing an explanation of the ordinances. He also thanked Wage International for their work to education women and girls around the world. He said he had recently attended a fund raiser they held at the Women's Club.

Councilman Yngstrom reviewed upcoming Recreation events.

Councilwoman Triggiano reported on the recent Earth Day event that had been moved to a rain date. She thanked Public Works staff for their assistance with the event. She also reported that a green square that had recently been painted at the intersection of Drs. Parker Boulevard and Bridge Avenue was actually a traffic calming device that had been funded through a grant from Sustainable Jersey.

Councilman Zipprich noted that the graphic was not yet complete and that it would be finished soon.

Mayor Menna said he wanted to bring to everyone's attention that one of the resolutions adopted would revise the Borough Council meeting scheduled for the summer. He said, instead of two regular meetings in June, there would now be just one to be held on June 19.

DISCUSSION & ACTION

Mayor Menna read a request from Monmouth Day Care to host an outdoor hot air balloon demonstration and interactive experience for students at Count Basie Field in partnership with PNC Bank on May 29, 2019 (Rain Date: May 30, 2019)

Councilman Yngstrom made a motion to approve the request, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None

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

Mayor Menna read the following requests recommended for approval by Special Events Committee (all events subject to final plan review)

- Request from Red Bank Charter School to hold Graduation Ceremonies in Riverside Gardens Park on Thursday, June 13, 2019 at 5pm with practice from 9am to 11am. (Rain date Friday, June 14, 2019.)
- Request from Red Bank Rocks to host concerts on Riverside Gardens Park on the following Fridays 7/19, 7/26, 8/2, 8/9 and 8/16 in conjunction with Red Bank Recreation and Red Bank RiverCenter.
- Request from Indie Street to hold their annual Film Festival from July 24-28, 2019, to hold a barbecue at Bow Tie Cinemas on July 25 & 26 and to place removable sidewalk decals at venues from June 29 through July 29, 2019.
- Request from Crop Hunger Walk to hold their annual event and walk through town on Sunday, October 20, 2019.
- Request from American Art Marketing to hold an Art Fair and Festival in Marine Park from 10am to 7pm on Saturday, October 19, 2019 and from 10am to 5pm on Sunday, October 20, 2019. (Previously approved, date change only.)

Councilman Ballard made a motion to approve the request, 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.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Dan Riordan – 53 Elm Place – asked about a status report on the chart of recommendation made in the GSG Management report particularly the recommendation for a Charter Study.

Mayor Menna said a status report made sense. He said any action on a Charter Study would be up to the Council.

William Poku – 90 Bank Street – asked about the Affordable Housing settlement and questioned in the service list included area Chapters of the NAACP.

Attorney Cannon read the service list which included several Chapters of the NAACP.

Mr. Poku said he felt the operator of a local web based news agency served as a *de facto* stenographer for the borough and took issue with a recent article regarding his residence. He claimed it was racist and was harassment. He asked the Council to make a statement if they were aligning with him.

Mayor Menna said the Council would make no statement and said the matter was a First Amendment issue.

No one else appearing, Councilman Yngstrom made a motion to close the public portion, seconded by Councilman Yassin.

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

19-137 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel (Employee Evaluation); No action to be taken.

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

RESUME REGULAR BUSINESS

Councilwoman Triggiano made a motion to resume Regular Business, 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.

ADJOURNMENT

Councilman Zipprich offered a motion to adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi