

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
August 21, 2019  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

ABSENT: Councilman Yassin (arrived at 6:35pm) and Councilwoman Triggiano (arrived at 6:35 pm)

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**

Proclamation - Horizons at Rumson Country Day School

Mayor Menna reviewed the program provided by Rumson Country Day School that benefited many Red Bank children and read the proclamation. He and Councilman Yassin presented it to a representative of the school.

Proclamation - Ms. New Jersey Senior America

Mayor Menna reviewed the background of Red Bank resident Denise Ely and read a proclamation honoring her on winning the title of First Runner Up in the Ms. New Jersey Senior America pageant. He and Councilman Yassin presented the proclamation to Ms. Ely.

Danny's Presentation

Mayor Menna reviewed the long history that Danny's Restaurant had had in the Borough of Red Bank and presented a Certificate of Recognition to commemorate his 50 years of continuous service as the sole proprietor of the Red Bank establishment.

JCP&L Check Presentation

JCP&L representative Frank Luna presented a check to the Red Bank Police Department to help fund the National Night Out event.

9/11 Patriot Day Observance

Administrator Shehady announced that there would be a brief 9/11 Observance at Riverside Gardens on Wednesday, 9/11/19 at 9:30 a.m.

Presentation to Freddie Boynton

Mayor Menna noted the many accomplishments of Mr. Boynton and his contributions to the community. He presented him with a Red Bank lapel pin.

Open Space Public Hearing

Engineer Neumann presented the Monmouth County Open Space Grant Application and said it was essentially an echo of the prior year's application. She said the application was to make improvements at Eastside Park and Count Basie Park/Mohawk Pond. She said the proposed enhancements were passive in nature and included solar lighting around the walking path at Count Basie Field, ballfield improvements and playground surface material at Eastside Park and a shade structure by Mohawk Pond. She said the substantial change from last year's application was that the current application did not include improvements at Riverside Gardens Park. She said the application would seek the maximum amount of contributory funding from the County. She said this was the Public Hearing for that purpose and to take questions or comments from the public. She said there was no design done at this point and said it was currently conceptual in nature.

Mayor Menna asked if any members of Council had any questions.

Councilman Ballard asked the Borough would have to provide the same amount of funding.

Engineer Neumann confirmed that it was a matching grant. She said they could reduce the scope but that would reduce the matching funds received from the grant.

Mayor Menna opened the public hearing to the public.

Cindy Burnham – 71 Wallace Street – asked how much the original grant had been or how much had been bonded for Eastside Park/Mohawk Pond.

Engineer Neumann said she did not believe the proposed improvements were currently bonded for. She said she could not recall the bonded amount for the improvements currently underway but said they were also the result of a matching grant. She said she believed it had been a 2017 grant.

Ms. Burnham asked about the status of the current construction.

Engineer Neumann said it was currently ongoing and it was expected to be substantially complete by the following Friday.

Ms. Burnham asked about specifics regarding the contractor.

Ms. Neumann said the current project was being completed by the contractor who had originally been awarded the contract. She said the application was for Phase 2 of the project which would have to go out to bid and would be awarded to a separate contractor.

No other members of the public appeared to comment on the application.

Councilman Zipprich made a motion to close the Public Hearing, 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.

**RESOLUTION**

19-196 Mayor Menna read: "A Resolution Authorizing an Application to the Monmouth County Open Space Trust Fund in the Amount of \$250,000 to Fund Improvements at East Side Park and Mohawk Pond/Count Basie Park."

Councilman Zipprich made a motion to close the Public Hearing, 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.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

Tom Wieczerzak—26 Oakland Street—said he wanted to comment on Ordinance 2019-43 regarding the purchase of Capital Equipment. He objected to the purchase of a Fire Truck. He noted the increase in taxes and called for fiscal responsibility. He reviewed the Department's current equipment and said he did not believe the additional purchase would enhance public safety. He said volunteers were decreasing and continued to question the need for the equipment. He suggested the Borough look into shared services. He said he admired the Fire Department but said he felt they needed more guidance from the Mayor and Council.

Phil Scaduto—Executive Vice President, Food Circus Supermarkets—thanked the Council for giving him the opportunity to speak regarding the proposed ordinance to ban certain plastic items. He said they had been in business in Red Bank for 44 years. He said he believe the ban would significantly affect their business but he understood the need. He said he felt the action should be taken at the State level because it put their store at an unfair disadvantage with competitors in adjacent towns. He also thanked the Council for considering requested adjustments.

Mayor Menna thanked him for his comments and for the opportunity to engage in a dialog on the issue. He said the Council also wished there was a Statewide ban and a Nationwide ban. He noted the version of the ordinance up for adoption included amendments in response to Mr. Scaduto's and he also noted that it allowed for a one year implementation.

Councilman Zipprich thanked Mr. Scaduto for helping to educate him on the issue.

Allison Gregory—109 Bank Street—gave the Mayor an article regarding the proposed renaming of a street after former Mayor Edward J. McKenna and asked the Council to reconsider. She cited information listed in the article as her area of concern.

William Poku—90 Bank Street—said he felt everybody made mistakes and felt Mayor McKenna had done a lot for the town and its revitalization. He said he felt the recognition was deserved.

Alberto Larontonda—242 Spring Street—said he was opposed to naming a street after a living person.

Cindy Burnham—71 Wallace Street—said she disagreed with the naming of the street for Mayor McKenna and listed her reasons for the opposition.

Amy Goldsmith—16 Locust Avenue—said she was the State Director for the Clean Water Action and said she had worked on the plastics-ban ordinance. She said she appreciated Foodtown's work to find a common ground. She offered educational flyers to the stores and said she was more than happy to work

with the Borough to educate event promoters. She said her organization was working to get a Statewide ban.

Nancy Blackwood—34 Chestnut Street—said she was in support of the plastics ordinance. She said the Environmental Commission and its Green Team had reviewed it and were in favor. She said she was also willing to assist with education.

Paulo Rodriguez Heyman—30 Marion Street—also stated that the Environmental Commission was in favor of the Ordinance. He said he was glad to see that Red Bank was on the forefront of the issue and said he believe the State would not move forward without action at the local level.

Lori Hohenleitner—Atlantic Highlands—said she was in favor of the Ordinance and notice issues that had arisen in Atlantic Highlands.

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

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

**COUNCIL RESPONSE**

Councilman Zipprich responded to the comments regarding naming something after a living person by noting that Former Senator Kryillos, who was still living, had had a bridge named after him.

Councilman Ballard thanked Mr. Wieczerzak for his comments and asked Administrator Shehady to review the MCIA process.

Administrator Shehady said the MCIA was the Monmouth County Improvement Authority and, as a member, the Borough was able to receive much better interest rates on Capital Purchases. He said it was a two year purchasing cycle. He said the County solicited requests and the Borough reached out to its Departments for their requests. He reviewed the items on the list and the life spans of the purchases. He noted that the purchase of a Fire Truck was a long process from the creation of specifications through to the manufacturing and delivering process. He noted the OSHA regulations on various fire equipment including air packs and turn out gear. He said there were a number of other items on the list including items for the Police Department, Parks & Recreation and Public Works. He credited the Department Heads with knowing how to forecast their needs avoid having to scramble for equipment at high costs and interest rates. He also noted that there would need to be justification for purchases throughout the process. He said the list with the Ordinance was just a request list and said everything on it might not be purchased.

Councilman Zipprich said the replacement of some of the equipment was regulated by State Statute but said he wasn't sure about Fire Trucks.

Mayor Menna said the Red Bank Fire Department's policy was very conservative.

Councilman Zipprich asked if the Borough could apply for MCIA funding every couple of months.

Administrator Shehady said it was only every two years.

Councilman Ballard again stressed that this was only a wish list that had to be submitted to the County every two years. He said each purchase would require a return to the Council individually. He said a vote for the ordinances was not a vote authorizing the purchase.

**MINUTES & REPORTS**

Workshop Meeting Minutes of 7/3/2019

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

**ROLL CALL:**

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

NAYS: None.

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

Regular Meeting Minutes of 7/24/2019

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

**ROLL CALL:**

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

NAYS: None.

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

**ORDINANCES - Public Hearing/Adoption:**

2019-35 Mayor Menna read, "Ordinance Amending And Supplementing Chapter 490, Planning And Development Regulations, Relating To Driveways For One And Two Family Dwellings And Prohibiting Pavement On Other Than Driveways And Parking Areas."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Zipprich offered a motion to approve the adoption 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 approved on final reading.

2019-36 Mayor Menna read, "Ordinance Amending And Supplementing Chapter 490, Planning And Development Regulations, Relating To Green Roofs."

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

No one appearing, Councilman Yassin offered a motion to approve to close the public hearing, 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.

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 approved on final reading.

2019-37 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 490, Planning And Development Regulations, Relating To Storm Water Management And Control."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Zipprich offered a motion to approve the adoption 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 approved on final reading.

2019-38      Mayor Menna read, “Ordinance Amending and Supplementing Chapter 490, Planning And Development Regulations, Relating To Storm Water Recharge Elements In New Parking Lots.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Yassin offered a motion to approve the adoption of the ordinance, 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 approved on final reading.

2019-39      Mayor Menna read, “Ordinance Authorizing The Acquisition Of A Permanent Easement Affecting 25 Vista Place A/K/A Block 13, Lot 16 From The Owner Thereof For The Purpose Of Memorializing And Recording The Location And Authority For A Pre-existing Borough-owned Drainage Pipe.”

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

No one appearing, Councilwoman Horgan 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.

Councilwoman Horgan offered a motion to approve the adoption 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 approved on final reading.

2019-40      Mayor Menna read, “Ordinance Supplementing The Revised General Ordinances Of The Borough To Insert New Chapter 297: “Common Carrier Drop Boxes” To Regulate The Placement Of Existing And Future Common Carrier Drop Boxes In, Near, And Upon Public Streets, Sidewalks, And Roadways.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Yngstrom offered a motion to approve the adoption 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 approved on final reading.

2019-41      Mayor Menna read, “Ordinance Supplementing the Borough’s Revised General Ordinances To Insert New Chapter 492: “Plastics And Polystyrene Foam (Single-use)” To Prohibit The Use And Distribution Of Single-use Plastic Bags, Plastic Straws And Polystyrene Foam Containers By Businesses.”

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.

Councilwoman Triggiano offered a motion to approve the adoption 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 approved on final reading.

2019-42      Mayor Menna read, “Ordinance Supplementing the Borough’s Revised General Ordinances to Insert New Chapter 302: “Construction Cranes” to Regulate the Operation and Use of Cranes within the Borough.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Yassin offered a motion to approve the adoption 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 approved on final reading.

2019-43      Mayor Menna read, “Ordinance Authorizing the Leasing of Certain Capital Equipment by the Borough of Red Bank, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto.”

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

No one appearing, Councilman Ballard 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 Ballard offered a motion to approve the adoption 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 approved on final reading.

2019-44      Mayor Menna read, “Ordinance Amending the Revised General Ordinances of the Borough to Revise Section 680-35: “Schedule I” Under Chapter 680: “Parking and

Traffic" to Prohibit Parking on the North Side of Earl Street for 150 Feet from the Intersection of Shrewsbury Avenue."

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

No one appearing, Councilman Yngstrom 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 Yngstrom offered a motion to approve the adoption 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 approved on final reading.

2019-45 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 15 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

Councilman Zipprich offered a motion to approve the adoption 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 approved on final reading.

2019-46 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 15.01 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-47 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 38 from the Private Owner Thereof for the Purpose of Constructing

Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-48 Mayor Menna read, “Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 31 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-49 Mayor Menna read, “Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 32 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-50 Mayor Menna read, “Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 26 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza.”

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-51 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 26.01 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-52 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 27 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-53 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 29 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-54 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 30 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

2019-55 Mayor Menna read, "Ordinance Authorizing the Acquisition of Easement(s) Affecting Block 30.01, Lot 38 from the Private Owner Thereof for the Purpose of Constructing Streetscape, Drainage, and Lighting Improvements in the Area of White Street and English Plaza."

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

No one appearing, Councilman Zipprich offered a motion to approve to close the public hearing, 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.

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

ROLL CALL:

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

NAYS: None

### **ORDINANCES – First Reading:**

2019-56 Mayor Menna read, "Ordinance Supplementing the Revised General Ordinances of the Borough to Insert New Section 680-20(B) Under Chapter 680: "Vehicles and Traffic" to Provide for the Designation of Certain Municipal Parking Lot Spaces for Compact Cars Only."

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.

2019-57      Mayor Menna read, “Ordinance to Insert New Section 680-54: “Schedule XX” Under Chapter 680: “Parking And Traffic” to Specify the Municipal Parking Lot Spaces to be Designated as “Compact Car Parking Only.”

Councilman Zipprich 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 no nays, the motion was declared approved.

2019-58      Mayor Menna read, “Ordinance Authorizing the Naming of a Street in Accordance With N.J.S.A. 40:67-1(K).”

Councilman Yngstrom 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 no nays, the motion was declared approved.

## **RESOLUTIONS**

19-197      Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$5,584,964.60.”

Councilman Yngstrom 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.

19-198      Mayor Menna read, “A Resolution Authorizing Tax Credits/Refunds Totaling \$3,138.55 due to Judgements of the Tax Court of New Jersey.”

Councilman Yngstrom 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.

19-199      Mayor Menna read, “A Resolution Authorizing Water/Sewer Refund of \$98.91 due to Overpayment.”

Councilman Yngstrom 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.

19-200      Mayor Menna read, “A Resolution Accepting the Performance Guarantee Posted by Yellowbrook Property Company, LLC for the Development Project Located at Block 73, Lots 16 & 17.”

Councilman Yngstrom 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.

19-201      Mayor Menna read, “A Resolution Accepting Performance Guarantee Posted by David Popkin for a Project Located at 170 Monmouth Street, Block 36, Lot 23.01.”

Councilman Yngstrom 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.

19-202 Mayor Menna read, “A Resolution Accepting Performance Guarantee and Inspection Escrow Posted By Riverwalk Commons Red Bank, LLC for the Development Project Located at 24-30 Mechanic Street, Block 29, Lots 5, 6 & 7.”

Councilman Yngstrom 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.

19-203 Mayor Menna read, “Resolution Authorizing a Shared Services Agreement with the Special Improvement District Borough of Red Bank, Inc. D/B/A Red Bank Rivercenter for Constructing Streetscape, Drainage, And Lighting Improvements in the area of White Street and English Plaza.”

Councilman Yngstrom 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.

19-204 Mayor Menna read, “A Resolution Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection with the Issuance and Delivery of the Monmouth County Improvement Authority’s Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and Authorizing an Authorized Municipal Representative to Do All Other Things Deemed Necessary or Advisable in Connection with the Issuance, Sale and Delivery of Such Bonds.”

Councilman Yngstrom 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.

19-205 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.”

Councilman Yngstrom 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.

19-206 Mayor Menna read, “A Resolution Awarding a Professional Services Contract to CME Associates for Additional Engineering Services for the East Side Park and Mohawk Pond Park Project.”

Councilman Yngstrom 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.

19-207 Mayor Menna read, “Resolution Authorizing Change Order No. 2 Related to the Contract with Seacoast Construction, Inc. for the English Plaza/White Street Streetscape Improvement Project.”

Councilman Yngstrom 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.

19-208 Mayor Menna read, "A Resolution Ratifying and Confirming the Appointment of a Full-time Administrative Assistant."

Councilman Yngstrom 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.

19-209 Mayor Menna read, "A Resolution Authorizing the Appointment of Regular Crossing Guards for the 2019-2020 School Year."

Councilman Yngstrom 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.

19-210 Mayor Menna read, "A Resolution Supporting State and Federal Legislation that Provides Greater Transparency in Political Donations, Limits the Influence of Money in Politics, and Ends Gerrymandering."

Councilman Yngstrom 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.

19-211 Mayor Menna read, "A Resolution Ratifying the Settlement of Claims Made by the Borough Against Lexis Nexis for Certain Charges under the Parties' Contract for the Processing of New Jersey Motor Vehicle Accident Reports."

Councilman Yngstrom 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.

## **MAYOR AND COUNCIL COMMENTS**

Councilman Ballard said the Finance Committee had not met. He congratulated the Animal Welfare Advisory Committee for a wonderful Dog Days event. He said they had had 500 people and 300 dogs.

Councilman Zipprich reported that the Streetscape project for English Plaza was on schedule and offered an update on details. He also reported the RiverCenter was working on a public art project. He said the DPU Committee had met on 8/7 to review projects and updates. He commended the staff on their efforts in the Borough's parks. He thanked Margaret Mass of the Visitors Center and RiverCenter for their coordination with the Parks Department. He reported that there would be a concert in Johnny Jazz Park the following Friday and continuing Street Life performances in the business district.

Councilwoman Horgan had no report.

Councilman Yassin reported that he had an opportunity to participate in a ride-along with Sgt. Vescio of the Police Department. He credited the Police Department with doing an amazing job.

Councilman Yngstrom reported that Parks & Recreation would be sponsoring a Jazz in the Park concert the following Thursday and a concert in Johnny Jazz Park the following Friday. He said they would also be showing the movie "Jaws" in Riverside Gardens Park the following Tuesday and "Aquaman" on the Friday following.

Councilwoman Triggiano said she wanted to thank members of the Community who had helped a resident with a heavy landscaping job. She said it showed kindness in their hearts and noted that the help was offered over a very hot weekend.

## **DISCUSSION & ACTION**

Mayor Menna appointed Pat Pinto as a full member to the Human Relations Advisory Committee for an unexpired three-year term ending 12/31/2019

Mayor Menna read the following requests recommended for approval by the Special Events Committee at their meeting held on 8/5/2019. (All approvals subject to final plan review by Special Events Committee.)

- Request from Ghost Tours to conduct street tours throughout town beginning at the Dublin House at 8pm on Fridays from August 16 through November 8.
- Request from residents of Elm Place to hold a Block Party between Hudson Avenue and Spring Street from 3 to 11 pm on Saturday, September 14, 2019.
- Request from NJ Friends of Clearwater to hold a festival in Marine Park from 11 am to 7 pm on Saturday, September 14, 2019.

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

## **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)**

Tom Wieczerzak—26 Oakland Street—said how would like to respond to comments made earlier. He said he understood that the Ordinance was not authorizing a purchase but said he wanted to criticize the priorities and lack of a strategic plan for the Fire Department. He said he had been told there was a five year plan and said he would like to see it. He said he understood the issue with the age of the truck but noted the town had newer trucks in service. He again recommended shared services or regionalization. He said if the town had to resort to paid personnel, taxes would go up.

Councilman Zipprich asked if Asbury Park had a volunteer or paid department.

Mr Wieczerzak said they had a career department.

Mayor Menna clarified that they were paid.

Mr. Wieczerzak said he was not attacking the Fire Department but was trying to bring out issues. He again noted volunteerism was down.

Councilman Ballard said he appreciated Mr. Wieczerzak coming to the meeting and offering well thought out opinions.

Denise Ely—122 Riverside Avenue—asked if the old equipment had trade in value.

Mayor Menna said the normal police was to auction the old equipment. He also complimented Mr. Wieczerzak on his comments and said regionalization would be welcomed at every aspect of government. He agreed that it was critical but said it was difficult to coordinate with other towns.

Jimmy Dark—48 West Sunset—asked the Mayor to explain Ordinance 2019-35.

Mayor Menna said it called for any new units created to provide parking.

Mr. Dark asked if there was a lead problem in the water system.

Mayor Menna said he was not aware of any issues.

Mr. Dark said he wanted to thank Freddie Boynton for his efforts with getting the County to address crosswalk concerns.

Tom Wieczerzak again called for regionalization and urge the Council to take action now.

Alberto Larontonda—242 Spring Street—Distributed a letter to the Council and said it was regarding his claim that the Borough was conducting improper testing for lead in its water. He reviewed ongoing issues and read a letter he had written to the Administrator requesting a meeting to discuss an ongoing dispute with a charge for a connection from his house to the water main. He asked why the cost had been covered for homeowners adjacent to a project underway.

Attorney Cannon said he would review the matter with the Borough Engineer to determine why those costs had been covered.

Mayor Menna asked Attorney Cannon to reply in writing.

Attorney Cannon said he would have a response in September.

Mr. Larontonda also claimed that the testing of water lines was in violation of Federal law.

Freddie Boynton—PO Box 2074—said there was a problem with people getting out of their driveways on narrow streets and suggested the Council consider an Ordinance to ban commercial trucks. He said there were trees on Dr. Parker Blvd. that needed to be trimmed. He criticized DPW employees who he claimed spent too much time driving around.

Mayor Menna said the Parking issues could be discussed at the Workshop meeting.

Cindy Burnham—71 Wallace Street—said there were parking issues in the Maple Cove parking lot. She also said there were maintenance issues in the downtown area and expressed concern that more effort had not been made prior to the Sidewalk Sale. She criticized maintenance in the town in general.

Suzanne Viscomi—25 Cedar Street—expressed concern about transparency and noted that the bill list was not on the table.

Borough Clerk Borghi apologize for the omission and said the document had been received late and they make have accidentally left it out of the copying. She said it was posted on the bulletin board and the website.

Ms. Viscomi criticized the Borough for giving the employees the day off on July 5<sup>th</sup>. She said the Borough had closed but it wasn't a day off in the employee contract. She criticized the cost incurred.

Mayor Menna said the employees deserved the day off.

William Poku—90 Bank Street—said he had mention at a previous Workshop meeting that he felt the Public Comment portion of the meeting should be held earlier. He again asked the Council to consider the request.

No one else appearing, Councilman Zipprich made a motion to close the public hearing, 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.

**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