

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
FEBRUARY 12, 2020
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ABSENT: Councilman Yngstrom

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 11, 2019.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Proclamations

- Black History Month - February 2020 - Mayor Menna read a proclamation proclaiming February 2020 as Black History Month in the Borough of Red Bank. He presented the proclamation to representatives from the T. Thomas Fortune Foundation. Gilda Rogers and Mark Fitzsimmons thanked the Council and reviewed upcoming events celebrating Black History Month.

- Poison Prevention Week - March 15-21, 2020 - Mayor Menna read a proclamation proclaiming Poison Prevent Week in the Borough of Red Bank.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

No one appearing, Councilman Zipprich made a motion to close Public Comment, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None.

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

MINUTES & REPORTS

Regular Meeting Minutes of 1/22/2020

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

ROLL CALL:

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

NAYS: None.

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

Workshop Meeting Minutes of 2/5/2020

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

ROLL CALL:

AYES: Yassin, Triggiano, Ballard and Zipprich.

NAYS: None.

ABSTAIN: Horgan

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

ORDINANCES - Public Hearing/Adoption:

2020-01 Mayor Menna read, "Ordinance Approving a One-Year Lease Agreement for an Approximate 5,000 Square-Foot, Fenced-In Portion of Real Property Located at 208 South Pearl Street, Red Bank, New Jersey for the Public Purpose of a Police Impound Yard."

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, Zipprich and Horgan.

NAYS: None

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

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES – First Reading:

2020-02 Mayor Menna read, "Ordinance Supplementing the Borough's Revised General Ordinances to Insert New Chapter 241: "Balloon Release" to Prohibit the Mass Release of Balloons within the Borough with Exceptions."

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held 2/26/2020 at 6:30 pm.

RESOLUTIONS

CONSENT AGENDA

Mayor Menna called for a motion to approve the following resolutions by Consent Agenda:

- Resolution 20-52: Resolution Appointing Community Development Representative and Alternate Community Development Representative

- Resolution 20-53: Resolution Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations within the Borough of Red Bank.
- Resolution 20-54: Resolution Authorizing the Borough of Red Bank to Enter into a Cooperative Pricing Agreement (New Brunswick Parking Authority)
- Resolution 20-55: Resolution of Support from Local Governing Body Authorizing the Submission of a 2020 Sustainable Jersey Grant Program Funded by PSEG Grant Application
- Resolution 20-58: Resolution Authorizing the Purchase of Vehicle Service Lifts and Accessories under the Educational Services Commission of New Jersey Cooperative Purchase Agreement
- Resolution 20-62: Resolution to Authorize Shared Service Agreement between the County of Monmouth and the Borough of Red Bank for Emergency Dispatch Services
- Resolution 20-63: Resolution Requesting a Six-Month Time Extension from the N.J. Department of Transportation for the Borough's Fiscal Year 2018 Municipal Aid Grant for White Street Roadway Improvements
- Resolution 20-70: Resolution Amending the 2020 Temporary Appropriations

Councilwoman Horgan offered a motion to approve the resolutions en masse, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

Mayor Menna called for the following resolutions to be voted on by voice vote:

Resolution 20-57: Resolution Ratifying and Confirming the Appointment of a Part-Time Secretary to the Rent Leveling Board

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

Councilman Ballard said he objected to the salary.

ROLL CALL:

AYES: Yassin, Triggiano, Zipprich and Horgan.

NAYS: Ballard

There being four ayes and one nay, the motion was declared approved.

VOICE VOTE

20-51 Mayor Menna, "Resolution for Payment of Bills Amounting to \$5,308,077.98."

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

ROLL CALL:

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

NAYS: None.

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

20-56 Mayor Menna read, "Resolution Authorizing Water/Sewer Refund due to Overpayment."

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

ROLL CALL:

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

NAYS: None.

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

Mayor Menna read:

20-59 “Resolution Authorizing Contract Purchase of a Ford F-350 XL Utility Truck.”

20-60 “Resolution Authorizing Contract Purchase of a Ford F-350 XL Utility Truck with a Crane.”

20-61 “Resolution Authorizing Contract Purchase of a Ford F-350 XL Pickup Truck.”

Councilwoman Horgan asked what Department would be receiving the vehicles.

Administrator Shehady said the resolutions were for Department of Public Works equipment.

Councilman Ballard asked if the purchases had been authorized before.

Mayor Menna said the equipment had been included in a Monmouth County Improvement Authority Bond and reviewed the benefits of purchasing through that program.

Mayor Menna called for the three resolutions to be moved as a block.

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-64 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Affordable Housing Planning Services for the Borough at a Cost Not to Exceed \$9,000.00.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-65 Mayor Menna read, “Resolution Authorizing Mott Macdonald to Perform Professional Engineering Services for the Borough to Comply with the New Jersey Water Quality Accountability Act at a Cost Not to Exceed \$77,250.00.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-66 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform a Traffic Circulation and On-Street Parking Study for the Borough at a Cost Not to Exceed \$59,500.00.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-67 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Professional Engineering Services for the Borough for 2019-2020 NJDOT Projects at a Cost Not to Exceed \$180,000.00.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-68 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Professional Engineering Services for the Borough for the 2019-2020 Road Program at a Cost Not to Exceed \$91,000.00.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-69 Mayor Menna read, “Resolution Authorizing the Settlement of Pending Litigation before the Superior Court of New Jersey, Monmouth County Entitled Crystian, et al. v. Borough of Red Bank, Docket No. Mon-L-1982-17.”

Councilman Zipprich offered a motion to approve the resolutions, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

20-71 Mayor Menna read, “A Resolution Terminating the Borough’s Shared Services Agreement with the Monmouth County Regional Health Commission, Effective August 31, 2020, Pursuant to the Terms Thereof and N.J.S.A. 26:3a2-12.”

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

ROLL CALL:

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

NAYS: None.

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

MAYOR AND COUNCIL COMMENTS

Councilwoman Triggiano had no report.

Councilman Yassin had no report.

Councilwoman Horgan reported that the Library was planning a Historical House Tour in May. She said there would be six houses and three buildings in the tour. She said they were putting the final touches on the plan and said she would have more details at future meetings.

Councilman Zipprich had no report.

Councilman Ballard said the Finance Committee had met on January 7 with the Borough Administrator and the CFO to discuss goals for 2020 and budget deadlines. He said he had asked for a detailed action plan and time frame to address multiple audit findings as well as items listed in the 2018 Management Report. He said CFO O’Reilly had provided the plan with several suggested productivity improvements. He also reported that the Animal Welfare Committee had met and discussed items including the Wildlife Certification Initiative. He said the Committee would be spearheading in partnership with the Environmental Commission and said the discussion had focused on a name for the initiative as well as a logo and mission statement. He said 2020 Dog Days events had been tentatively scheduled for June 14 and August 22 to be held in Marine Park. He encouraged animal lovers to attend. He also reviewed the

2019 Trap/Neuter/Release figures. He reported the Lunch Break was sponsoring a Male Mentoring Program and were looking for volunteers to mentor youths in grades 8 through 12. He offered information on how to sign up.

DISCUSSION & ACTION

Special Events Requests (subject to Final Plan Review by Special Events Committee):

- Request from Parker Family Clinic to have a Mobile Pantry Truck at their establishment on the 1st Thursday of each month from 12:30 pm to 2pm beginning March 5, 2020.
- Request from Red Bank Environmental Commission to hold Earth Day Expo at Red Bank Middle School on Saturday, April 25, 2020 from 1pm to 4pm.
- Request from Monmouth FC Soccer to use Count Basie Field on Sat. 5/16, Fri. 6/5, Sat. 6/13, Wed. 6/24, and Sat. 6/27
- Request from Dublin House to erect a tent in the front courtyard of 30 Monmouth St. from Monday, March 16 to Wednesday, March 18, 2020.
- Request from Two River Theater to hold a gala on Saturday, May 16, 2020 from 6pm to 11pm.
- Request from Liberty Hose Company to hold the Robert “Doc” Holiday Memorial Car Show and to close the White Street Parking lot on Sunday, July 12 from 7am to 4pm. Rain Date: July 19, 2020.
- Request from Frank Woods to hold the Annual Michael (POP) Conlin Irish Wake Fundraiser on Saturday, July 25, 2020 from 2pm to 7pm and to close White Street from English Plaza to Broad Street, Broad Street between White and Monmouth streets and Monmouth Street from Broad Street to 30 Monmouth Street for approximately 20 minutes to allow for a Marching Band procession.
- Request from Monmouth Day Care to hold the Annual Touch A Truck event at Red Bank Middle School on Saturday, September 26, 2020.
- Request from Red Bank RiverCenter for the following events in 2020:
 1. 11th Annual Wedding Walk – Sunday, March 22, 10am to 3pm
 2. Red Bank Farmers’ Market – Sundays, May 20-Nov. 22, 9am to 2pm
 3. 9th Annual Beer, Wine & Food Fest – Sun., Apr. 26, noon to 6pm (Rain Date May 3)
 4. StreetLife Saturdays, June 6-Aug. 29, 6pm to 9pm
 5. Sunday in the Park with the NJ Symphony, July 5, 8pm
 6. 66th Annual Sidewalk Sale, July 24, 25 & 26, store hours
 7. 11th Annual Guinness Oyster Festival, Sept. 27, noon to 6pm (Rain Date Oct. 4)
 8. 28th Annual Town Lighting & Holiday Express Concert, Nov. 27, 7pm
 9. Small Business Saturday, Nov. 28, store hours
 10. Horse & Carriage Rides, Nov. 28-Dec. 19, 1pm to 5pm.
 11. Holiday Harmonies, Nov. 28-Dec. 19, noon to 3pm
 12. Photos with Santa at the Galleria, Saturdays & Sundays, Nov. 28-Dec. 20, noon to 4pm
 13. Menorah Lighting, Thursday, December 10

Mayor Menna called for a vote to approve the requests en masse.

Councilman Zipprich made a motion to approve the requests, seconded by Councilwoman Triggiano.

ROLL CALL:

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

NAYS: None.

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

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Ben Forrest—16 Locust Avenue—urged the Council to get moving on the Master Plan. He expressed concerns about ongoing construction and suggested how he thought the Master Plan process should work. He said he was concerned about the demand on public services. He touted the benefits of a newer/cleaner document. He said the Redevelopment Agency should be part of the process.

Mayor Menna noted that a Re-Examination Report had been adopted by the Council 2019 as a preliminary measure for Master Plan Review. He said this year would see the Master Plan Re-Examination and Report. He said the process begins with the Planning Board per statute. He noted there were also budgetary considerations and pointed out the Borough was currently operating on a temporary budget.

Councilman Ballard added that he had asked Planning/Zoning Director Carter to put the matter on the next Planning Board agenda for discussion.

Councilman Yassin said he agreed with Mr. Forrest’s concerns. He said the current Master Plan was outdated and that it needed to be looked at long term.

Councilman Zipprich noted the current Master Plan was 36 years old and agreed they needed to ask the Planning Board to consider the matter.

Claudia Loonen—136 Bank Street—said she was appearing to express concerns about a property located at 90 Bank Street. She said the issue had first been brought to the Borough’s attention three and a half years ago and it had gotten worse. She detailed the conditions of the property and said she was begging officials to take action while matters were being worked out in court.

Mayor Menna said he would respond to her comments in the next couple of days.

Freddie Boynton—PO Box 2074—expressed concern about a number a vacant properties on the west side of town. He called for Code Enforcement to address conditions on those properties. He also stated that he had submitted paperwork requesting handicapped parking spaces for two properties but said he had been told that one might not be eligible because it had a driveway. He said he had driven around town and taken pictures of other properties with driveways that had been granted a handicapped space. He also said commercial vehicles parking in residential areas continued to be an issue.

Mayor Menna said said the matter should be listed on an upcoming agenda.

Councilwoman Triggiano said she wanted to respond to the public comments. In response to Mr. Forrest, she stated that she had participated on the Redevelopment Agency and said one thing she found that was a good opportunity and a concern of people in town was the Borough’s municipal buildings. She said the Agency was integral in addressing needs such as a community center or the future of Borough Hall and the DPW. She said these large scope projects were one of the main purposes of the Redevelopment Agency. She said there was a lot to get done and said she found its existence important. In regard to the comments concerning 90 Bank Street, she said the Borough would be getting back to them with an update. She expressed her concern regarding the environment. In response to Mr. Boynton, she said she appreciated his concerns regarding garbage on Shrewsbury Avenue and was happy to hear that he had submitted the request for the handicapped parking spaces. She also expressed concerns about a ban on commercial vehicles. She noted some people use those vehicles as their regular means of transportation and warned against being classist. She said they should look at what the real issues were. She agreed that safety issues should be addressed.

Councilman Zipprich noted that design standards was also a focus of the Redevelopment Agency.

No one else appearing, Councilman Yassin made a motion to close the Public Comment, seconded by Councilman Ballard.

ROLL CALL:

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

NAYS: None

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

EXECUTIVE SESSION

20-72 Mayor Menna read a resolution to adjourn to executive session to discuss Litigation (Red Bank vs. 8 East Front Street). No action to be taken.

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

ROLL CALL:

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

NAYS: None

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

RESUME REGULAR BUSINESS

Councilwoman Horgan made a motion to resume Regular Business, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None

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

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Mayor Menna asked if there were any additional comments from the public.

Jimmy Dark—48 West Sunset—said the microphones used by the Council were not working well and it was difficult to hear in the back of the room.

Barbara Boas—135 Branch Avenue—asked if the traffic meeting regarding White Street was still on for tomorrow.

Councilman Zipprich said it was and that it would be held from 5:30 to 6:30.

No one else appearing, Councilman Zipprich made a motion to close the Public Comment, seconded by Councilwoman Horgan.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi