

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
MARCH 11, 2020
6:30 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ABSENT: Councilman 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 11, 2019.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

Proclamations

Mayor Menna read a proclamation proclaiming March 2020 as Colorectal Cancer Awareness Month. He presented the proclamation to Dr. Howard Hampel and Bonnie Woodward of Red Bank Gastroenterology.

Board Committee Appointments

Mayor Menna made the following appointments:

Environmental Commission

- Dave Johnson to Alternate No. 2 for an unexpired two year term to 12/31/2021.
- Bob D'Addario to Green Team for a term to expire on 12/31/2020

Councilwoman Triggiano made a motion to confirm the appointments, Councilman Yngstrom seconded.

ROLL CALL:

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

NAYS: None.

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

Planning Board

- Kristina Bonatakis to Class IV Member (Environmental Commission Representative) for unexpired four year term to 12/31/2020.

Councilman Ballard made a motion to confirm the appointment, Councilman Yassin seconded.

ROLL CALL:

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

NAYS: None.

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

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Cindy Burnham – 71 Wallace Street – said she understood there was something on the agenda regarding the Community Garden.

Mayor Menna said there was a resolution to approve an access agreement for the testing of properties on Marion Street.

Ms. Burnham said she understood testing was being done by the NJDEP but wanted to know why it was not being done by the USDA.

Mayor Menna noted NJDEP was a State agency.

Ms. Burnham said other towns with gardens had used the USDA and said she understood that the NJDEP would take precedent but again asked why there wasn't testing also being done by the USDA.

Administrator Shehady noted that Ms. Burnham had submitted an OPRA request for emails between himself and the USDA which had been provided to her. He said those emails showed that he had submitted the results of testing that had been done by the Borough Engineer and that the USDA had said the testing the Engineer had done was above and beyond what they would do so they felt no additional testing was unnecessary. He had also explained to the USDA that they were welcome to test and what documentation would be needed to move forward with that testing.

Freddie Boynton – PO Box 2074 – said he was speaking regarding the ordinance for handicapped parking. He said the ordinance authorized only one space but he had requested two. He said he had been

told that the second had not been approved because the person had a driveway. He asked the Mayor about the status of the second request.

Mayor Menna said the Council had only received the information that the one space had been approved. He said they had not been notified of a denial so said he assumed it was still under review.

MINUTES & REPORTS

Regular Meeting minutes of 2/26/2020

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

ROLL CALL:

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

NAYS: None.

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

Workshop Meeting minutes of 3/4/2020

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

ROLL CALL:

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

NAYS: None.

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

Tax Collector's Annual Report 2019

Councilman Ballard offered a motion to accept the report, seconded by Councilman Zipprich.

ROLL CALL:

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

NAYS: None.

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

Tax Collector's Report of Uncollectible Taxes

Councilman Ballard offered a motion to accept the report, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

ORDINANCES - Public Hearing/Adoption:

2020-03 Mayor Menna read, "Ordinance Amending Chapter 505: "Property Maintenance" of the Borough's Revised General Ordinances to Clarify Certain Sections of the International Property Maintenance Code."

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

No one appearing, Councilman Yngstrom offered a motion to close the public hearing, seconded by Councilman Yassin.

ROLL CALL:

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

NAYS: None.

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

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

ROLL CALL:

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

NAYS: None.

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

ORDINANCES – First Reading:

2020-04 Mayor Menna read, "Ordinance Amending Chapter 608, Streets and Sidewalks, Relating

to the Placement of Telecommunications Facilities in Public Rights of Way.”

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

ROLL CALL:

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

NAYS: None.

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

Mayor Menna announced the Public Hearing would be held on March 25, 2020 at 6:30 pm.

2020-05 Mayor Menna read, “Ordinance Amending Chapter 680, “Vehicles And Traffic”, Subsection 680-60, “Schedule Xxvi: Restricted Parking for Handicapped Persons” of the Revised General Ordinances of The Borough Of Red Bank.”

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

ROLL CALL:

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

NAYS: None.

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

Mayor Menna announced the Public Hearing would be held on March 25, 2020 at 6:30 pm.

2020-06 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 Both Sides of the Entire Length of Ice Boat Lane, except for Three (3) Public Parking Spaces Granted by Easement from the Owner of Block 9.01, Lots 6.01 & 7.”

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

ROLL CALL:

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

NAYS: None.

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

Mayor Menna announced the Public Hearing would be held on March 25, 2020 at 6:30 pm.

2020-07 Mayor Menna read, “Ordinance Authorizing the Acquisition of a Permanent Parking Easement Affecting Block 9.01, Lots 6.01 & 7 from the Owner thereof for the Purpose of Creating Three Public Parking Spaces on Ice Boat Lane.”

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

ROLL CALL:

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

NAYS: None.

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

Mayor Menna announced the Public Hearing would be held on March 25, 2020 at 6:30 pm.

RESOLUTIONS

20-86 Mayor Menna read, “Resolution for Payment of Bills Amounting to \$3,776,640.46,”

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

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

NAYS: None.

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

CONSENT AGENDA

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

- Resolution 20-87: Resolution Amending the 2020 Temporary Appropriations
- Resolution 20-88: Resolution Requesting the Director of Local Government Services to Conduct Budget Examination
- Resolution 20-90: Resolution Authorizing Tax Credits/Refunds Totaling \$1,405.89 due to Over Payment by Property Owner
- Resolution 20-91: Resolution Authorizing Transfer of Tax Credit Totaling \$2,542.69 due to Over Payment by Property Owner
- Resolution 20-92: Resolution Certifying Permission Has Been Granted to Apply for Project Grant Under New Jersey Library Construction Bond Act
- Resolution 20-93: Resolution Certifying the Borough of Red Bank Will Provide One-Half of the 50 Percent Match (25 Percent) for the Project to Any Awarded Grant Funding through the New Jersey Library Construction Bond Act Grant Program
- Resolution 20-94: Resolution Authorizing the Appointment of Regular Crossing Guard(s) for the 2019-2020 School Year
- Resolution 20-95: Resolution Ratifying and Confirming the Appointment of a Part-Time Clerk (Police Department)
- Resolution 20-96: Resolution Awarding a Professional Services Contract to CME Associates for Engineering Services for White Street Parking Lot Improvements
- Resolution 20-97: Resolution Authorizing the Purchase of Single Space Parking Meters and Components under a National Cooperative Purchase Agreement
- Resolution 20-98: Resolution Authorizing The New Jersey Department of Environmental Protection to Conduct Environmental Testing Activities upon Borough Rights-of-Way along Marion Street and John Street and to Obtain Necessary Access Agreements from Property Owners

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

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

NAYS: None.

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

20-89 Mayor Menna read, “Resolution Authorizing Tax Credits/Refunds Totaling \$8,453.69 due to Judgments of the Tax Court of New Jersey.”

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

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

NAYS: None.

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

MAYOR AND COUNCIL COMMENTS

Councilman Ballard had no report.

Councilman Zipprich thanked Terrence Walton and the rest of the Public Works staff for the extra steps they had been taking to sanitize municipal properties. He noted Governor Murphy had declared a State of Emergency and reviewed what that meant. He offered statistics regarding the Corona Virus and offered tips on prevention.

Mayor Menna noted he had attended a number of Emergency Management meetings and thanked Tom Welsh of the Borough's Office of Emergency Management as well as the Administrator and Fire Chief for their efforts.

Councilman Yassin had no report.

Councilman Yngstrom reported that the Parks & Recreation was holding registration for a Couch to 5k program that was offered for all fitness levels. He said the Easter Egg Hunt would be April 11 at Count Basie Field and said there were still spaces available for the Spring Break Camp and the trip to Jenkinson's Aquarium.

Councilwoman Triggiano said she had no report but wanted to thank Rabbi Marc Kline for holding a barbecue for the Police Officers as they changed shift.

Mayor Menna noted the passing of two longtime members of the Fire Department, Donald Patterson and John Mego. He said they had over 100 years of combined service to the Department.

DISCUSSION & ACTION

Mayor Menna read the follow request recommended for approval by the Special Events Committee (all requests approved subject to Final Plan Review by Special Events Committee):

Request from Red Bank Board of Education to hold Pre-School Olympics at Count Basie Field on Friday, May 15, 2020 from 10am to 11:30am.

Councilman Yngstrom offered a motion to approve the request, seconded by Councilman Zipprich.

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

NAYS: None.

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

Request from Red Bank Charter School to hold 8th Grade Graduation Ceremonies in Riverside Gardens Park at 5pm and a practice session from 9am to 11 am on Thursday, June 11, 2020 with a rain date of Friday, June 12, 2020.

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

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

NAYS: None.

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

Request from St. Anthony of Padua to hold a Procession for the Feast of St. Anthony starting at St. James School, Peters Place, traveling to St Anthony's Church via Chestnut Street and Bridge Avenue beginning at 10am on Saturday, June 13 with picnic on parish property to follow.

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

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

NAYS: None.

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

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Cindy Burnham—71 Wallace Street—noted she had spoken at a previous meeting about an issue around JCP&L poles on Mechanic Street. She offered picture to the Council of chunks of concrete left at the foot of the pole that she said had been there for a year. She said she felt it was a safety hazard. She also said she was aware of people using the new Primary School Access Road including taxis and other vehicles.

Mayor Menna said the Police Department would be notified regarding the access road.

Ms. Burnham said the Police had already been notified.

Councilman Zipprich said, in regard to the issue with the pole, that it could be because the wires hadn't been transferred over to new poles yet.

Mayor Menna said he agreed with Ms. Burnham that the situation should not have been left that way and called for Code Enforcement to investigate and issue summonses.

Ms. Burnham also said the Community Garden had had a bank account and said they had purchased items that were no longer at the site. She asked what had happened to those items.

Administrator Shehady said an email had been sent to all members of the garden that the items had been collected and were being held at Public Works. He said gardeners had been notified that the items were

available for pick up.

Walter Lau—34 East Bergen Place—said he felt the town was great but had an issue with traffic on his street. He said large trucks travelled on his street and adjacent streets and nothing was done about it. He said the weight limit for the street was four tons and the trucks were larger than that. He said he was concerned because the street had just been repaved and felt the trucks would cause damage. He said they were also exceeding the speed limit. He called for better signage on the street. He said he had reached out to the Police Department but felt he had been brushed off. He said speeding on the street was an issue in general. He also asked about the status of the project.

Mayor Menna offered to meet with him after the meeting to address his concerns.

Suzanne Visconti—25 Cedar Street—said she agreed with Mr. Lau's comments. She expressed concern about a crossing guard on the street who stayed in the car.

Cindy Burnham—71 Wallace Street—said when she was on Council she had called for the four way stop at South Street and Bergen Place but had been told it wasn't warranted. She said the installation of the four way stop had been political.

Melanie Douglas—201 Drs. James Parker Blvd.—asked about the status of the ordinance to extend parking hours.

Mayor Menna said it was still under discussion.

Ms. Douglas also reported that a car was parking in front of the Broad Street business where she worked that had been hit and was still sitting in the same parking spot collected tickets.

Mayor Menna said they would look into it.

Freddie Boynton—PO Box 2074—agreed that there were issues with traffic and speeding and said he had been bringing it up for years. He said there were also issues on the west side of town including with commercial vehicles. He expressed concerns about safety.

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

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

NAYS: None.

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

EXECUTIVE SESSION

None.

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None.

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

Respectfully submitted,

Pamela Borghi