

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JULY 22, 2020  
6:30 P.M.**

**ROLL CALL**

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

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, and Attorney Sobel.

ABSENT: Councilman Zipprich (joined the meeting at 6:44pm)

\*Meeting held via video/telephone conference due to Governor's Executive Order.

**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.

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS**

Monmouth County Community Development Block Grant Program Public Hearing

Mayor Menna reviewed the CDBG program which he said was overseen by the County and funded by the Federal Government. He said the application was for an improvement project for Montgomery Terrace. He said the resolution before the Council would authorize the application for a \$200,000 Grant.

Administrator Shehady said he wanted to give a brief narrative before the Public Hearing was opened. He said this application was part of the Monmouth County Community Development Block Grant Program and was for a project to rehabilitate Montgomery Terrace. He confirmed that Federal funds were passed to the Counties who would then allocate them through a voting process which included representatives of various municipalities. He said the total allowable request was for \$200,000. He said they typically look for applications that are project ready within a certain time frame. He said that is how they came up with the partnership with the Red Bank Housing Authority. He said that agency could apply independently, however, the possible award they might receive would be much lower and would also require matching funds. He said by applying with them and on their behalf, the Borough would be able to leverage more money and have a greater impact with the project. He said they were looking to repair and/or replace of number of areas where there were damaged sidewalks, curbing, stairs, landings and railings at the facility. He said, overall, it was going to make the Montgomery Terrace complex safer and improve the lives of some low income residents while addressing some of the ADA needs of that population. He said a lot of the work would be ADA enhancements. He added that, if they were awarded the grant, they hoped to have the project complete in two years.

Councilman Ballard said he wanted to comment as the liaison to the Red Bank Housing Authority and said it was a much welcome infusion of money to the Borough's Public Housing. He noted the apartments were built in the 1960s. He said it was a good start. He added that there was a lot of work and he hoped the Borough could help the Housing Authority obtain additional funding.

Public Hearing

Mayor Menna opened the Public Hearing and asked if anyone would like to speak.

Stephen Hecht—135 Branch Avenue—asked if any of the money would be allocated to interior repairs. He said he had been inside two of the units at Evergreen Terrace and said both needed extensive work.

Mayor Menna said not as far as he knew for this part of the program. He added that this was the beginning.

Alicia Wilkerson—107 River Street—asked if there would be money allotted for security items such as cameras or lighting.

Gilda Rogers—161 River Street—said she was glad to hear about the grant. She said when she looked at other facilities such as the one in Long Branch, she saw that they had been able to totally restructure the living quarters. She said she was glad for this start and said she really hoped the Borough would try to move toward improving/revamping the low income housing. She said Red Bank was lagging behind.

Councilman Ballard said he wanted to note that the resolution was just to authorize the application and said the Borough had not been awarded the money yet. He asked the Administrator to confirm.

Administrator Shehady said was correct and said the Borough was assisting the Housing Authority with this application. He pointed out that the Red Bank Housing Authority was an independent organization as was the Long Branch Authority. He said they were governed by a Board of Trustees and had an

Executive Director. He said, in regard to the question of whether or not funding would go to lighting or security, those expenses would not fall under the criteria of eligibility. He said the items in the application were selected in consultation with the Housing Authority's Executive Director. He said the Borough did not make the determination of what would be applied for. In regard to the question about interior work, he said \$200,000 spent over multiple units wouldn't go very far. He said the exterior improvements and ADA accessibility fell within the criteria and eligibility guidelines and everyone would benefit from those improvements.

Councilman Ballard said he wanted to mention that the earlier speaker, Alicia Wilkerson, currently served as the Vice President of the Red Bank Housing Authority. He said he appreciated her hard work. He also offered Ms. Rogers information on upcoming meetings of the agency.

Mayor Menna thanked Councilman Ballard for his service as liaison to the Red Bank Housing Authority. He said Housing Authorities had suffered the brunt of Federal Housing cuts. He also noted the Asbury Park and Long Branch Housing Authorities were substantially larger than Red Bank's and had received larger amounts of funding because it was partially based on the number of units. He commended the Commissioners on the Housing Authority Board and said this grant application was a good start.

Councilman Zipprich joined the meeting at 6:44pm.

No one else appearing, Councilman Yngstrom offered 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.

Mayor Menna called for a motion on Resolution 20-161: Resolution Authorizing Application to Monmouth County Community Development Block Grant (CDBG) Program

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

ROLL CALL:

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

NAYS: None.

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

#### Red Bank RiverCenter Budget Presentation

RiverCenter Executive Director Laura Kirkpatrick reviewed the Special Improvement District's 2020 budget. She reviewed achievements over the past year and current projects as well as activities in place to help businesses during the current pandemic. She noted the 2020 assessment reflected an increase over the previous year but remained lower than the 2008 budget. She reminded the Council that the assessment had been significantly lowered in 2009. She offered a breakdown of the budget line items. She reviewed business retention/recruitment plans as well as other district programs. She discussed a fund raising event being planned for the fall and noted that the organizations two big fundraisers has been cancelled during the pandemic.

Mayor Menna opened the Public Hearing and asked if anyone would like to speak.

No one appearing, Councilwoman Horgan offered 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.

Mayor Menna called for a motion on 20-162: Resolution Approving the 2020 Budget of the Special Improvement District of the Borough of Red Bank

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

ROLL CALL:

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

NAYS: None.

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

#### Red Bank Municipal Budget Presentation

Mayor Menna read Ordinance: 2020-12 Calendar Year 2020 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14).

Councilman Ballard made a motion that all agenda items regarding the budget be tabled.

Borough Clerk Borghi clarified that the ordinance being discussed was the ordinance to establish a cap bank.

Councilman Ballard asked if the purpose of the ordinance being discussed was to allow the Borough to exceed the 2-1/2 percent cap on appropriations.

Administrator Shehady said it was a little more complicated than that. He said it would allow for that but if it wasn't used it would be banked. He said the current intent was not to use it. He said the Budget introduced did not utilize that difference however it could be banked for up to two years to be used for emergency purposes. He said it was highly recommended by the State and was common practice in the Borough and in other municipalities around the State.

Councilman Ballard asked if the ordinance would give the Council the ability to exceed the 2-1/2 percent. Administrator Shehady confirmed that it would give them the ability to go up to 3.5 percent but noted the introduced budget did not do that.

Councilman Ballard questioned the need for the ordinance.

Administrator Shehady said it was needed so they could bank the difference of what wasn't used for up to two future years in the event of an emergency.

Mayor Menna noted it was recommended by the Department of Community Affairs had been for the past number of years. He said every other town in Monmouth County did it. He pointed out that it did not mean they were exceeding the cap, it would just give them the ability to do it. He added that it was standard municipal accounting.

Councilman Ballard asked if it had to be passed at this meeting.

Mayor Menna said it would be very helpful because it would move them along in the process to create a budget. He again noted that it was something recommended by several State agencies and was a necessary tool for the protection of municipal budgets in the event of problems that weren't anticipated.

Councilman Ballard said if they weren't planning on exceeding the cap, it didn't seem like the ordinance made much sense but said he would move it forward.

Councilman Ballard 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 declared approved.

Administrator Shehady noted that Ordinance 2020-12 needed to be opened to the public for comment as part of a public hearing.

Mayor Menna opened the public hearing.

Marjorie Lane – 52 Tower Hill Avenue – asked if the ordinance would raise taxes.

Administrator Shehady said the ordinance did not raise taxes and did not adopt the budget. He said it would allow the municipality to adjust the appropriation limits based on the cost of living adjustments and to establish a cap bank for anything not utilized for up to two future budget years.

Ms. Lane asked if the ordinance had been adopted in prior years.

Mr. Shehady said, according to his research it had been done for at least the last six years but said he believed it had been done nearly every year that it had been a tool and recommended by the State.

Ms. Lane asked where the money had gone over the last six years.

Mr. Shehady said it was not actual money but was essentially a cushion that would allow the municipality to exceed the State caps for the cost of living adjustments if they are necessary. He added that, if they were not used within two budget years then that cushion goes away.

Laurie Gero – 36 Worthley Street – asked what qualified as an emergency.

Administrator Shehady said it was subjective. He said it would be determined by the Mayor and Council in future years and offered examples.

Memone Crystian – 15 Marion Street – asked if the cap bank had ever been used.

Administrator Shehady said he could not state with certainty whether or not it had ever been used.

Ms. Crystian asked, if it was used, how would affect the budget. She also asked if anyone on Council was aware if it had ever been used.

Mayor Menna said the CFO would research the matter and reply to her via email.

Jeffrey Wubbenhorst – 74 Mechanic Street – asked if there would be any negative fiscal effect if the ordinance was not passed.

Administrator Shehady said it was difficult to say as he could not predict what the next two years would look like.

Mr. Wubbenhorst asked what kind of financial padding the Borough had at this time and if the ordinance was passed how much would it add to that.

Administrator Shehady explained that the ordinance did not actually deal with a saving account or reserve. He said it was simply a permissive ordinance that would allow the municipality to appropriate more money for future years. He said it did not deal with tangible money.

Mr. Wubbenhorst asked if the funds had an already defined use.

Mr. Shehady again explained that it was not about actual funds. He said it was about allowing the municipality to increase their appropriations in future years. He offered specifics on how the banking of the allowed increase would work.

Mr. Wubbenhorst asked if the funds did need to be collected, would they be incorporated into the general budget.

Mr. Shehady said he felt Mr. Wubbenhorst was still misunderstanding the fact that it did not deal with actual funds.

Mr. Wubbenhorst again asked if additional funds were collected, would they be incorporated into the general budget.

Mr. Shehady said he wasn't understanding his question and offered to give him his email address and phone number in order to discuss the budget process with him further.

Robert Lowe – 77 East Bergen Place – asked if the ordinance had been adopted in the previous two years. He also asked why the Borough didn't look for way to reduce the budget rather than looking for a cushion for a potential increase.

Administrator Shehady said, when preparing the budget, they do look for cuts. However, he added, this ordinance would allow for flexibility in future budgets should special circumstances arise.

Mr. Lowe said he felt that, by putting the ordinance in place, the Council members would find a use for those funds.

Administrator Shehady said it was not used this year or in the previous year.

Mr. Lowe asked how many times it had been used in the past seven years.

Mr. Shehady said he had found that it had been adopted every year for the past six years. He noted that the Mayor had indicated the CFO would review to confirm if and when it had been used.

Mr. Lowe asked how they did not know how many times it had been used in the past.

Mr. Shehady said it was irrelevant to the next two years added that the provision expired every two years.

Mr. Lowe again asked if it had been used in the past six years.

Administrator Shehady said they would research that and get back to him.

Suzanne Visconti – 25 Cedar Street – asked if, in the spirit of transparency, the answer could be given to everyone at the next meeting.

Mr. Shehady said he could.

No one else appearing, Councilwoman Horgan offered 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.

Administrator Shehady suggested they call for another vote on the ordinance now that the public hearing had been closed.

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

#### ROLL CALL:

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

NAYS: None.

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

Mayor Menna read Resolution 20-177: Adoption of Borough of Red Bank Municipal Budget.

Mayor Menna asked Administrator Shehady to comment on the resolution. He added that, before he handed it off to the administrator, he wanted to note that previous Finance Chairs, along with their

committees, had held an open forum with the public where a lot of the questions/suggestions had been articulated. He said he did not believe that had happened this year.

Councilman/Finance Chair Ballard said that was correct, it had not happened this year. He said had asked the CFO and Administrator to put together a package that could be shared and discussed with the public.

Mayor Menna said he thought the meetings were very helpful for both information and from a transparency standpoint. He said it would help people get answers to their questions and the Council could also get ideas from the public.

Councilman Ballard said the presentation had included a PowerPoint document that gave insight into the inner workings of the budget and generated a lot of questions. He said he had asked for that package but hadn't see it.

Mayor Menna asked the Administrator to continue with the budget review.

Administrator Shehady said he first wanted to note that the CFO had been responsive regarding the questions about the cap bank. He said, in the last seven years, it had only been used twice—2013 and 2017. He said both he and the CFO had been employed with the Borough after those years so the exact circumstances were unclear to them.

Regarding the budget, he continued, there were three resolutions that had been emailed to the Council. He said there were versions A, B and C of Resolution 20-177 to amend the budget and were responsive to changes requested by the State after their review. He said Resolution 20-177A reflects those minor State requested changes only, would not require an additional hearing and could be adopted along with the budget at this meeting. He said Resolution 20-177B made those same changes but also made cuts to the budget based on cuts recommended by the Administrator and CFO in consultation with Department Heads because the pandemic had reduced the need for some of the monies representing \$50,000+. He noted that those changes would result in a more than ten percent change to certain line items so would require a separate budget hearing to be held next month. He said the third version, 20-177C was the same but reduce those cuts by about \$5,000 which was under the ten percent so they could realize some savings and still adopted the budget at this meeting rather than delaying it another month. He reviewed specifics regarding the recommended cuts.

Councilman Ballard said the Finance Committee had advanced other recommended amendments that were not reflected in any of these resolutions.

Mr. Shehady said that was correct and noted he had emailed the full government body regarding his concerns about some of these propositions namely that some would not be consistent with Public Contracts Law and some called for changes to personnel that Mayor and Council would need to authorize.

Councilman Ballard said there were no personnel changes.

Administrator Shehady said the information had been forwarded to the Council and said he believe the recommendations were regarding the Police Department and the Redevelopment Agency.

Councilman Ballard said it was not regarding anyone currently on the Borough rolls but was regarding "unhires."

Administrator Shehady disagreed.

Councilman Yngstrom said it was his opinion that they should go with version "B." He said he felt the meeting recommended by the Mayor would be very helpful. He said he thought they should save the residents as much money as possible and said version B would do that.

Councilman Yngstrom made a motion to approve version B of Resolution 20-177: A Resolution Amending the Budget.

Mayor Menna said he thought that was a very proficuous action and agreed that they should move forward with that version of the resolution and delay the adoption of the budget until the following month. He added that that would give plenty of time to continue the review of the budget and to get input from the public.

Councilman Yassin seconded the motion.

Attorney Sobel confirmed that the proposed version would result in a more than ten percent change to a line item and would require that the budget be tabled until the next meeting in August and would provide an opportunity for the public meeting that had been discussed.

Administrator Shehady clarified the individual resolutions that had been under discussion. He said the version chosen would take the increase to the municipal portion of the tax rate to under three percent being 2.98 percent.

A discussion followed on the procedure that would follow the adoption of this resolution.

Councilman Ballard asked if the adoption of this resolution would preclude any addition amendments.

Administrator Shehady said it would not but said they had to be mindful of the fact that the State could possibly take action regarding future delays of the budget.

Councilman Ballard said he was not happy that this was being done so late and felt they were forced to make these moves.

Councilman Yassin said he also served on the Finance Committee and said the delays were a result of the Finance Committee making decisions to wait regarding bills from the State and a few other reasons. He said it wasn't something that happened to them but was their decision.

Councilman Ballard again noted there were additional proposed cuts that were not presented.

Councilman Yassin said he believe that was because they were shared with the full Mayor and Council and there wasn't adequate support for it. He said he felt the version they had chosen had the most cuts they could find. He also noted that they would be sharing it with the public for additional suggestions.

Mayor Menna noted there was a motion and second on the resolution and asked if there were any other questions on it.

Councilman Zipprich said he just wanted to make sure that the Library budget was included from the 2.98 percent increase.

Administrator Shehady said, even though they were required to include the library in the budget, the Mayor and Council did not have jurisdiction over cuts to that area and said the Library budget was not included in the 2.98 percent figure. He said the library received funds by a formula under State statute.

Mayor Menna agreed that the library allocation was specifically addressed by State and had nothing to do with Council action but was based on assessments.

Councilman Zipprich said he wanted to make sure they were clear on that because it had been reported in some press reports that it was included.

Mayor Menna called for a vote on the resolution.

**ROLL CALL:**

AYES: Yassin, Triggiano, Yngstrom and Horgan.

NAYS: Ballard and Zipprich.

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

Administrator Shehady he wanted to clarify that those who had voted in favor had voted to amend the budget to make reductions and the public hearing would be delayed until next month.

Councilman Zipprich asked for confirmation that no further amendments to be made after the passage of that resolution.

Several Councilmembers said that was not true and said they could make additional amendments. Councilman Yngstrom added that if additional amendments made line item changes over ten percent it would require the adoption of the budget to be further delayed. He said if further amendments were under ten percent, they could be adopted before the budget was adopted at the next meeting.

Councilman Ballard said he wanted all of his proposed amendments to be put forward for a vote.

Councilwoman Triggiano noted that the Borough Administrator had explained that some of those proposals were against public contracts law and affect personnel. She said those could not be entertained if they were unable to be implemented.

Councilman Ballard said he felt the public should hear them.

Administrator Shehady said he would be happy to go over those proposed cuts.

Councilman Zipprich asked if there would be a public presentation of the budget as the Mayor had indicated.

Mayor Menna said that had been the tradition and said that it was regrettable that it hadn't happened this year. He said the Finance Committee had not called for that meeting where all of these issues would have been able to come out months ago.

Councilman Ballard said he would "fall on his sword for that." He agreed that the public should have an opportunity and said he would schedule a meeting for the following week.

Borough Clerk Borghi said she wanted to note that, based on the last resolution, the public hearing for the budget will be held on August 19, 2020 at 6:30 pm.

Councilman Ballard said they also had to schedule the public hearing for the budget presentation.

Clerk Borghi said that would not be a public hearing but would be a public meeting of the Finance Committee where a quorum of the Council cannot participate.

Councilman Yassin said it would be up to Councilman Ballard to set that meeting up.

Mayor Menna asked if there was any need to move on Resolution: 20-163: Adoption of Borough of Red Bank Municipal Budget such as tabling it.

Attorney Sobel said not at this time.

Councilman Ballard offered a motion to table.

Borough Clerk Borghi asked Attorney Sobel if the motion to table was needed.

He said it was not because they were not allowed to adopt the budget once the amendment was approved.

#### **PUBLIC COMMENT (AGENDA ITEMS ONLY)**

Tom Wieczerzak – 26 Oakland Street – commended Councilman Ballard for attempting to fall on his sword for the Council but said he should not take the blame. He said the entire Council had a responsibility to bring forward a transparent budget process. He said the RiverCenter budget presentation has been professional and transparent and was exactly how things should be. He agreed that Councilwoman Schwabenbauer had been the last Council member to offer a PowerPoint presentation. He said he was looking forward to the presentation and expressed concerns about the future. He asked if the Council had any strategic plan or priority that brought them to their decisions for the potential proposed budget. He said he was going to assume that there was no such plan and no transparency. He criticized the Council and commended other Municipal Departments.

Suzanne Viscomi – 25 Cedar Street – said she had attended previous Finance Committee Budget presentations and said she agreed with the Mayor that it was a collaborative respectful dialog that brought different ideas and point of views. She noted that she had Councilman Ballard had previously done a public budget presentation together and he had seen how much information was given to the public and how it could be made understandable. She said the people had elected the Council members not the Administrator and urged them to set up the meeting.

Scott Broschart – 15 Hudson Ave. – said he was pleased with some of the steps the Borough had taken during the pandemic such as the Broad Street closure. He said the good will of that had proven to be short-lived. He said he found it hard to believe that the Council would consider adopting a budget with a 3.3 percent increase and over the two percent cap. He said he was disappointed that they had the audacity to introduce that much of an increase. He said he felt the Council had lost touch with the people of Red Bank. He criticized the last minute amendment. He called for a change to a non-partisan government and offered information on an online petition.

Councilman Yassin said the amendment had been discussed for the last three weeks and denied it had been done last minute.

Andrew Mumford—226 South Bridge—said he wanted to speak in support of Resolution 20-171 regarding Medicare for All. He said the pandemic had highlighted failures in areas of government but also in the area of health care throughout the country. He said if this program had been in place, they might have better control of a pandemic on a national lever.

Mayor Menna said the Council had discussed the matter in a Workshop meeting and assured him it would be adopted at this meeting.

Jordon Robinson – 142 South Street – spoke in support of the resolution in support of Medicare for All. She spoke of negative personal experiences with her insurance company.

Mayor Menna again assured the caller that the resolution would be adopted.

Angela Mirandi – 8 West Lake Road – said she was taken back that, on a \$16 million operating budget, they could only find \$50,000.

Administrator Shehady said the number she was citing were incorrect.

A discussion followed on the exact numbers and what they meant.

Ms. Mirandi said she saw a reduction in revenue in several places but did not see a reduction in salaries and wages. She said she assumed no one was furloughed even though services were reduced. She said she was taken back further when she looked at individual departments and saw that there had been raises in a time where people were losing jobs. She specifically criticized staffing in the Police Department. She said there should be a hiring freeze and a line item review of the budget. She applauded the Mayor for bringing up the meeting with the Finance Committee.

Mayor Menna referred her to the Management Enhancement Report in regard to the Police Department information.

Councilwoman Triggiano asked if there were supposed to hold all comments until the end of Public Comment.

Councilman Ballard said he just wanted to note that the lack of a public Finance Committee meeting was his failure and said he would correct that next week.

Administrator Shehady said, in regard to Councilwoman Triggiano's question about responses being left to the end, he felt they should adhere to the rule. However, he continued he was hearing continued comments that might necessitate some public education due to outlandish and inflammatory comments such as references to massive tax increases. He said a lot of it was just not correct. He said he did have a budget presentation he had been working on but said it had been held because, if the budget was amended, the figures in the presentation were no longer correct. He spoke to comments about salaries, departments and the Borough tightening its belt. He said the previous year had been a good budget year

and, it was because of the success of that budget that this year's budget was as it is. He said it could have been a lot worse and said other municipalities were dealing with worse financial situations. He said Red Bank was able to get out of it because of their good budgeting. He said they were able to use their reserves because they had built them up to a healthy level last year. He said he wanted to review his presentation in response to some of the questions so far. He also noted that the \$50,000 in amendments were items that had been identified over the last month between introduction and this meeting. He said there were hundreds of thousands of dollars cut from the budget. He said it wasn't fat or bloat. He said residents were not paying any more than what they were getting in regarding to services. He explained the reserve process that would ensure a healthy future for the Borough. He disagreed with the comment that there had been no presentations since Councilwoman Schwabenbauer had been in office. He said he had worked on PowerPoint presentations and said they had been published on the Borough's website. He said they needed to get to a point where there was majority agreement on what the budget was going to look like so the public would have correct information in the presentation. He also said, just because the Council was deliberating over the budget, did not mean there was discord in his opinion. He said it meant there was healthy debate and healthy disagreement. He reviewed his PowerPoint presentation.

Councilman Zipprich asked how many years the Borough had had a rainy day fund or surplus.

Administrator Shehady said there was always a surplus but the question was how much. He said those number reflected the Borough's ability to bond or borrow and affected the credit rating.

Councilman Zipprich asked if the Borough had always had a rainy day fund.

Mr. Shehady said he couldn't say always because he hadn't been here but he would say as long as the Borough had been adhering to State guidelines on budgeting. He again noted that the Borough plans the budget based on what they expect to happen but any leftover funds go into the surplus. He continued with his presentation on the budget. He explained that whichever speaker claimed there was no strategic planning, that was not correct. He also said they do review the budget line by line despite comments otherwise.

Councilmembers thanked Administrator Shehady and commended his on his presentation.

Memone Crystian – 15 Marion Street – thanked Administrator Shehady for the presentation and said she had been a part of budget presentations in the past. She agreed that the presentations gave an opportunity for the public to get a better understanding and agreed that it was very complicated. She said she was a little remiss in regarding to the tone and what she called a heaviness. She questioned why, what she called a beautiful presentation, had never shared with the Chair of the Finance Committee and said she found it problematic. She said she felt the tax payers were the ones that would suffer. She asked if every department had made a cut in their line item for salaries.

Administrator Shehady said he couldn't say in terms of salaries specifically but said, overall, every Department did make cuts.

Ms. Crystian asked if every Department had made a ten percent cut in their operating costs.

Administrator Shehady said he could not give an exact figure without going through the spreadsheets. He also said he would take notes on her comments and address them at the end.

Ms. Crystian called for the budget presentation to be held in a public forum and agreed that the public may have input regarding possible cuts. She said she believed every Department could make a ten percent cut. She also said that in the past when it was time for contractual raises, there were years that those raises did not take place. She said where done retroactively later when the budget was stronger and asked if that had been considered. She said she was aware of statements made by Councilman Ballard regarding feelings of racism and things that have happened in the past. She said she hoped that what she was seeing and feeling was not retribution, retaliation or an unwillingness to work with him because of comments that were made. She said they needed to do their best to deliver a flat budget as had been done in the past.

Angela Mirandi – 8 West Lake Road.

Administrator Shehady said they would prefer to give people a chance who had not commented yet.

Ms. Mirandi said she just said she wanted them to look at salaries because most departments shows the employees had had pay increases.

Administrator Shehady said that had been cut by five percent.

Craig Dolan – 34 John Street – asked why, in a pandemic year, they would budget to continue to build a surplus. He suggested that they should use this unprecedented year as the one that would not have a surplus and reap the benefits of the past surpluses. He said his second question was regarding fleet fuel as a common item that was paid for. He said the cost of fuel had significantly decreased over the past twelve months but said the line items was consistently the same. He said he would like to know who has access to the fuel and why a decrease had not been given.

Administrator Shehady said he wanted to address some of the questions. He said the unions were not interested in withholding their contractually negotiated raises. He said they will be entering into

negotiations with some of them this year and futures years and that can be discussed. In regard to why the presentation had not been shared yet, he pointed out that it was still in draft format because it dependent on amendments and adjustments the Council was going to discuss. He said the reason the fleet fuel number was static was because the Borough was purchasing fuel in bulk through a provider that put it into tanks. He said the number wouldn't go up and down but the frequency of which they buy the fuel to replenish the stores was going to change.

Mr. Dolan said it had not changed. He reviewed invoices.

Mr. Shehady again said they top of the stores so it wouldn't necessarily change.

Mr. Dolan asked why it was filled every two weeks. He questioned the usage and who had access.

Administrator Shehady said this shouldn't be a Q&A and asked Mr. Dolan to email him so he could address specifics.

Mary Beth Maida – 84 Branch Avenue – said she understood the Administrator and the CFO had worked with Department Heads to see where they could find cuts. She asked why he wouldn't go to the Finance Committee and specifically the Finance Chair to see how he might assist in identifying cuts. She also asked why the Administrator had decided that none of the cuts recommended by Councilman Ballard had been worth discussing. She also said she had sent out an email to a lot of neighbors and friends saying that the Council was considering a 3.5 percent tax increase. She said she had received a phone call from Administrator Shehady and emails from Councilwoman Horgan, Councilwoman Triggiano, Councilman Yassin and Councilman Yngstrom. She said they excoriated her and said she was presenting false news. She said if one took the 3.3 percent increase that was on the table that then rolled in the Library money it probably would add up to about 3.5 percent. She said she wanted to point out that she had every right to speak to the community and she should not be excoriated for doing so when it turned out she was essentially right.

Administrator Shehady clarified that Ms. Maida's statements were not correct and that, by including the Library figures, it would change it in the other direction. He said, regarding the question about the amendments not being shared, they had been shared with the Mayor and Council and said it was up to the Mayor and Council to decide how they wanted to proceed.

Councilman Hazim said the Finance Committee had had about 20 meetings over the past few months and said first step was for the Administrator to go to the Department Heads to seek initial cuts. He said every single line item in the budget was run by the Finance Committee and said they had had extensive meetings, some of which lasted three or four hours going through things line by line. He said he wasn't sure where the feeling was coming from that the Committee had no say in the budget. He again said they had gone through every line item, had been involved in every discussion, had several meetings and they knew about the amendments for the past three weeks. He said they were not new amendments and they were not the only proposed amendments they had seen. He said they had been working on this budget for a while and really wanted to clarify that.

Councilman Ballard said that was correct and he would be sharing the other amendments.

Jen Garcia – 30 Drummond Place – said Councilman Yassin had addressed some of her concerns. She said it seemed like the Administrator's presentation had not been shared with the Council and specifically Mr. Ballard and asked why.

Robert Lowe – 77 East Bergen Place – said he wanted to echo Ms. Garcia's comment. He said he applauded Councilman Ballard for raising questions. He said he wished he had heard the presentation before. He said he was a very good presentation and just had one question which was, with interest rates at historic lows and asked why the interest on the Borough's debt was higher in 2020 than it had been in 2019.

Administrator Shehady said it wasn't just based on rate but also on principal and said he and the CFO could share more information via email.

No one else appearing, Councilwoman Horgan 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.

#### MINUTES & REPORTS

##### Regular Meeting minutes of 6/17/2020

Councilman Ballard offered a motion to approve the minutes, 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.

**Workshop Meeting minutes of 7/1/2020**

Councilman Yassin 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 six ayes and no nays, the motion was declared approved.

**ORDINANCES - Public Hearing/Adoption:**

2020-09 Mayor Menna read, "Ordinance Amending Chapter 9: "Boards, Committees, and Commissions" of the Borough's Revised General Ordinances to Convert the Borough's Autonomous Board of Health into an Advisory Board of Health Given the Borough's Shared Services Agreement with the Monmouth County Department of Health."

No one appearing, Councilwoman Horgan offered 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.

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 declared approved.

2020-10 Mayor Menna read, "Ordinance Amending the Revised General Ordinances of the Borough to Revise Section 680-3(B) under Chapter 680: "Vehicles and Traffic" to Empower the Chief of Police to Modify Traffic Patterns and Parking During State of Emergency."

No one appearing, Councilwoman Horgan offered a motion 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 declared approved.

**ORDINANCES – First Reading:**

2020-13 Mayor Menna read, "Ordinance Authorizing the Acquisition of a Permanent Public Access Easement Affecting a Portion of 28 Riverside Avenue, also known as Block 7, Lot 15.01, for the Borough's Ongoing Efforts to Secure Continuous and Contiguous Public Access to the Navesink River."

Councilwoman Triggiano 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 on 8/19/2020 at 6:30 pm.

2020-14 Mayor Menna read, "Ordinance Approving an Amended Lease Agreement with Patrizia's of Red Bank, LLC to Address Changed Circumstances in the Borough's English Plaza Parking Lot."

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 on 8/19/2020 at 6:30 pm.

2020-15 Mayor Menna read, "Ordinance Amending and Supplementing Chapter 430: Licenses And Permits, Article I: Business Licenses, Amending Section 430-7: Fees Established."

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

**ROLL CALL:**

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

NAYS: None.

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

Mayor Menna announced the Public Hearing would be held on 8/19/2020 at 6:30 pm.

**RESOLUTIONS**

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

20-164: Resolution for Payment of Bills Amounting to \$5,092,398.79.

20-165: Resolution Increasing the Bid Threshold and Appointing a Qualified Purchasing Agent

20-166: Resolution Authorizing the Borough of Red Bank to Refund Developer's Escrow Account Balances

20-167: Resolution Authorizing Tax Credits/Refunds Totaling \$1,589.56 due to Over Payment by Property Owner

20-168: Resolution Authorizing Tax Cancellation Of Taxes Totaling \$2,506.17 For 1st And 2nd Quarter Of 2020

20-169: Resolution Authorizing Tax Credits/Refunds Totaling \$2,128.24 due to Judgments of the Tax Court of New Jersey

20-170: Resolution Authorizing Tax Appeal Settlement Regarding F &G Realty Group, Inc., 112-114-116 Shrewsbury Avenue, Block 39, Lot 13

20-171: Resolution in Support of the Medicare for All Act of 2019 and, Specific to the Pandemic, the Healthcare Emergency Guarantee Act of 2020

20-172: Resolution Authorizing Change Order No. 2 and Final Related to the Contract with Precise Construction, Inc. for the Pearl Street Improvements Project

20-173: Resolution to Approve the Hiring of Parks and Recreation Summer Staff.

20-174: Resolution Designating the Borough of Red Bank to Serve as Lead Municipal Agency as Part of the Sustainable Monmouth Alliance Energy Aggregation Program.

20-175: Resolution Approving Execution of an Agreement with the RBAHC for the Provision of Certain Administrative Services Regarding the Borough's Affordable Housing Rehabilitation Program and Amending the Agency Agreement with the RBAHC to Include Administrative Services Regarding the Borough's First-Time Homebuyer Program

20-176: Resolution Authorizing the Execution of a Developer's Agreement with 96-98 West Front Street, LLC20-145 Mayor Menna read "Resolution for Payment of Bills Amounting to \$4,477,873.97."

Councilman Ballard said he had a question on Resolution No. 20-170 regarding a Tax Appeal Settlement and asked if the matter was the result of a court settlement or a negotiation on the Borough's part.

Borough Clerk Borghi said it was a court settlement.

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

Administrator Shehady noted that, since the budget until August, there was a need to add a resolution to amend the temporary budget. He said he had just emailed it to the Council for consideration.

20-178         Mayor Menna read, "A Resolution Amending the 2020 Temporary Appropriations

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

**ROLL CALL:**

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

NAYS: None.

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

**MAYOR AND COUNCIL COMMENTS**

Councilman Ballard read a prepared statement regarding the budget process as it related to the Finance Committee. He reviewed 2020 goals of the committee which included a commitment to a downward trend of budget increases and how that had been affected by the pandemic. He said he had not wanted the loss of revenue shifted to the backs of tax payers and asked for hard decisions to be made. He reviewed his requests to be addressed in budget review. He said the proposed budget unfortunately reflects a 2.9 percent increase. He questioned specific priorities in the current budget.

Councilman Yassin said he had no report.

Councilwoman Triggiano said she had no report for Police and Fire but wanted to report that the Environmental Commission had been assisting with RiverCenter's horticulture program and maintaining potted plants.

Councilman Yassin said he did want to comment. He said he wanted to thank the Code Enforcement/Fire Marshal's Office for their assistance with the downtown plaza. He said it had been a lot of work for several departments in the Borough and said they had done a phenomenal job.

Mayor Menna said they had exercised discretion and enforced the Borough codes in a prudent manner. He said they had been gracious in dealing with people and said they had had to deal with a lot of issues. He said they, along with the Police Department, were the communicators of the orders. He said they were on the receiving end of a lot of comments that they were not responsible for but said they had done it with discretion and grace and thanked them.

Councilwoman Horgan had no report.

Councilman Yngstrom said he had a few announcements from Parks & Recreation including the fact that Summer Camp was under way and spaces were still available. He reviewed camp activities. He said the first Westside Jazz Concert was scheduled for August 21<sup>st</sup>. He said the virtual concert would broadcast live from T. Thomas Fortune House. He said there would also be a free camp out event in Count Basie Park. He said the late August date was being finalized.

Mayor Menna called on Councilman Zipprich and noted that, at the top of the meeting, he had expressed condolences from the Council and Borough residents regarding the passing of his father-in-law.

Councilman Zipprich thanked him for the comments. For his report, Councilman Zipprich thanked the public for participating in the meeting. He thanked the Administrator for creating the budget presentation. He said he, Councilman Ballard and Councilman Yassin, as a Committee, had met both formally and informally over the months. He said the goal had been to keep the budget flat and streamlined and said that was something the Committee had always strived to do. He noted revenues had dropped and employees had continued to work to keep the operation going which forced them to look at the budget. He said he had supported the changes that the Chairman had put forward and they had been communicated to the Administrator and CFO. He said he felt they could have done a better job of streamlining and adjusting down. He said he was hopeful, after further input, there could be further adjustments. He said RiverCenter had reported success with the Broadwalk project and said he wanted to thank Laura and her team for their presentation. He asked what the Borough was doing to provide safe, healthy cooling centers for seniors and others who needed a safe place to cool down. He thanked Council President Ballard, Mayor Menna, Administrator Shehady and Councilman Yassin for their notes and condolences on his mother-in-law's untimely death and well as those from other dignitaries.

**DISCUSSION & ACTION**

Mayor Menna read a request from the 2020 Monmouth Film Festival for a street closure at Edmund Wilson Plaza from 5pm to 10pm on Friday, August 14, 2020.

Councilman Zipprich offered a motion to approve the request, 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 read a request from 26 West on the Navesink for the closure of Boat Club Court between W. Front Street and Ice Boat Lane Monday-Saturday from 3pm until 11pm and Sunday from 1pm until 9pm.

Councilwoman Triggiano offered a motion to approve the request, 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 (Governmental Issues, 5 Minute Limit)**

Mary Beth Maida – 84 Branch Avenue – said she wanted to address the Administrator’s letter on the website and also legislative process in town. She said she had recently become aware of budget issues and said it had become clear to her that government in Red Bank was broken. She said she felt it began two years ago when five councilmembers voted to approve an ordinance that shifting budget management and oversight responsibility, the essence of the Council’s job, to the newly named Administrator. She said she believed Councilman Ballard had abstained on it and that two democrats and two republicans had voted “yes.” She said she did not think that they realized that they had legislated away their governing authority. She said she had spoken to the Administrator and said he had called to object to an email she had sent to her neighbors. She reviewed details of the call and comments she claimed the Administrator had made. She said she had tried to call Human Resources to file a complaint and found that there was no Human Resources Manager. She claimed that he had taken over the duties of several employees who were no longer with the Borough. She said she was personal friends with Councilman Zipprich and had spoken with him about the ordinance once she learned of it. She said he had told her that he had come to realize that the vote to consolidate power was probably a mistake. She said Councilmembers Horgan, Yngstrom, Yassin and Triggiano didn’t seem to see anything wrong with it. She relayed various comments that she said she had heard those Council members had made about her. She said only Councilmembers Zipprich and Ballard had pledged to her that they would listen to the voices of the people and vote to keep taxes low and critical services intact. She criticized the Administrator’s comments in an open letter and offered other criticisms of alleged actions he had taken. She called for a repeal of the ordinance that she claimed gave him unlimited power.

Suzanne Visconti –25 Cedar Street – said it was the public’s duty and right to ask questions. She said it was also their right not to just get answers from the Administrator but also from Council members. She criticized the Administrator’s demeanor. She said she wanted them to answer directly and on the record.

Mayor Menna called for a motion to close the public comment period.

Councilman Yassin offered a motion to close the public comment, 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.

**EXECUTIVE SESSION**

20-159 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiations (Red Bank Board of Education). No action to be taken.

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

**RESUME REGULAR BUSINESS**

Councilwoman Horgan 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 motion was declared approved.

**ADJOURNMENT**

Councilwoman Horgan offered a motion to adjourn the meeting, 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.

Respectfully submitted,

Pamela Borghi