

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
August 19, 2020
6:30 P.M.**

ROLL CALL

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

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

*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

Proclamations

- 2020 – The Year of Basie

Councilman Ballard read the proclamation.

Councilwoman Horgan said representatives of the T. Thomas Fortune Foundation were in attendance and would like to offer comments.

Ron Bernstein and Lorrain Stone “accepted” the proclamation. Mr. Bernstein thanked the Council for the recognition and offered information on an upcoming Facebook event to honor Count Basie.

Councilman Ballard suggested that the statue of Count Basie that was currently in the train station should be moved to Count Basie Park.

Mayor Menna said that would not be a problem as long as there was Council consensus. He said the Borough should notify New Jersey Transit.

Administrator Shehady said he would reach out for details and provide information at the next workshop meeting.

- August 18, 2020 – Celebration of Women’s Right to Vote

Councilwoman Triggiano read the proclamation. She said she felt fortunate to serve as a member of Council along with another woman on Council. She commended previous women who had served on Council.

Councilwoman Horgan encouraged every woman to get out and vote.

Red Bank Municipal Budget Presentation

Mayor Menna called for a motion to open the Public Hearing on the Municipal Budget and asked if anyone would like to speak.

Councilman Yngstrom offered a motion to open the Public Hearing, 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.

Suzanne Visconti – 25 Cedar Street – said questions had been asked by the public as previous meetings and said she wanted to know if they would be answered. She asked if Councilman Ballard’s previous budget amendment suggestions would be voted on and called for transparency.

Mayor Menna said Councilman Ballard could review that under his report.

Mary Beth Maida – 84 Branch Avenue – asked if Councilman Ballard’s recommendations that she said amounted to over \$200,000 in savings were being considered.

Mayor Menna said everything was being considered.

Ms. Maida asked questions about specific details of lines within the budget regarding municipal improvements.

Administrator Shehady said he believed she was referring to a resolution was on the agenda later and reminded that this was the public comment portion for the budget adoption only.

Ms. Maida also asked about hirings and promotions specifically regarding the Police Department. She asked if that was part of the budget discussion.

Administrator Shehady said there were resolutions regarding Police Promotions later on the agenda. He said there would be a public comment portion before resolutions were considered.

Councilwoman Triggiano asked if someone would be showing the proposed amendments that were being referred to.

Mayor Menna said he thought it would be helpful if Councilman Ballard or Administrator Shehady would share them.

Councilman Ballard said he had shared the document with the Mayor and Business Administrator and said it would be a violation for his to share it with the full Council.

Administrator Shehady reminded the council that they were still in the Public Hearing portion of the meeting and said they should continue with the public and then close the Public Hearing. He said they could have other discussions after that. He said there were two more people waiting to comment.

Angela Mirandi—8 West Lake Road—said that, since April, Councilman Ballard had warned that it was a not business as usual year and had expressed concerns about reductions in revenue. She said when Councilman Ballard presented what appeared to be reasonable reductions, the Council had rejected them. She said the public did not get to hear specifics on why they were dismissed and they had instead consider a reduction of \$50,000. She said she hoped the rejection of Councilman Ballard's suggestion was not a result of in-fighting within the Council because the only people it was hurting was the tax payers. She referenced other municipalities that had kept their tax levies the same or lowered them. She reviewed specifics of the budget, the surplus and the County's valuation of the town. She called for a flat tax rate and said she did not think the Mayor and Council were taking seriously the hardships being faced by the residents. She reviewed her concerns with State and Federal programs and said she felt that could compound the problem. She called for the Council to reject the amended budget being presented at this meeting and suggested they go back and make the necessary cuts to keep the tax rate the same.

Cindy Burnham—71 Wallace Street—said she wanted to speak regarding the Marine Park parking lot but said she understood that would come later. She said agreed with Ms. Morandi that there were more cuts to be made.

Councilman Yassin 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.

Mayor Menna said the next order of business would be to consider the adoption of the budget resolution. He called for a motion to introduce the resolution.

Resolution: 20-163: Adoption of Borough of Red Bank Municipal Budget

Councilman Yassin offered a motion to approve the resolution Public Hearing, seconded by Councilman Yngstrom.

Mayor Menna asked if there was any Council discussion.

Councilman Ballard said he would like to read a statement regarding the budget.\

Councilwoman Triggiano asked that Councilman Ballard's proposed deductions be shown to the public before the Council moved forward.

Councilman Ballard said the amendments had been worked on by the Finance Committee and shared with the Mayor and the Administrator.

Councilwoman Triggiano said she had seen them and said she would like them to be shared.

Councilman Ballard said he did not have a problem with that and said he did not realize the full Council had seen them.

Mayor Menna asked that it be put up on the screen so they could all review.

Administrator Shehady share the document of proposed amendments.

Councilman Ballard said the document reflected scaled down budget cuts that the Finance Committee had worked on. He reviewed the process they had used to identify the proposed deductions and how they would affect the tax rate. He also noted that there was an increase in one line to provide for a new Master Plan and stressed why he felt it was important to move forward with that project.

Councilman Yassin noted that he also served on the Finance Committee and said he wanted to know how Councilman Ballard had come up with the specific numbers in regard to the reductions.

Councilman Ballard said he had 20 years' experience and explained his review process. He was suggesting the cuts but he didn't know if they were possible. He said he wanted to have a discussion.

Councilman Yassin asked if he had reached out to Department Heads to discuss the proposed cuts.

Councilman Ballard said he had not and said Council members were barred from talking to Department Heads.

Councilman Yngstrom said that was a total mischaracterization.

Councilman Yassin said he felt there was no rhyme or reason to the cuts without understanding what was required.

A discussion followed regarding the process.

Councilman Zipprich said Councilwoman Triggiano had asked where the cuts came from and said this document identified that. He noted they had had 20 meetings regarding the budget since the beginning of the year. He said Chairman Ballard had made the recommendations to the Borough for ways they could save additional money. He said he had been in agreement to go forward with the budget cuts to achieve a target tax levy that they had set before the COVID pandemic.

Councilman Yassin noted that, to meet that target, they would have had to deplete the Borough surplus and put the Borough in a bad financial spot. He thought they had understood that the target wasn't a reasonable number in the current year.

Councilman Ballard said he thought it was even more reasonable because of COVID.

Councilwoman Triggiano said residents were somehow getting misinformation that the Council was ignoring possible savings. She said she would like the savings as a homeowner and would never ignore them. She asked if they could go through the reductions and explain why they could not be entertained.

Councilman Zipprich said he believed Councilman Ballard had presented the document during the Finance Committee's budget presentation.

Councilwoman Triggiano said, if the cuts were presented as viable when they were not, that needed to be addressed. She asked if the Administrator or someone else address the proposed reductions.

Other Councilmembers confirmed that they would like the Administrator to do so.

Administrator Shehady said there had been a number of claims that the Mayor and Council had not seen the proposed budget cuts. He shared a copy of an email to confirm that it had been sent to the entire Council and that he had explained the Councilman Ballard in that email that he was "looping in" the full Council. He said he had spoken to a few of the Council members about why the amendments were not feasible. He said he felt that was why some of the Council members were not in favor of the proposed cuts. He noted that it was not illegal to email something to the entire Council. He said the illegality would happen if the Council had discussions to decide on things in a back and forth discussion. He said the proposed cuts had been reviewed by himself and the CFO and discussed at several previous Finance Committee meetings. He explained that every line item in the budget had been reviewed multiple times and justifications and reasons for why the numbers were what they were. He said the Department Heads had also provided a detailed breakdown for what had been requested. He said the proposals being discussed had come after a June Finance Committee but prior to the introduction and they had made additional reductions of approximately \$53,000. He said the time for cuts was not upon introductions. He said they had made many cuts in the months leading up to the introduction. He said it was not a political budget but was a budget that was result of hard work by the Department Heads and CFO. He said it was grounded in facts, knowledge of government operations and municipal law.

Councilwoman Triggiano asked him to review the cuts line by line.

Administrator Shehady reviewed the proposed cuts line by line and explained why they had not been recommended.

Councilman Ballard said he had originally proposed \$500,000 in cuts. He said he agreed that a lot of cuts had been made in the prior months. He noted that he had amended the proposed reductions to a lower number and said they had not gone into detail in their earlier discussions.

Administrator Shehady said he disagreed and said it was Councilman Ballard's third year on the Finance Committee. He said they had gone through them each year as well as the spreadsheet provided by Department Heads. He said the proposed cuts were not outwardly dismissed. He said there were reasons and rationale. He continued reviewing the individual lines.

Councilwoman Triggiano said the explanations were helpful because she had had residents reaching out thinking that they were ignoring possible cuts. She said she would never do that.

Administrator Shehady said he took his responsibility to the taxpayers seriously and said he would not neglect cuts that he truly thought were in the best interest of the Borough. He said they were also already using more surplus than he felt comfortable with. He again reviewed the budget process over the past few years. He said he had heard criticism that the Borough had not spent all of the money budgeted last year and noted that, if they had not had left over money, they would not have been able to use the surplus this year. He said the Council had passed resolutions at the beginning of the year and had locked those amounts in.

Councilman Yassin pointed out that he was talking about different attorneys. He said he was referring to the Borough's Attorney but the lines in the proposed cuts were for the Attorneys appointed by the Boards.

Councilman Ballard said he believed those Boards did not have the authority to hire attorneys.

Both Councilman Yassin and Administrator Shehady pointed out that they did.

Mayor Menna said it was their statutory duty.

Councilman Yngstrom agreed.

Councilman Zipprich said the Board had been using the same attorneys for many years. He said in this COVID year, the Boards had not met as often as they had in the past. He said Councilman Ballard had made the proposal thinking there might be an opportunity to save some money.

Administrator Shehady said that was not the way it worked.

Councilman Yassin said if there was a contract in place, the amount of the contract had to be certified. He added that if the money wasn't spent, it would go back to the surplus.

Councilman Ballard said he felt they were over budgeting this year so they could put money into surplus.

Councilman Yassin said they were budgeting based on law.

Councilman Ballard said he felt they were locked into these amounts because somebody decided back in January that they were going to hire lawyers for X amount of dollars. He asked if that was correct.

Councilman Yassin noted that, in January, they did not know what the year was going to look like.

Administrator Shehady said they were talking about the amendments and why he had not recommended them to the Mayor and Council. He said the amendments were not outwardly dismissed. He said each had been considered and there was a reason they could not be recommended. He said he could continue to go through the lines.

Councilwoman Triggiano said she would like clarity on a few more lines and if additional cuts were possible.

Councilman Zipprich said he thought there was always an opportunity to make cuts. He said he had hoped that between introduction and adoption they would review the reduction proposals document again and make amendments before final adoption.

Councilman Yassin noted that there had been a resolution at the previous Council Meeting to approve cuts to the budget and pointed out that Councilmen Zipprich and Ballard had voted "no."

Councilman Zipprich said they had not felt they were significant enough.

Councilman Ballard said he felt additional cuts could be made that would not put the Borough in legal jeopardy.

Councilman Yassin continued to question why they voted "no" on the previously proposed cuts.

Councilwoman Horgan said she felt every cut was significant. She asked the Administrator to continue with his review and address why each proposed reduction was not possible. She also asked if the CFO had been in agreement on the proposed budget.

Administrator Shehady said it would be unfair to put him on the spot. He said recommending a budget was the Administrator's job. He said the CFO could address if the budget was balanced, etc. He confirmed that the CFO was involved in the entire process. He also pointed out that, prior to introduction, there had been some doubts from the Finance Committee about the proposed budget. He said Borough Auditor Fallon had also been brought in on the budget. He said the Auditor had affirmed that it was a good budget and if they made further reductions on appropriations, they would have to make further reductions on the surplus. He said the other option would be to deplete the surplus.

Councilman Ballard asked if he was saying that the Finance Committee's recommendations had no merit because the professionals would decide what the budget was rather than the elected officials.

Councilman Yassin said that, at the end of the day, four Council members were not in favor of going forward with the proposed cuts. He said it was the Council that had the say.

Councilman Ballard said if the four Council members had their minds made up, there was no point in going through the list.

Councilwoman Triggiano said it was for the public and for her own knowledge. She said she would support a cut if it was possible. She again said people from the public were reaching out claiming that there were ignoring cuts so she wanted to continue to go through them.

Administrator Shehady continued reviewing each line noting statutory requirements and contractual obligations among other reasons why the amounts were required.

Councilman Zipprich questioned the need for the amount of money listed for Police Department seminars and asked if it could be cut since it was a COVID year and there may be fewer classes.

Chief McConnell explained that most classes were still being held although most had been delayed and were virtual. He also noted that several superior officers were due to be appointed and their training was more expensive. He said, due to COVID delays, the Department now had to complete a year's worth of training in four months.

Administrator Shehady continued with the line by line review.

Councilman Ballard said the list was a suggestion and said was designed to generate this type of discussion. He said he appreciated the line by line review so everyone could understand.

Councilman Yassin said many of the proposed cuts had been previously discussed.

Administrator Shehady noted that the suggestions had been received on July 16, after the budget had been introduced. He continued his review.

Councilwoman Triggiano thanked him for the review and said it brought her clarity. She said she understood that many were not viable due to contractual obligations, etc. She asked him to confirm that any of the suggestions that were viable had been included in the \$53,000 amendment approved at the last meeting.

Administrator Shehady said that was correct.

Councilwoman Triggiano said she felt this showed that the Council had left no stone unturned and that they had ignored viable cuts. She said the fact that they were looking at these types of cuts showed how hard they had worked on the budget.

Councilman Zipprich thanked her for her comment and said it had been a lot of work. He added that, by going through Chairman Ballard's proposed list, he felt they had identified another couple of thousand dollars that might have been included and further reduce the tax levy.

Councilwoman Triggiano asked for specifics.

Councilman Zipprich suggested the Shade Tree Committee funding could be cut.

Councilman Yngstrom justified the need for the funding for the volunteer committee and said he would oppose a cut.

Councilwoman Triggiano said, other than the Shade Tree funding, she thought all other viable reductions had been added to the recent amendment to reduce the budget by \$53,000.

Councilwoman Horgan said the majority of the Council had voted in favor of the amendment but noted that Councilman Zipprich had voted "no" and said he felt the reduction was insignificant. She said she disagreed and also praised the volunteer Shade Tree Committee for the amount of work they had done.

Councilman Zipprich said he was aware of their work as he had served as a liaison to the committee in the past when then had no budget or a minimal budget. He said he had also questioned some expenditures in Parks & Recreation since everything had been abridged this year.

Councilman Ballard said he wanted to note that no one was talking about eliminating funding for the Shade Tree Committee.

Councilwoman Triggiano said it was upsetting when the residents had reached out. She said she wanted to stress that she was a resident and tax payer. She said she wanted to make clear that they had just gone through the proposed cuts that people had been emailing about and accusing them of ignoring. She noted that any were viable had been included on the recent amendment. She said it was now down to a couple of thousand dollars that could be taken from the Shade Tree Committee. She said she never wanted to go through this again.

Councilmembers continued to debate whether or not other minor cuts could be made.

Mayor Menna noted that all of the explanations had previously been given to the Finance Committee.

Councilman Ballard disagreed.

Councilwoman Triggiano said, at this point, she felt comfortable to move forward with voting on the budget.

Councilman Zipprich said he wanted to remind the Council that they had a fiduciary responsibility to those who had elected them.

Councilman Yassin again questioned why he had voted no on an amendment to reduce the tax levy. He said he was also ready to move forward.

Councilman Zipprich said, if it had been a more substantial savings, he would have agreed with it.

Mayor Menna noted that there had been a motion and a second on the resolution followed by a discussion. He called for a vote.

Councilman Zipprich noted that Councilman Ballard had said he wanted to read a statement.

Councilman Ballard said he had said most of what he wanted to say during the discussion.

ROLL CALL:

AYES: Yassin, Triggiano, Yngstrom and Horgan.

NAYS: Ballard and Zipprich.

There being four ayes and two nays, the motion was declared approved.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Mary Beth Maida – 84 Branch Avenue – asked to see the Management Report and asked about details from that report.

Mayor Menna said it was available on the Borough's website.

Ms. Maida criticized Councilman Yassin for what she said was rude behavior and asked about his role on the Finance Committee.

Administrator Shehady noted that this portion of the meeting was for comments on agenda items only. He said there would be another public comment portion at the end of the meeting for all other comments.

Mayor Menna asked if she had questions about resolutions listed for spending items.

She said she did.

Mayor Menna said they could be addressed as they came up or she could address them now.

Ms. Maida asked about the \$83,200 in Borough Hall improvements and asked what the money would be used for.

Mayor Menna said her questions would be addressed all at once.

Ms. Maida said she knew they were looking at tough budget cuts and noted there had been three recent retirements from the Police force. She said she understood that three officers would be promoted to fill those positions and would receive an increased salary. She said she also understood that three others would promote to the positions that they had left vacant. She asked if there would also be three new hires. She asked if there could be a hiring and promotion freeze. She also asked how they could fire two people from the recycling center but spend money in other places. She also asked where the \$10,000 a month for garbage would be coming from.

Cindy Burnham – 71 Wallace Street – said she was asking about Resolution 20-190 regarding the Marine Park Parking Lot project. She said Marine Park was a Green Acres funded park and said the Borough must adhere to Green Acres regulations. She said she wanted to read a letter from Green Acres and she said the Borough was in violation.

Administrator Shehady cautioned Ms. Burnham about giving factually incorrect statements. He said she should not state the Borough was in violation and said she was welcome to read the letter.

Ms. Burnham said she was correct in saying that the clay courts were not Green Acres funded but they were part of a Green Acres encumbered park. She said, if the courts were to be removed, any other use in that location must still support recreation and conservation purposes and be consistent with Green Acres regulations. She said a parking lot in that location must only be for the use of park users. She said leasing the Marine Park spaces to hospital employees was not consistent with Green Acres regulations. She said a representative from Green Acres went down to Marine Park and notified the Borough Administrator of concerns she had by email. She said, if the Borough was to expand parking at the park, all revenue generated would have to go into the Recreation budget and could not be added to the general fund. She said it was the Borough responsibility to ensure that the parking was being used by park patrons and people accessing the waterfront. She said, since the Marine Park parking lot seems to have enough capacity to support the park and non-park related uses, the Borough would need to demonstrate that the additional parking was necessary at this location. She questioned the need for a study and said she didn't think they could put a parking lot on that site. She said that was how she interpreted the letter and again said the Borough was in violation by issuing permits to Riverview Hospital.

Administrator Shehady said he was taking notes on comments and said, if the Mayor wished for him to respond, he would.

Angela Mirandi—West Lake Road—said she had a question on the ordinance to extend parking hours. She asked why it had only been extended by three hours. She said she was glad they were finally addressing it but said she did not think that the additional three hours was adequate or in line with other towns. She reviewed the hours of other municipalities and the financials for Red Bank. She questioned concerns about the opinion of the business community and claimed that resident paid two thirds of the property taxes. She continued to question why the decision had been made to only extend the time by three hours.

Administrator Shehady disagreed with her statement regarding the ratio of the amount of taxes paid by businesses versus residents. He said five more people had their hands up to speak but asked the Mayor if he would like him to address the previous comments at this time.

Mayor Menna said he thought that would be a good idea.

Councilman Ballard defended Ms. Mirandi's comment.

Administrator Shehady said, in regard to the extended parking hours, that the hours had been recommended by two parking consultants. He also noted that many of the items brought up with people questions why certain decisions had been made had all been discussed at Workshop meetings. He continued to explain the rationale behind the decision on the time for the parking enforcement extension. He said, in regard to Resolution 20-190, the speaker had been convoluting two issues. He regarding the

issue of permit parking and the issue of the proposal regarding the former clay courts, the DEP representative had not said the Borough was in violation. He said a memo had been provided and a conference call was scheduled. He said they were dedicating revenues from that parking lot into a trust fund. He said the money would be reinvested into the parks. He said that had been acknowledged as something that was in furtherance of the Borough's mandate. He said the strategy had been discussed at a Workshop meeting. He said he reviewed the plan to move the parking that had been approved by Council with the DEP representative. He reviewed details of the plan and how it would generate revenue for continued renovation of the park.

He said, in regard to resolution 20-188, he wanted to note that these expenses would be covered by the Federal CARES act. He said the work was for post pandemic mitigation/construction efforts at the Municipal Building to keep the public and employees safe as they reopened. He reviewed details of some of the improvements.

He said, in regard to the Police hires, he said he felt it was disingenuous to insinuate that there had not been efforts by the Police Department. He said the promotions had been slated to happen at the beginning of the pandemic and the Department and Officers had held off on the promotions. He said they had accepted that freeze and said he thought it would be detrimental to hold off any longer. He said when the positions were not filled, they were covered by other officers being paid on overtime and could end up costing the Borough more money.

Chief McConnell said the Administrator was correct. He said he wanted to add that they recognize the budgetary challenges presented by COVID. He said challenges actually added to the areas of responsibility for the Police Department. He said, rather than being reduced, the Department actually had more responsibilities than before. He said he felt it was important to note that these were not bonuses as had been implied earlier but were additional responsibilities being given to officers and the officers, rightly so, get compensated for those added responsibilities. He noted that even with the promotions and hirings to backfill positions, they had still had a reduction in the salary line this year of over \$100,000. He said that was practically unheard of and said it was partially due to the postponement of the promotions and was also due to the cooperation of the officers. He said they had also taken the Management Enhancement report to heart and had made strides to civilianize positions as recommended. He said they were doing more with less but, at some point, had to move forward to be effective.

Administrator Shehady thanked him for his comments. He said there had also been a question about where the money was coming from to fund the extended garbage contract. He said the money had been budgeted because they had expected that when the bids went out for a new contract in September, it was likely that costs were going to go up.

Mayor Menna thanked him for his responses.

Administrator Shehady said there were about five more people waiting to speak and called on the next speaker.

Jennifer Garcia – 30 Drummond Place – said he answered her questions about the resolution regarding the Marine Park Parking lot project. She said she also wanted to know if this would get them closer to the plan than had been voted on a couple of years ago. She asked if this was part of Phase I.

Administrator Shehady said that was correct.

Laura Kirkpatrick – Executive Director of RiverCenter – thanked the Mayor and Councilman Zipprich for participating in a ribbon cutting earlier in the day. She said she wanted to speak on Ordinance 2020-17 that would extend parking enforcement hours. She said the business community was doing okay in regard to COVID. She credit the fact that the Mayor and Council and business community had come together to create the Broadwalk which was bringing a lot of people into Red Bank. She said RiverCenter and the businesses would really like to keep the parking enforcement hours until 6pm until the completion of the White Street Lot and White Street Improvement projects were complete which she understood would be in October. She said they would really like it to be pushed off until the first of the year. She said Councilman Yngstrom had reached out to her about employee parking issues and said that was a problem they needed to figure out. She said she hoped to be back with solutions to deal with that issue. She reiterated that they would like to see paid parking stay at 6pm and would be back to discuss employee parking issues.

Dan Riordan – 53 Elm Place – spoke in support of the extended parking enforcement hours. He said he also wanted to point out that, when the Council had been reviewed proposed cuts, it had been said that the Redevelopment Agency required an Auditor and Attorney. He said was true because it was an Authority. He said redevelopment agencies were authorities so they could enter into contracts with developers when they were given redevelopment plans. He said that was what they were created for. He said the Red Bank Redevelopment Agency was doing none of those things. He said there was nothing before the agency at this time that required them to have contracting authority. He suggested the Borough should disband the agency and create a redevelopment committee or a new municipal facility committee. He said he thought they were a great group of people but said he thought they did not need to be an authority. He said, if they weren't an authority, the Borough could save \$30,000 per year.

Gene Horowitz—118 Branch Avenue—said he wanted to make a comment on the budget that was just passed. He said after seeing the presentation and going through the items line by line, he felt the budget that was passed was a very sound and fiscally responsibly budget. He commended the Borough Administrator for being so thorough and fact based.

No one else appearing, Councilwoman Triggiano offered a motion to close the Public Comment, 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.

MINUTES & REPORTS

Regular Meeting minutes of 7/22/2020

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/Acceptance:

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.”

Mayor Menna called for a motion to open the Public Hearing.

Councilman Zipprich offered a motion to open the Public Hearing, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

Mayor Menna asked if anyone would like to speak.

Carl Colmorgen—67 Oakland Street—said he did not have a comment on this ordinance but had wanted to speak earlier but was having technical problems.

Administrator Shehady said, if the Mayor had no objection, he would recommend that they close out the current public hearing and then let him speak.

Mayor Menna agreed.

No one appearing, Councilman Yassin 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.

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

ROLL CALL:

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

NAYS: None

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

Carl Colmorgen—67 Oakland Street—thanked the Council for allowing him to speak. He said he wanted

to comment on Resolution 20-195 to 20-200 regarding Police Department promotions. He said he wanted to congratulate the individuals and said they did a great job. He said, in a time when Police Officers were being disrespected, he noted that did not happen in Red Bank. He thanked them for their service.

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."

Mayor Menna called for a motion to open the Public Hearing.

Councilman Yassin offered a motion to open 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 asked if anyone would like to speak.

No one appearing, Councilman Yassin 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 Horgan 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.

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

Mayor Menna called for a motion to open the Public Hearing.

Councilman Zipprich offered a motion to open 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 asked if anyone would like to speak.

No one appearing, Councilman Zipprich 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.

Councilwoman Horgan 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:

2020-16 Mayor Menna read, “Ordinance Amending the Revised General Ordinances of the Borough at Section 680-60: “Schedule XXVI” Under Chapter 680: “Parking and Traffic” to Update Handicapped Parking Locations.”

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held on 9/9/2020 at 6:30 pm.

2020-17 Mayor Menna read, “Ordinance Amending the Revised General Ordinances of the Borough at Section 680-57: “Schedule XXIII” and Section 680-58: “Schedule XXIV” under Chapter 680: “Parking and Traffic” to Expand Metered and Permit Parking Enforcement from 6:00pm to 9:00pm.”

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

ROLL CALL:

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

NAYS: None

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

Mayor Menna announced the Public Hearing would be held on 9/9/2020 at 6:30 pm.

RESOLUTIONS

20-180 Mayor Menna read, “Resolution for Payment of Bills Amounting to \$ 6,806,268.08.”

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 Menna called for a motion to approve the following resolution en masse:

- 20-181: Resolution Authorizing Tax Collector to Complete Application to Participate in Electronic Tax Sale Process.
- 20-182: Resolution Authorizing the Tax Collector to Charge a Fee Relating to Tax Sale Notice Mailings
- 20-183: Resolution Authorizing the Borough of Red Bank to Enter into a Cooperative Pricing Agreement
- 20-184: Resolution Authorizing Purchase of a Ford Transit 250 Cargo (Animal Control Vehicle)
- 20-185: Resolution to Authorize the Lease of Copiers from Document Solutions, LLC, under State of New Jersey Contract
- 20-186: Resolution Authorizing Water/Sewer Refund due to Overpayment

Councilman Yassin offered a motion to approve the resolutions, 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.

20-187 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 \$7,500.00.”

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.

20-188 Mayor Menna read, “Resolution Awarding a Professional Services Contract to DMR Architects for Architectural & Engineering Services for Implementation of Post-Pandemic Protection Measures at Borough Hall.”

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

ROLL CALL:

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

NAYS: None

ABSTAIN: Zipprich

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

20-189 Mayor Menna read, “Resolution Accepting Bids and Awarding Contract for 2020 Red Bank Road Program.”

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.

20-190 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Professional Engineering Services for the Borough for Marine Park Parking Lot Improvements at a Cost not to Exceed \$70,000.00.”

Councilman Yassin 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.

20-191 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Professional Engineering Services for the Borough for Riverside Gardens Park Improvements at a Cost not to Exceed \$30,500.00.”

Councilman Zipprich offered a motion to approve the resolution, 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.

20-192 Mayor Menna read, “Resolution Authorizing the Borough Engineer, CME Associates, to Perform Professional Engineering Services for the Borough for Mohawk Pond, Count Basie and East Side Park Phase II Improvements at a Cost not to Exceed \$78,400.00.”

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

ROLL CALL:

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

NAYS: None

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

20-193 Mayor Menna read, “Resolution to Adopt Borough Procedure for Administration and Inspection of Federal Aid Highway Projects.”

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

ROLL CALL:

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

NAYS: None

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

20-194 Mayor Menna read, “Resolution Ratifying and Confirming the Appointment of a Full-Time Communications Officer (Dispatcher).”

Councilwoman Triggiano 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.

20-195 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Lieutenant Errico Vescio to Rank of Captain."

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

ROLL CALL:

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

NAYS: None

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

20-196 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Sergeant Beau Broadley to Rank of Lieutenant."

Councilwoman Triggiano offered a motion to approve the resolution, 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.

20-197 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Sergeant Robert Campanella to Rank of Lieutenant Resolution."

Councilwoman Triggiano 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.

20-198 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Patrolman George Travostino to Rank of Sergeant."

Councilwoman Triggiano 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.

20-199 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Detective James DePonte to Rank of Sergeant."

Councilwoman Triggiano 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.

20-200 Mayor Menna read, "Resolution Promoting Borough of Red Bank Police Department Patrolman Garrett Falco to Rank of Sergeant."

Councilwoman Triggiano 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.

20-201 Mayor Menna read, "Resolution Authorizing the Borough Labor Attorney to Initiate an Independent Investigation into the Facts and Circumstances Regarding the Borough's Recent Sanitation Contract Bid and the Release of Confidential Information Related Thereto."

Mayor Menna said he understood that there was going to be a motion to table the resolution for further discussion and called for that motion.

Councilman Zipprich stated that the matter could be resolved by including a clause to hire a Cyber-Security Forensics professional.

Councilman Yngstrom disagreed and said the entire Council had not been privy to the drafting of the resolution. He said he felt they needed to back and revise the resolution to call for an evaluation of the bid process. He said he thought it should be tabled so it could be adequately drafted.

Mayor Menna agreed.

Councilman Yngstrom offered a motion to table the resolution, seconded by Councilman Yassin.

Councilman Ballard said he did not want to prolong the matter and called for the resolution to move forward.

Councilman Yassin said he agreed with Councilman Yngstrom and said he felt there was some confusion over the resolution.

Councilman Zipprich asked him to explain what the confusion was.

Councilman Yassin said he thought it was going to say one thing and then it said something else. He said he just wanted more clarification.

Councilman Zipprich again asked for more information.

Councilman Yassin noted that the discussions had been held in Executive Session and he wasn't going to comment further.

Borough Clerk Borghi asked Councilman Yassin if his agreement constituted a second on the motion.

He said it did.

ROLL CALL:

AYES: Yassin, Triggiano, Yngstrom and Horgan.

NAYS: Ballard and Zipprich

There being four ayes and two nays, the motion was declared tabled.

20-202 Mayor Menna read, "Resolution Awarding an Emergency Month-To-Month Contract with Delisa Demolition, Inc. for Solid Waste and Recycling Collection Beginning September 1, 2020."

Councilman Yassin offered a motion to approve the resolution, 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.

Councilman Zipprich said he wanted to thank Director Cliff Keen for working with the vendor to provide continuation of services.

MAYOR AND COUNCIL COMMENTS

Mayor Menna said he strongly suggested that they consider having Borough Attorney draft a code that would mandate the Clerk to have the recording device at all Executive Session meetings to record the verbatim record of the meeting and to provide a summary as she does currently. He said the discussions were obviously privileged and were not to be released until the matter was resolved and it was no longer privileged. He said the recording would provide transparency but would contain a verbatim record of the deliberations of the Council. He said he felt there should be a record of those discussions and said it was a matter of fairness and transparency. He said he would like to see them adopted the rule at the next Council meeting as long as is met the muster of the Borough Attorney.

Councilman Yngstrom said he felt it was a great idea.

Councilman Yassin said he agreed.

Councilman Yngstrom said Fitness in the Park would continue in Riverside Gardens Park every Wednesday at 6:30 pm. He said this Friday, the Westside Jazz Series would host its first concern virtually featuring Val Johnson. He said spectators could tune into the Parks & Recreation website at

7:00 pm to view the concert. He encouraged everyone to register for the Parks & Recreation Camp Out through the website and said it would occur on August 28 at Count Basie Field.

Councilwoman Triggiano said she wanted to congratulate the officers that had to go through an unconventional promotion tonight. She said she was looking forward to a ceremonial swearing in. She said she was grateful for their patience as they were about to be promoted when the pandemic hit and they would have had the pay raise since March.

Councilman Zipprich thanked the DPW Department for their efforts cleaning up after the tropical storm and for their ongoing efforts in today's storm. He said he also wanted to thank RiverCenter Director Kirkpatrick expressing the business community's concerns about the parking expansion. He asked the Council to take her comments into consideration. He said, in light of the pandemic, they had to take the struggling business community into consideration. He said he wanted to thank his comments on the Finance Committee led by Chairman Ballard. He said the public presentation had been well received. He said he wanted to thank the many neighbors from both sides of town who had voiced their support. He reviewed some of the efforts that had gone into crafting the budget. He said this was the first time during his time on the Finance Committee that so much additional work had gone into the budget. He noted 2020 was a difficult year. He said, as Councilman Yassin had noted, the Committee had met at least 20 times over the year to craft a budget that would be in the best interest of the residents. He said this was not the budget they had hoped for. He said after the extra work, he could not support the extra increases in the budget. He said the reorganization of the Borough form of government may have to be evaluated in the near future. He said regarding the tabling of the resolution to call for an investigation, he said he felt it was a serious breach in confidentiality which would seriously affect the jobs of the current elected officials as well as those that would follow them. He again called for a cyber security investigation.

Councilwoman Horgan said the Library was continuing to have curb side pickup. She said the Library was still closed to the public but said the staff was working. She urged everyone to go on their website to see the plethora of activities available. She said they were still working hard on being available to the public.

Councilman Ballard said he was disappointed that Resolution 20-201 had been tabled and they were going to put it off for an indefinite period. He said he felt that the longer they put it off showed that they weren't really invested in finding out how this contractual issue became public. He said he wished they had moved forward with a quick amendment as Councilman Zipprich had suggested to get a security unit in as part of the team. He again said he was disappointed that the matter was being put off. In regard to the budget, he continued, he said he took his job as Finance Chair very seriously. He said he put forth amendments throughout the budgeting process because he felt that was his job as an elected official. He said the Council's job was to keep the taxes as low as possible and said he made no apologies for putting forth the amendments that he did. He said he was disappointed that there was one voice that everyone rallied around and accepted as fact and didn't push to help the residents. He again said he was disappointed. He said, as Councilman Zipprich had said, he felt they should look at the Borough Ordinance that delegated so many responsibilities to one person—an unelected administrator. He said it was the job of the elected officials to be the executive of the Borough and said he felt they should get it back.

Councilman Yngstrom said Councilman Ballard and Councilman Zipprich were trying to change the issue that they needed to investigate. He said there was nothing the press that would not have been available through OPRA except for one minor email. He said, prior to the last meeting, concerns had been brought to the Mayor and Council regarding issues with the competitive and public bid process. He said those concerns ended up in the press. He said the real issue was the Borough's public open bid process and whether it had been compromised. He said the Governing Body had an obligation to investigate those concerns regarding the public bidding process fully and transparently in order to ensure nothing had been done to undermine the process. He said the investigation and correctly setting the scope of the investigation was important in order to not compromise the public trust. He said the public and open bid process was the foundation for the Borough to get low and competitive bids. He said, if it had been undermined in any way, by any official or bidder, they needed to find out. He said that was why the resolution had been tabled. He said he hoped they could have a resolution at their next Council meeting that had been properly drafted with an investigation and scope focused at the correct issue. He said the investigation should focus on the bidding process and whether anything had compromised it. He reviewed the reasons why the process had been established as it had. He said the public trust in the Council must be safeguarded and protected. He said Red Bank must have confidence in their efforts to solicit bids properly and ethically.

Mayor Menna said he agreed and said this highlighted why he felt Executive Session meetings should be recorded. He noted the litigation involving public contracts and noted the sanctity that was supposed to be accorded to the procedure. He said he was very concerned about what might have happened and said they could not look as just one aspect. He said it should include the entire process. He said, contrary to what had been said, the matter would not be put off indefinitely.

Councilwoman Triggiano asked for clarification on the matter being discussed in public rather than Executive Session.

Borough Attorney Cannon said nothing was being discussed that the public didn't already know.

Councilwoman Triggiano asked if anything that had been leaked was illegal.

Attorney Cannon said emails between himself and the Administrator were privileged and they had been leaked.

Councilwoman Triggiano said she was not happy about the situation but was confused as to why they would spend taxpayer money to go on a witch hunt to find who leaked emails that could have been obtained through OPRA.

Attorney Cannon said that was not his decision, it would be the Council's investigatory power.

Councilwoman Triggiano said, if they determined who it was, would there be any ramifications to the person.

Attorney Cannon said it depended on who it was. He said people who had access to those emails sat in various positions including elected officials, employees and professionals.

Councilwoman Triggiano said she was asking if they broke a law.

Attorney Cannon said that would be the question of the investigation.

Councilwoman Triggiano again asked if whoever leak the information had broken the law.

Attorney Cannon said it was improper.

Councilwoman Triggiano said she agreed that it was improper but she was asking if they had broken the law.

Attorney Cannon said he did not know and that was the subject of the investigation. He said it was confidential information released to the public domain. He said whether it was improper, broke the law or was unethical, would be the subject of the investigation. He again noted that people in a lot of capacities had access to the information and, depending on who released it, the consequences would be very different.

Councilwoman Triggiano asked if they could go through each email and have him tell her which was illegal to be leaked because, she said, she was concerned about spending tax payer money on an investigator if the leak wasn't illegal.

Attorney Cannon noted that the last time they had discussed the matter, the bid had still been open. He said the efficacy of investigating a bid process where no bids had been received was also an important thing to note.

Councilman Ballard said, if the Councilwoman was correct that no law had been broken, the person who leaked the emails could just admit it and they could move on.

Councilman Yngstrom said the issue was that the investigation needed to focus on the bid process and whether or not it was undermined.

Councilman Yassin said, for his report, he would like to thank the Code Enforcement Department for their efforts with the downtown plaza. He said he had been a huge task for them to ensure that everyone was following the rules and keeping to the Executive Orders. He said the Police Officers patrolling the area had done a good job as well. He said the project had been a resounding success. He said he wanted to offer his final thoughts on the discussion regarding the investigation. He said he definitely wasn't happy that something had been leaked but said the bigger issue was someone messing with one of the bids. He said he agreed that the matter should be addressed at the next Council meeting.

DISCUSSION & ACTION

aSpecial Events Recommended for Approval (All approvals subject to final plan review by the Special Events Committee)

- Request from Liberty Hose Company of the Red Bank Volunteer Fire Department to hold their 2021 car show on Sunday, July 11, 2021 with a rain date of July 18, 2021, from 7am to 4pm on the White Street Parking Lot and to close White Street from 7am to 4pm subject to final plan review.
- Request from Red Bank Community Block Party to hold their 2021 event on Saturday, August 14, 2021 and a rain date of Saturday, August 21, 2021 from noon to 7pm and to close Drs. Parker Blvd. between Shrewsbury Avenue and Bridge Avenue for the duration of the event subject to final plan review.
- Request from NJ Friends of Clearwater to hold a 2021 music festival event in Riverside Gardens Park on Saturday, August 21, 2021 and Sunday, August 22, 2021 subject to final plan review.
- Request from Streetfairs.org to hold their annual Fall Streetfair Sunday, September 12, 2021 from 11am to 5pm subject to final plan review.

Councilman Yngstrom offered a motion to approve the request, 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.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Mary Beth Maida—84 Branch Avenue—expressed concern about the length of the meetings and she felt the issue was that four Council people were always siding with the Administrator and two did not go along with it. She said she wanted to thank Councilman Zipprich and Councilman Ballard for voting “no.” She criticized Councilman Yassin for being on the Finance Committee yet not attending the Finance Committee presentation. She said she understood that Administrator Shehady had had to deal with a tree hitting his car but said she felt he could have sent out an alert or phoned into the meeting. She criticized the fact that the proposed budget cuts had been presented but were not refuted until this meeting. She questioned the accusation that the garbage bid had been “meddled” with. She felt the bid had not been properly written. She reviewed research she had done and said she commended Councilman Zipprich for doing his due diligence. She questioned why the current contractor did not bid. She said she felt the Borough would be backed into a corner. She said she thought the investigation was going forwarded and then, after Councilman Zipprich called for an expert in cyber security, it had been tabled. She questioned why that was. She said she had voted for and supported every member on Council but said she felt betrayed.

Suzanne Viscomi—25 Cedar Street—she Councilman Ballard had mentioned that he was supposedly not able to talk to Department Heads. She noted others had refuted that and asked if he had proof. She said she also wanted to note that Councilman Zipprich had mentioned reform and said there was a petition going around. She said she would like to see options for the form of government. She said she thought it was disgusting that they had had a leak. She said she thought it was important to find out who was not being ethical. She asked about the status of the Master Plan noting that it had been mentioned earlier that it had been budgeted for but not done in prior years. She asked if there was a target date for completion.

Patricia Kouten—46 Spring Street—said she wanted to make a comment on her observation of the budget discussion. She said she was dismayed that the Council was not on the same page and said no one seemed to know anything about the budget. She said there were two Councilmembers on the Finance Committee. She said she didn’t understand why they didn’t know and said she felt that many of the proposed cuts were viable despite the explanation. She said she did not agree with it and cited the example of two lines that were listed for Fire – Training. She said she felt there was double dipping and extra money. She said she was completely disgusted with the vote.

Administrator Shehady said he wanted to clarify that the two lines the resident was referring to was for two different departments. He said one was for Uniform Fire which was a state mandated office known as the Fire Marshal’s Office that dealt with fire prevention issues. He said the second line was for the Fire Department.

Councilman Yassin said he wasn’t sure which two members of the Finance Committee she had been referring to but noted there were three members and said they had all seen the line items several times. He said he wasn’t sure why she thought they did not know. He said they had spoken about it in several meetings.

Cindy Burnham—71 Wallace Street—said she wanted to go on record to state that a Green Acres representative had said it was not consistent with Green Acres regulations to lease out parking spaces to Riverview Hospital. She claimed the Borough had been getting \$85,000 per year for those permits since 2013. She asked where the money had been going. She said she assumed it went to Parks & Recreation. She said it had been stated that the Borough was going to remove 78 spaces and replace it with green space. She said she did not think it was going to happen. She said any lot in the park could not be used by the general public but could only be used by park users. She questioned the amount of revenue that would be brought in.

Dan Riordan—53 Elm Place—expressed concerns about Councilman Ballard’s statement that said the Council members were elected as executives for the people. He said that was not true in the Borough form of government. He said the Council was the legislature and should not be involved in the day to day running of Borough. He said the Mayor was the elected executive and the main executive was the Borough Administrator. He said the power the Council had was to hire the Administrator they like. He also read from an Ordinance adopted in 2018 that said the Administrator should devote full time to his position. He said he was concerned because the Administrator also served as the Executive Director of an independent agency, the Redevelopment Agency. He said some of his responsibilities with that agency take place during the work day.

Angela Mirandi—West Lake Road—criticized comments by the Administrator in regard to residents who were muted and unable to respond. She said she thought it was rude and unprofessional. She asked the Mayor to mentor the Administrator on how to accept constructive criticism. Regarding the budget, she said she had pointed out that the actual appropriations were \$700,000 under budget last year. She said

that meant they would have to spend over \$850,000 to have no money for surplus. She said she was not saying they were wrong in not spending the money and criticized a comment she said he made regarding that statement. She also defended her comment about the property values of residents versus the rest of the town.

Memone Crystian—15 Marion Street—said she agreed with the last caller regarding concern for the division on the Council. She called for compromise. She expressed concern about the discussion regarding the investigation. She said she felt they should look at both sides. She applauded the Mayor on his comment regarding being transparent in Executive Session meeting. She said she also wanted to announce, as a Commissioner on the Red Bank Housing Authority, the Michael Clancy had resigned from the Board earlier in the evening. She said Mr. Clancy had recently made comments that had been reported on in a local newspaper. She said he cited his reason for leave as the fact that he was moving out of Red Bank.

Robert Lowe – 77 East Bergen Place—said he had noticed over the past couple of months that there was a slight degree of dysfunction on the Council. He noted they were two thirds of the way through the year and had just passed the budget. He asked how they could avoid the same missteps in 2021 and could they improve the budget process. Thanked Councilman Ballard and Councilman Zipprich for attempting to make cuts. He also reported an ongoing issue near his home as a result of a recent construction project. Councilman Yngstrom 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.

Councilman Ballard said he wanted to respond to a couple of comments. He said, regarding Mr. Riordan's statement that the Council did not have Executive Authority, he wanted to read a section of the code that he said stated that the Council shall have all the executive responsibilities of the municipality not placed, by general law or this act, in the office of the Mayor. In regard to Mr. Lowe's comments, he confirmed that the Finance Committee had met in the beginning of the year and had set a target for a maximum budget increase. He said the cuts that he put forward would have met that target.

EXECUTIVE SESSION

None

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,

Pamela Borghi