

MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
October 7, 2020
6:30 P.M.

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

Mayor Menna reflected on the passing of former Councilman, Fire Commissioner and Fire Chief John “Ray” Weston and called for a moment of silence. He offered condolences to the family.

Councilwoman and Fire Commissioner Triggiano also offered her condolences to the family.

ROLL CALL

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

ALSO PRESENT: Administrator Shehady, Borough Clerk Borghi, Attorney Cannon, Engineer Neumann and Department Heads.

ABSENT: Councilman Yassin

ADMINISTRATION

Mayor Menna reviewed two resolutions listed on the Workshop agenda that would be considered at the next Regular meeting including a resolution regarding Stigma Free Red Bank and a resolution to issue an RFQ for an Energy Aggregation Consultant.

He asked Administrator Shehady to review the first discussion item.

Best Practices Inventory—Administrator Shehady said this was an annual item that was expected to be submitted to the State by November 4. He said it had been delayed this year due to the pandemic. He said he had distributed a draft of the responses. He said he felt the Borough scored very well and said it should not impact the Borough’s aid. He said there were a lot of new questions that were unscored but were related to the pandemic. He asked if there were any questions.

Mayor Menna said he felt it was standard and that it should be listed for approval on the next agenda.

Scooter Sharing—Mayor Menna said this had been listed because Councilwoman Horgan had wanted to discuss it. He noted that it had been discussed many years ago.

Councilwoman Horgan said she had been contacted by a resident who knew a vendor. She said she had discussed it with the Police Chief and Administrator and said they would be reaching out to get details and bring information back to the Council. She said the discussion could be table until they received some feedback.

Mayor Menna suggested they could follow up at the next Workshop meeting.

Councilman Zipprich asked if it was a “drop and go” scooter.

Councilwoman Horgan said she was not given any details which was why the Administrator and Police Chief were going to reach out. She said she assumed that was what it was but said they would find out details once they had a chance to discuss it the vendor.

Grants Report for September 2020—Mayor Menna asked the Administrator if there was anything to add.

Administrator Shehady said there was not.

Mayor Menna asked if there were any questions. There were none.

ENGINEERING

Eastside Park Closeout—Engineer Neumann said the Borough had rejected the final payment to GR Masonry but said they did need to formally close out the project so they could be reimbursed from the County for it. She said the improvements were complete at this time and said they had confirmed that the two subs had been paid. She said, at this point, they were ready to move forward to enable the Borough to be reimbursed from the County.

Attorney Cannon said he had been working with Engineer Neumann on the matter and thanked Ms. Neumann for her efforts that meant the Borough did not lose a substantial amount of money. He said it took a little longer but said they had been able to bring it home monetarily. He said anything else to be discussed on the matter would be in Executive Session but said he was confident that they had cut off all meritorious claims in the matter and recouped the Borough’s overages. He thanked Ms. Neumann again.

Engineer Neumann reviewed highlights of her report. She said JCP&L had gone out and done the temporary guy anchor. She said her office had walked the site with Lucas that day to go through the punch list and review the scope of work. She said they would be getting her a schedule to remobilize in the next three weeks to complete

the work at Hudson Avenue and address the punch list items. She said the only thing that may remain was final top paving and, she said, that would have to do with timing. She said she was happy to see that that project was nearing completion. Regarding White Street, she continued, the landscaping had started and they were winding down and getting ready for final pavement there. She said the Road Program had commenced this week and had started with concrete work at the First Aid Building. She said they were trying to nail down a firm schedule for the contractor. She said they were supplying notices to the residents. She said the White Street Parking Lot construction remains on going. She said they were in the design phase for the Marine Park Parking Lot project as well as Phase II of Eastside Park and Riverside Gardens.

Councilman Zipprich thanked Engineer Neumann for reaching out to residents on East Bergen Place.

CLERK

Mayor Menna reviewed the proclamations slated to be read at the next meeting which included Fire Prevention Week (Oct. 4-10) and Breast Cancer Awareness Month/Mammography Day (Oct. 16). He also noted the Borough Clerk had submitted a report and asked if there were any questions.

Borough Clerk Borghi offered an update on the upcoming election including the fact that Vote by Mail ballots had been sent to voters that week. She noted a drop box had been installed outside of Borough Hall and had been getting a lot of activity. She asked if there were any questions about the process.

Councilman Zipprich said there had been a lot of questions from the public about voting booths and if there would be voting booths in Borough Hall.

Ms. Borghi said it was a primarily Vote by Mail election so everyone was being encouraged to use their Vote by Mail ballot. She said if they would rather not send it through the post office, they could leave it in one of the drop boxes. She said there would be in person voting but said it would be done by provisional ballot. She said there would be one machine for use by disabled voters only.

Councilman Zipprich asked if they would need ID if they vote in person.

Ms. Borghi said she was not sure but said, it had not been required in the past so she didn't know why it would be this year.

Mayor Menna noted the upcoming meeting dates were listed as a discussion item.

Ms. Borghi said she had provided Council members a copy of the resolution that had set the meeting dates for 2020 and wanted to remind everyone that the two regular meetings would be held on Tuesdays due to conflicts with holidays. She also noted there would be no League of Municipalities in person convention this year and noted that it would all be done virtually.

FINANCE

Mayor Menna reviewed agenda items listed including a resolution to authorize an RFP for banking services and a resolution to approve a Procurement Policy & Procedures Manual.

Councilman Zipprich asked if the manual was an update or was it a new draft.

Administrator Shehady said the manual was concerning procurement. He said the most recent one he could find predated the last two CFOs. He said he had discussed it with CFO O'Reilly and said there had been many changes to the State's Local Finance Notices and to technology so the manual needed to be updated. He said he would forward a draft but anticipated it would be listed for the second meeting in October.

Mayor Menna asked that it be provided sufficiently in advance so the Council could ask questions.

Councilman Zipprich asked how old the existing document was.

Administrator Shehady said he did not have it in front of him but estimated it was dated 2010 or 2012.

Mayor Menna asked if there were any questions on the CFO's report.

Mayor Menna asked if there were any questions on the Tax Collector's report.

Mayor Menna asked if there were any questions on the Tax Assessor's report.

There were no questions.

Mayor Menna said the next item was a discussion regarding Elected Officials access to the Edmunds system.

Councilman Ballard questioned why the item had been listed on the agenda. He said he had sent a request to the CFO and the Administrator to have access as the Finance Chair. He said Council members had access to other programs that did not require a vote. He said he did not know why they were having this discussion.

Councilman Yngstrom asked why type of information could be reviewed. He asked if there was a view only feature. He said he felt they should have access to it but didn't want to mess anything up.

Administrator Shehady said there was read-only access. He said since this was a new request, he just wanted to make sure that the Mayor and Council were all on board since there was no policy in place especially with the Finance system that contains things that are not necessarily public. He said there was no reason they could not provide read-only access but just wanted to make sure the Council authorized it. He said the program have been moved to the cloud which allowed for remote access. He said they planned to adopt the Policy and Procurement manual so they could move away from paper signatures on purchase orders and Council members could review the bill list through Edmunds. He reiterated that there was no issue with access but, since there was no precedent for it, he wanted to make sure they were all on board.

Councilman Zipprich said he felt the GovPilot program was the precedent because they all had access to that. He said he also agreed the Councilman Yngstrom that it should be read-only access.

A discussion on the matter followed. The Council consensus was to allow for read-only access by all Council members.

OEM/FIRE MARSHAL/CODE

Mayor Menna asked if there were any questions on the Emergency Management report.

Mayor Menna asked if there were any questions on the Fire Marshal or Code report.

POLICE

Mayor Menna asked if there were any questions for Chief McConnell.

Councilwoman Triggiano said she had no questions but said she wanted to congratulate the department on a successful National Night Out event. She said it was nice to see a community that wasn't another casualty of COVID.

Councilman Zipprich offered his congratulations as well.

Chief McConnell thanked them for their comments. He reviewed resolutions for the upcoming agenda that were requested by his department including one to impose the standard Halloween/Mischief Night curfew. He said the Department would be offering public education information for the holiday including hints for trick or treating.

He said there would also be a resolution regarding the appointment of crossing guards and another to appoint part time Parking Enforcement Officers. He said the salaries for the Parking Enforcement Officers would be paid for out of the parking budget. He said there would also be a resolution to authorize the annual purchase of police cars. He said the money had already been allocated through the Monmouth County Improvement Authority (MCIA).

FIRE

Mayor Menna noted the Fire Department report had been received. There were no questions.

Mayor Menna asked if there were any questions regarding the proposed resolution to authorize the purchase of fire apparatus.

Administrator Shehady noted the Fire Chief was participating in the meeting to discuss the department and the purchase of the apparatus.

Chief Calabrese announced the passing Ex-Chief Weston and noted he also served as a Councilman and Fire Commissioner. He reviewed the equipment the department would be purchasing and reviewed the process.

Councilman Zipprich asked if it was a proprietary purchase or if they had gone out to bid.

Chief Calabrese said it had not gone out to bid but was purchased through the GH contract. He said they had wanted to expedite the purchase because of the immediate need for the equipment. He noted the number of repairs that had been needed for the current vehicles.

Councilman Zipprich asked what the GH contract was.

Mayor Menna said it was a government services contract and confirmed that it was purchased through a co-op.

Councilman Ballard asked if there was a statute requiring the replacement of fire vehicles at certain intervals.

Chief Calabrese said the vehicles were supposed to be replaced every 20 years. He said the Westside Hose Company had put in a request at 20 years which was 10 years ago. He said that purchase was not approved. He said they continued to submit requests but did not receive a response. He reviewed the history of the requests and the needs of the department.

Councilman Ballard asked why they were not replaced 10 years ago.

Chief Calabrese said they had sent letters to the Council every year but had not gotten a response.

Councilman Zipprich noted that, in the recent past, the Borough had purchased a ladder truck. He said he was sure that had something to do with the way the monies were allotted. He suggested the Mayor could shed more light on the matter.

Mayor Menna confirmed that the request had been made and said there had been funding issues and a reallocation of existing resources. He said the immediate urgency was for a new ladder because there had only been one in service. He acknowledged that they were a little behind but said it wasn't unusual. He said it wasn't that they did not want to provide new equipment but the municipality had been unable to do it.

Councilman Ballard questioned how they had the resources now, during COVID.

Mayor Menna said they would have to bond for it. He said bonding had been strained during those years but said they had now freed up some bonding ability.

Administrator Shehady clarified that the decision to finance had been done under the 2019 MCIA. He said the Council had approved the allocation back then and they were now just selecting the actual apparatus. He said they had originally budgeted for one vehicle but said the department had come up with a new strategy where they could get two vehicles for the price of what was originally allocated.

Councilman Zipprich asked how much MCIA funding was available.

Administrator Shehady said he believed they had allocated \$1 million to it.

Councilman Ballard said he was confused and said he imagined the MCIA money had been allocated in previous years as well but the Council had chosen not to move forward.

Mayor Menna said that was not correct. He said it had not been allocated in prior years.

Councilwoman Triggiano said, when she had become Fire Commissioner, that was one of the first points that had been made clear to her that this had been an ongoing issue. She said it should not be brushed over that they were getting two pumpers being purchased when the money allocated was for one truck. She said she was really happy with the Fire Department and the way the houses had worked together to figure out the needs and how the money could be appropriately managed.

Councilman Ballard asked the Administrator to share the Statute that required the replacement of the vehicles after "X" amount of years.

Administrator Shehady said he could look for it but said he was not aware of the Statute.

Mayor Menna said there was no Statute that he was aware of but was a protocol the Borough Fire Department had had.

Councilman Ballard asked him if that protocol had not been followed.

Mayor Menna said protocols could be amended and changed based on circumstances.

Councilman Zipprich said he thought it had been based on recommendations of the State Firemen's Association.

Administrator Shehady said he was unsure of the reasons for the line of questioning but said, if it was questioning the life span of Fire Vehicles, there were a couple of reasons. He agreed that there were guidelines through the State Firemen's Association but said other things factored in as well. He said one was from an Occupational Health and Safety perspective and reviewed details of those concerns. He said another reason was to protect the Borough's insurance rating.

Mayor Menna said the resolution would be considered at the next Council meeting.

PUBLIC UTILITIES

DPW Director Keen said there was a need for two ordinances. He said the first one was regarding a requirement for head in parking in White Street lot in not all municipal lots. He said there should also be an ordinance regarding blocking walkways or sidewalks.

Mayor Menna said the head in parking ordinance should be for all lots to avoid confusion. He said he thought both were great ordinances. He asked the Borough attorney to draft the ordinance.

Councilman Zipprich recommended another municipality that may have such an ordinance that could be used as a model.

Attorney Cannon thanked him and said he had also discussed the matter with the Police Chief. He said the Chief concurred with the recommendation and had provided some draft language.

Councilman Yngstrom asked if both ordinance were necessary since the head in parking would eliminate the blocking of walkways.

Attorney Cannon said he believed there was a section of the motor vehicle code that was applicable but said he would double check and report back.

Police Chief McConnell agreed that he believed there was a Title 39 Statute that would cover that matter. He said he would make sure the language requested by Director Keen matched the Statute.

Mayor Menna asked if there were any questions regarding Director Keen's report. There were none. He asked Director Keen if there was anything he wanted to amplify.

Director Keen said he wanted to bring up two things that were not on the report. He said he wanted to thank his staff for the amazing job they had done in helping with the set up on National Night Out. He said he also wanted to report that the Department intended to collect leaves this year on schedule. He said in prior years, they had continued collection into January due to warm weather but said they expected to collect in November and December of this year. He said they would be enforcing if people put them out too early.

Councilman Zipprich asked, if the leaves continued to fall due to warm weather and climate change, would there be modification.

Director Keen said there would be. He said they don't want to anticipate collection in January due to possible snow fall.

A discussion followed on what had happened in prior years.

RECREATION

Mayor Menna asked if there were any questions on the Recreation Report. There were none.

SENIOR CENTER

Mayor Menna asked if there were any questions on the Senior Center report.

Director Reynolds said the Seniors would be at Eastside Park the next day and invited Councilmembers to stop by.

Councilman Zipprich asked about activities.

Councilwoman Horgan thanked Director Reynolds for taking care of the seniors.

Ms. Reynolds said she considered the family and it was nice to finally see them. She noted that they had been meeting in various Borough parks and would continue to do so.

Councilman Ballard said he appreciated everything she did. He asked the Council if they were ready to move forward and start repairing the Senior Center. He said he thought they were in a good position to bond for the work.

Mayor Menna said he thought that was a discussion they should have in Executive Session since it called for contract negotiations.

Councilman Ballard said he just wanted a consensus of the Council on whether they wanted to move forward with bonding for the work. He said they wouldn't be entering into a contract negotiation.

Councilman Yngstrom said the Council needed information on what they were bonding for with detailed financial information. He said, if they could have that before the next Council meeting or the next Workshop meeting, that would be great.

Councilman Ballard said he agreed but said he thought the report had been repaired.

Councilman Zipprich said the Engineer had reported on it at the last Workshop meeting.

Councilman Ballard said his question was whether or not they were ready to allocate money to the repairs.

Mayor Menna said that was the discussion they should have with a package that had been provided to them all by the Engineer prior to the next meeting or the next Workshop meeting. .

LAND USE

No Land Use items.

BUILDING

There were no questions on the Construction Official's report.

Councilman Ballard noted that at the last meeting he had stated he wanted to discuss the investigation that they keep putting off. He said had asked that it be placed on the Workshop agenda and it had not appeared. He said he would like to get the sense of the Council if they wanted to move forward.

Councilman Yngstrom said they did not want to move forward with it because there was currently an open bid. He said an investigation could cloud those bids. He said he felt they needed to wait for the bid process to be complete before moving forward.

Councilman Zipprich said the current bid was a completely new set of specifications prepared by the Borough Attorney.

Councilman Yngstrom said he agreed that the specifications were different but said the same vendors would probably be participating. He added that they may not want to give statements in an investigation during an open bid.

Councilman Ballard said he felt they should find out who was leading classified Borough emails.

Councilman Yngstrom said he totally disagreed and said he felt the focus should be whether or not there was any interference with the bid process that led to the Borough receiving no bids. He said he felt the email leak was not that big of a deal and said he felt it should be treated as the act of a whistleblower. He said there were not real ramifications and he felt they were looking out for the sanctity of the RFP process. He again said someone meddling with the bid process was the bigger issue.

Councilman Ballard called for investigating all of it.

Mayor Menna said that was a great point but noted the Borough Attorney had provided an estimate of the cost of such an investigation which was \$50,000. He said they didn't have \$50,000 right now until the final adoption and ratification of the budget which wouldn't happen until November. He said he didn't see how they could get a certification of funding right now if that was the Council wanted to do.

Councilman Ballard said he found it unbelievable that someone was leaking Borough emails and nobody on the Council cared.

Councilwoman Horgan said she felt they were public information.

Councilman Ballard said, if it was public information, he wanted to know who did it.

Councilman Zipprich said he thought the concern that Councilman Ballard was expressing was that Attorney-Client privileged information was leaked to the press.

Attorney Cannon said he wanted to clarify that he had not scoped out a potential investigator because he was on the email chain.

Mayor Menna said Councilman Ballard's comments and objection were noted.

PUBLIC COMMENT

Adrienne Bilaal—266 South Pearl Street—said she agreed with Councilman Ballard. She said she felt, if they didn't take it seriously, someone down the road may do something similar. She said they needed to hold them accountable and she would like to know who was responsible.

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

ROLL CALL:

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

NAYS: None.

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

EXECUTIVE SESSION

20-230 The Borough Attorney read a resolution to adjourn to executive session to discuss Contract Negotiation (CWA), Contract Negotiation (Saxum), and Contract Negotiation (IT Shared Services). No action to be taken.

Councilman Zipprich offered a motion to adjourn to Executive Session, seconded by Councilman Yngstrom.

ROLL CALL:

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

NAYS: None

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

ADJOURNMENT

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

ROLL CALL:

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

NAYS: None

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

Respectfully submitted,
Pamela Borghi