

**MINUTES
WORKSHOP MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
January 13, 2021
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 16, 2020.

PLEDGE OF ALLEGIANCE

Mayor Menna called for a moment of silence in memory of the life and legacy of Community Leader Willie Banks.

ROLL CALL

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

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

Mayor Menna asked Councilmembers if they would like to offer any comments regarding Mr. Banks. Councilmembers shared their memories.

ADMINISTRATION

Mayor Menna noted there was a resolution on the agenda that would encourage the Federal Government to reunite immigrant families. He also noted there were a list of resolutions authorizing contracts for professional services that were approved on January 1. He reviewed the individual resolutions and suggested those that could be voted on as a group and those that should be voted on individually. The Council members agreed.

Councilwoman Triggiano said she wanted to address the Immigrant Families resolution. She reviewed the resolution that included calling for releasing detainees and providing for due process.

Councilman Zipprich said, as the Administration changed in Washington, he felt a lot of the items would be addressed. He added that he thought it was a good idea to offer support at the local level.

Mayor Menna reviewed a resolution to acknowledge the work of the Complete Count Committee. He reviewed the Grant report and there were no comments or questions. He asked Councilwoman Triggiano to address the discussion on the Environmental Commission and its Green Team.

Councilwoman Triggiano said she really did not have anything to discuss. She said the Borough needed to figure out the process for this.

Administrator Shehady asked her to elaborate for the rest of the Council.

Councilwoman Triggiano explained that, for Sustainable Jersey, the process should be that anyone who was a member of the Environmental Commission was automatically a member of the Green Team. She said she had sent emails asking for direction on how to make that change.

Attorney Sobel said Attorney Cannon had been working on a memo regarding this matter and would provide it to the Clerk the following day.

Councilman Zipprich asked if the change would unseat the Green Team members that had been appointed on January 1.

Councilwoman Triggiano said it would not. She said it would just authorize all member of the Environmental Commission to be members of the Green Team in addition to any other appointees. She said there was no limit on the number of members that could serve on a Green Team.

Councilman Zipprich asked if the change would result in additional points for the Borough by having a larger team.

Councilwoman Triggiano said she did not believe so.

ENGINEERING

Mayor Menna noted there was a simple resolution to authorize him to sign the Recreational Open Space Inventory and an ordinance regarding Stormwater.

Engineer Neumann reviewed the Stormwater ordinance to incorporate State regulations. A discussion followed on the details. She said the state is requiring municipalities to adopt by 3/2/2021.

Engineer Neumann reviewed her report and offered updates on various projects.

CLERK

Mayor Menna reviewed the resolution regarding a liquor license transfer and asked if there were any questions. Borough Clerk Borghi asked if there were any questions on her report and noted there would be an appointment listed for the Navesink River Municipalities Commission.

FINANCE

Mayor Menna reviewed the two bond ordinances that would be listed on the Regular Agenda.

Administrator Shehady said he had discussed the Bond Ordinances with the Finance Chair and went over the purpose of the ordinances.

Mayor Menna and Councilman Yassin agreed that they should move forward.

Councilman Ballard asked about the improvements to parks that were referenced in the ordinance and asked for details.

Administrator Shehady said the largest project included in the bond was for the turf field at Count Basie Park. He said the current field had exceeded its useful life and they needed to update it.

Councilman Ballard asked if the turf field had been partially funded by grant money and asked if there was grant money available for the update.

Administrator Shehady said there may be but none had come up. He said there may have been more funds when they were newer but now they were a regular item that most agencies did not offer grants for. He said, if one came up, they would certainly use it. He said a grant had been received in the middle of a previous project and they had used less of the bonded funds so they were directly to other improvements.

Councilman Ballard asked about the funds listed for Buildings and Grounds and asked if it was primarily for the Library.

Administrator Shehady said it was not primarily for the Library but noted they were getting a large part of the funds. He said the Library had received a grant but it was a matching grant which would come from the Borough. He said the Library had also committee to raising \$75,000 through the Friends of the Library foundation. He said the rest was for projects that come up during the year and the Borough facilities such as HVAC, etc. He said the system would be very costly to repair so they were trying to extend its life until the Facilities review could be completed by the Redevelopment Agency. He said this would help to ensure that the expenses did not hit the operating budget.

Councilman Zipprich said the Count Basie Field had been a cooperative effort between Red Bank Catholic, the Borough and the Red Bank Board of Education. He said, when the project had been done, a complicated funding packet had been put together.

Councilman Yngstrom asked if the Borough had joined the class action lawsuit regarding the turf fields.

Mayor Menna said he remembered that they had had discussions on it but said he would get back to him with more information. He said he thought they had either did not have the same issues with the manufacturer or used a different manufacturer.

Councilman Zipprich said the Borough had had a newer version of the field so they did not qualify.

Mayor Menna said they had taken a look at it and had sent it out for review. He said he would be happy to send whatever they had.

Mayor Menna asked if there were any questions on the financial reports. There were none. He also asked if everyone had received the memorandum from Tax Attorney O'Hern regarding a settlement. He said if there was any discussion necessary, they could review the matter in Executive Session.

OEM/FIRE MARSHAL/CODE

Mayor Menna asked if there were any discussion items under OEM or Fire Marshal/Code. He acknowledge receipt of Fire Marshal Welsh's report.

POLICE

Mayor Menna noted there would be a resolution to accept a resignation of a Class II Special Officer as well as one to appoint crossing guards. He acknowledged receive of Chief McConnell's report.

Administrator Shehady said he would also be working with the Chief to add a resolution to appoint a Records Supervisor at the meeting of 1/27.

Councilman Ballard asked if there would now be two people in the Record Department.

Chief McConnell said they used to have three people of the Records Department, two full time and one part time. He said they had done away with having the sworn officer position and had gone down to one full time civilian and one part time. He said the Records Supervisor position was supposed to be filled a year ago. He said they had held off once COVID hit. He said they will be back up to two full time and one part time, however, the second full time will no longer be a sworn position but will be civilianized. He clarified that they were going to reduce the sworn officers by one taking it down to 39 but replacing that position with a civilian.

Councilman Zipprich asked if that would reduce expenditures.

Chief McConnell said it would and said they would save about 50 percent of the salary.

FIRE DEPARTMENT

Mayor Menna noted there were no items listed for discussion under the Fire Department and the report had not yet been received.

PUBLIC UTILITIES

Mayor Menna noted there were no Ordinances or Resolutions on the agenda and said the report had been received.

Director Keen apologized for not including the information about the December winter storm in his report. He thanked the crew for their efforts during the storm. He also thanked the Police Department and Code Enforcement Office for their assistance. He reviewed highlights from his report and said they would need to amend the ordinance to address contractual changes in the new solid waste contract.

Administrator Shehady also noted that the DPW Bulletin would be published the following day.

Councilwoman Horgan asked if there were any changes in garbage pickup.

Director Keen said the most significant change was that recycling would now be weekly. He said bulk pickups would also be changing to once per month. He said those dates would be in the bulletin to be published.

Borough Clerk Borghi said she also wanted to note that she had reached out to the contractor when she was updating the calendar because they had previously said their pickup days would coordinate with the Monmouth County Reclamation Center. She said she learned that the Reclamation Center had a new vendor so wanted to verify the schedule. She said the contractor used to pick up on most major holidays but it was unclear if that would remain the same. She said they were going to review and get back to her.

Administrator Shehady said there was an additional items that was not on the Workshop agenda but would be on the regular agenda which concerned the resignation of an employee.

RECREATION

Director Hoffman said he wanted to echo the earlier remarks regarding the Banks family. He also said he wanted to compliment the community for their response to the winter clothing drive. He said they had received over 1,000 items. He said he also wanted to highlight two grants that had been received in the last 30 days which were \$1,000 from Monmouth Arts to be used for the Westside Jazz Program and \$1,000 from Target to be used for the soccer program. He thanked the grant consultants for their help. He asked if there were any questions on his report.

Mayor Menna asked if he thought there would be a fully functional jazz program for the summer.

Director Hoffmann said probably. He said he hesitated because the rules change regularly. He reviewed challenges and said he was optimistic but could not guarantee it.

Mayor Menna said he may have information on funding sources if the program moved forward.

SENIOR CENTER

Mayor Menna said there would be an ordinance on the agenda regarding the lease for the use of a temporary facility.

Director Reynolds asked if there were any questions on her report. She reviewed highlights including the delivery of care packages to seniors in November and December. She said they would start the program back up in February. She said they had numerous people signing up to become members.

Councilman Zipprich thanked Director Reynolds for her attentiveness to his mother.

Councilwoman Triggiano said she had only been in her position of Senior Center liaison for 12 days but said she was looking forward to working with Director Reynolds.

Councilman Zipprich asked what the occupancy would be in the new space.

Director Reynolds estimated that the smaller room could hold about eight people and that the larger room could hold about 20. She noted she hadn't yet gotten an official occupancy number from the Building Department.

Councilman Zipprich said he was asking, if they were able to resume socializing, could they service the regular crowd.

Director Reynolds she did not think they could accommodate the regular crowd and might have to do things differently. She said if there was no longer any COVID restrictions, they would have to scale things back.

LAND USE

Mayor Menna said the action items listed had been previously discussed and included the clean fill ordinance and the bamboo ordinance.

Councilman Zipprich asked for more information on the bamboo ordinance.

Mayor Menna said it had been crafted by the Borough Attorney to address with issue of the explosive growth of bamboo from one person's property to another.

Councilwoman Triggiano offered additional information on the bamboo ordinance noting that the Borough Attorney had written and added that it had been introduced in other towns. She said she had been contacted by a resident who had dealt with this exact issue. She discussed the encroachment issues and the amount of work involved in remediation for something that she said was preventable. She said she believed two other towns serviced by the same Borough Attorney passed the legislation in September. She reviewed the need for the ordinance to make sure invasive species don't take over properties.

Councilman Zipprich said there were people in his neighborhood who had had bamboo for years.

Councilwoman Triggiano said the ordinance clearly states that it would not impact existing bamboo.

Mayor Menna said there was also a resolution to authorize the issuance of a Request for Proposals from contractors for Affordable Housing projects.

Administrator Shehady said he wanted to note that this was the first Workshop Meeting for the new Community Development Director, Shawna Ebanks. He said she had worked very hard on putting the RFQ together.

Councilmembers welcomed Ms. Ebanks.

Councilman Ballard asked about a list of homeowners that had been previously generated. He said estimates had been done. He asked if those applications were still active or if there would be a new application process.

Ms. Ebanks said there was not a new applications process but said, because of the time lapse, a lot of the certifications of the applications had expired. She said they would have to be recertified but said she felt that, due to the economic situation, most families would still qualify for the program.

Councilman Ballard asked if she had reached out to the applicants.

Ms. Ebanks said they would have to contact the Red Bank Affordable Housing Corporation or that organization would be reaching out to them to request more information. She said they wanted to get the contractor list together so that, once they were certified, they could immediately select their contractor. She said her priority was to get the contractor list together and then to recertify applicants.

Administrator Shehady said this was part of the reason there was a delay. He said the RBAHC had begun the recruitment and the application process before other things were in place. He said they were now playing catch up and review step that were being taken and the responsibility of the RBAHC and those of the Borough. He said they had met with the RBAHC to get everyone in sync. He said, once the request was advertised and the contractor proposals were received, the RBAHC should have the recertifications of applicants completed and ready to go. He said applicants have been reassured that, if they were on the list, they would maintain their position and that they would be tended to first.

Councilman Zipprich asked if anyone who had previous been certified would have to recertify in 2021 and if funding was still available.

Administrator Shehady said the funding had always been there and had never been an issue. He said the funding was sitting in an Affordable Housing Trust Fund account and reviewed the process.

Councilman Ballard asked how many applicants were currently on the list.

Ms. Ebanks said she believed the RBAHC had sent over the list of applicants and said she thought she saw about eight. She said the ones done earlier in the year last year would have to be recertified.

Mayor Menna said the next discussion item was the Historic Preservation regulations.

Ms. Ebanks said, in reviewing the Historic Preservation ordinance, she found that it did not define a minor versus major application. She recommended amending the ordinance to include those definitions. She said the ordinance also references resolutions being done once a major applications was approved. Since the Historic Preservation Commission does not have an attorney, she was recommending that the ordinance be amended to state that a letter would be issued rather than a resolution.

Councilman Zipprich said, at one time, the HPC did have an attorney. He suggested she reach out to the Chair to see who those attorneys were and how the process had been done.

Ms. Ebanks said she would look into it.

Administrator Shehady asked if there were any questions or concerns about the proposed changes and asked if Ms. Ebanks could work with the Borough Attorney to draft an amendment.

Mayor Menna said he thought the changes made sense. He said the Council would review the draft once submitted and consult with the HPC.

BUILDING

Administrator Shehady said there would be three resolutions on the upcoming agenda to approve permanent appointments for Construction Official and two Sub Code Officials. He said all of the positions were part time. He said the current appointees were working well and the specifics of workflow in the office.

Councilman Ballard asked for confirmation that they would be permanent part time.

Administrator Shehady said that was correct. He said they had been appointed on an acting basis so they could

evaluate and, based on the trial period, he was recommending making them permanent.

Mayor Menna praised the work done by the officials and noted its importance.

PUBLIC COMMENT

Mayor Menna said he assumed a number of people would want to address the Senior Citizen issue. He noted the Workshop meeting was being immediately followed by a Regular Council meeting which was a more formal session. He said it would make more sense for those speaking on that issue to wait for the more public meeting.

Councilwoman Triggiano said she felt they should comment whenever they were available.

Councilman Yassin said he believed there was also a lot of people in attendance that wished to comment on a resolution that was discussed and slated to be voted on at the regular meeting.

Administrator Shehady reviewed the procedure to participate in public comment.

Cindy Burnham—71 Wallace Street—asked about the resolution regarding the ROSI and if there had been any changes made to it.

Mayor Menna said the, as far as he knew, there were no deletions from the document but that it was an updated listing that might include additional items.

Ms. Burnham asked if he could tell her what had been added.

Mayor Menna said he had stated that, if there was any change, it would be an addition, not a deletion.

Ms. Burnham said she also had a question about the lease with Trinity Church and said she wanted to know why it was for three years.

Mayor Menna said that matter had been discussed under Contract Negotiations.

Attorney Sobel also noted that it was part of the negotiation that the Borough would be able to terminate with six month notice based on a change of circumstance.

Councilwoman Triggiano asked for clarification on the proper format for public comment and asked if speakers were supposed to ask all of their questions with answers to be given to all speakers at the end of public comment.

Administrator Shehady said he would suggest that they use that process so that each speaker would have the full five minutes to speak and so it didn't turn into a back and forth debate.

Councilman Ballard said he felt that format would prevent the ability to ask a follow up question.

Councilman Yassin said he understood that the procedure was implemented to give everyone a chance to speak. He said the speakers could address follow up questions by reaching out to them directly as they all had emails and contact information.

Councilwoman Triggiano advised anyone waiting to speak to ask all of their questions and they will all be answered. She said a lot of people may have the same questions but it was out of respect to all people who wanted to make a comment.

Councilman Ballard said he understood the thought process but said he did not feel that process would offer clarity.

Administrator Shehady said he wanted to remind everyone that, under the Open Public Meeting Act, the opportunity for public "comment." He said it was not the only time that they could engage with their elected officials and listed the many other options available to interact. He said, because they had business to conduct, they would want to hear the public's views. He said it was not intended to be a public debate or a public Q & A. He said if questions were not addressed at this meeting, Councilmembers could respond to them individually.

Attorney Sobel noted that the resolution to set meeting protocols had been pulled from the Reorganization meeting agenda so there was an opportunity to discuss that resolution.

Councilman Zipprich said he did not feel that this was the time to have that conversation.

Councilman Yassin said many people were waiting to speak.

Mayor Menna asked Attorney Sobel to confirm that, if a procedural resolution was not acted on, the former resolution would remain in place until changed.

Attorney Sobel said that was the case and noted everyone should be treated the same.

Tiffaney Harris—1 Cedar Crossing—asked why the Borough was exploring options when they could just use funds to repair the existing Senior Center. She said there was limited occupancy at the alternate location. She said the seniors were missing being at their regular home. She said the homebound seniors were not receiving the meals that they depended on. She reviewed the activities, including doctor visits, which used to be offered at the Senior Center.

Jordan Robinson—142 South Street—said she was speaking in support of Resolution 21-28.

Angela Mirandi—8 West Lake Road—asked for clarity on the Public Comment procedure because it had been inconsistent. She reviewed how other towns handled the issue. She said she felt that things were not addressed. She said she applauded the bamboo ordinance. She said she had missed the meeting where they had approved the

ordinance for capital improvements of \$2.5 million and asked about what was being covered. She said she was glad they were appointing a civilian to the Police Department Records position and asked if they would be losing a patrol position or a sergeant position.

Kason Little—Elizabeth, NJ—spoke in support of the immigration resolution.

James Dabrowski—Perth Amboy—spoke in support of the immigration resolution.

Cristian Aparicio—spoke in support of Resolution 21-28.

Brian Donohue—118 Bank Street—urged repair of the Senior Center. He compared it to those in other towns and said he was pleased that the town had given the seniors prime real estate with a waterfront view.

Craig Dolan—34 John Street—said he was speaking in support of the Senior Center, to offer suggestions on the public comment procedure such as a moderated chat and asked if fees were charged for non-town users of the turf field such as schools and football clubs from out of town.

Afshan Shams—Princeton—spoke in support of Resolution 21-28. She said she was grateful to Councilwoman Triggiano for introducing it.

Diane Achilo—18 Bank Street—spoke in support of repairing the Senior Center.

Celestine Woods—56 Leighton Avenue—Spoke in support of the Immigration Resolution. She also said she had read that the Borough was suing Riverview Medical Center for \$5.3 million but saw the matter had been settled for \$583,000. She said she did not understand the settlement number and said they should have pursued more and used the money to fix the Senior Center. She said the temporary facility was not adequate.

Tiffaney Harris—1 Cedar Crossing—She said she had submitted a resolution and petition to the Clerk. She asked how long it would take to get the repairs done.

Sean Miller—Princeton, NJ—spoke in favor of the Immigration Resolution. He thanked the Council for supporting the issue.

Molly Walker—President of the Unitarian Universalist Congregation of Monmouth County, Lincroft—spoke in support of the Immigration Resolution.

Anna Marta Visky—representative of Our Revolution, Monmouth County—spoke in support of the Immigration Resolution.

Tim Zebo—124 E. Bergen Place—spoke in support of the Immigration resolution and in support of repairing the Senior Center.

Boris Kofman—28 Riverside Avenue—spoke in support of the Immigration Resolution.

Robin McGee—263 Mechanic Street—spoke in support of repairing the Senior Center.

Judy Pack—170 Hudson Avenue—said she was also a member of Our Revolution and thanked the Council for considering the Immigration Resolution.

Adriana Medina Gomez—Neptune—said she represented the American Friends Service Committee and spoke in support of the Immigration Resolution. She reviewed the conditions in the detention centers and the need for legal representation.

Sue Ellen Sims—10 Harris Park—said she represented the Greater Red Bank Women's Initiative and urged the passage of the Immigration Resolution.

Stacy Greg—Rockaway—said she was speaking in support of Resolution 21-28.

Karla Ortega—282 Spring Street—spoke in support of the Immigration Resolution and spoke of her fears for family members.

Gene Horowitz—118 Branch Avenue—spoke in support of the Immigration Resolution.

Carla Ortiz—Secretary, Red Bank Regional Dreamers—Reviewed the goals of their organization and read a statement on the importance of the Immigration Resolution.

Beatrice Freda Terry—Raleigh, SC—said she was upset by the closure of the Senior Center. She said she was former Director and urged the Council to move forward with repairs. She discussed the several vital services she felt the center provided. She suggested the repairs could be funded by community fund raising.

Suzanne Visconti—25 Cedar Street—commended the other commenters and spoke in support of repairing the Senior Center. She said she also had concerns about a problem with neighbors using fireworks which she said was a quality of life issue. She asked the dog license renewals be available on line. She commented on the current Council meeting protocols.

Judy McCabe—Middletown—Greater Red Bank Women's Initiative Immigration Committee—spoke in support of Immigration Resolution.

Ellen Lichtig—Tinton Falls—Greater Red Bank Women's Initiative Immigration Committee—spoke in support of the Immigration Resolution. She reviewed conditions in detention centers and thanked the Council for their support.

Yantza Ortega—293 Spring Street—spoke in support of the Immigration Resolution and reviewed her personal experiences.

Laurie Gero—36 Worthley Street—thanked the Council for the Immigration Resolution.

Isabel Escalante—288 South Bridge Avenue—spoke in support of Resolution 21-28 and also in support of repairing the Senior Center. She said the community was willing to help.

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

ROLL CALL:

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

NAYS: None.

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

EXECUTIVE SESSION

None.

ADJOURNMENT

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

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