

**MINUTES  
REGULAR MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
APRIL 11, 2018  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Mayor Menna and Council Members Taylor, Whelan, Yngstrom, Ballard, Zipprich, and Horgan.

**ALSO PRESENT:** Interim Administrator DeRoberts, Consultant Hartnett, Borough Clerk Borghi, CFO Poulos, Attorney Cannon and Engineer Neumann

**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 January 1, 2018.

**SUSPEND REGULAR ORDER OF BUSINESS**

Councilman Zipprich offered a motion to suspend the regular order of business, seconded by Councilwoman Horgan.

**ROLL CALL:**

**AYES:** Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

**NAYS:** None

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

**PROCLAMATIONS**

Mayor Menna read a proclamation proclaiming April 2018 as Donate Life Month in the Borough of Red Bank and presented the proclamation to Denise Ely. Ms. Ely thanked the Mayor and Council and spoke of her personal experience as a recipient of a donated organ.

Mayor Menna read a proclamation proclaiming April 8-14, 2018 as National Library Week in the Borough of Red Bank and presented the proclamation to Sira Williams, Candyce Valor and Linda Hewitt of the Red Bank Public Library.

Mayor Menna read a proclamation proclaiming April 2018 as Jazz Appreciation Month in the Borough of Red Bank.

Mayor Menna read a proclamation proclaiming April 2018 as Get Yourself Tested Month in the Borough of Red Bank and presented the proclamation to Lauren Nicosia and representatives of Planned Parenthood.

Mayor Menna read a proclamation proclaiming April 2018 as Autism Awareness Month in the Borough of Red Bank.

Mayor Menna read a proclamation proclaiming April 2018 as Child Abuse Prevention Month in the Borough of Red Bank.

**RiverCenter Budget Hearing**

Councilman Zipprich offered a motion to open the public hearing, seconded by Councilwoman Horgan.

**ROLL CALL:**

**AYES:** Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

**NAYS:** None

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

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

**ROLL CALL:**

**AYES:** Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

**NAYS:** None

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

18-97 Mayor Menna read, "A Resolution Adopting 2018 Budget of the Special Improvement District."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

### **RESUME REGULAR ORDER OF BUSINESS**

Councilman Whelan offered a motion to resume the regular order of business, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Ballard, Horgan

NAYS: None

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

### **WORKSHOP**

#### **Regional Shared Services & Best Practices Summit**

Interim Administrator DeRoberts said they were recommending the Red Bank host a Regional Shared Services and Best Practices Summit for neighboring communities. He suggested it be held in one of the local schools on a Saturday. He said the purpose was to explore cost saving opportunities. He recommended June or September with participation by 10 to 12 neighboring communities.

Mayor Menna recommended the County be included. He also said he felt the earlier, the better and recommended June.

Councilman Ballard commended Mr. Hartnett and Mr. DeRoberts for the great ideas they brought to the Council and for all of their efforts.

Councilman Zipprich said Red Bank had had a long history of shared services and said he felt this would be an outstanding opportunity to re-engage.

Mayor Menna said he thought Red Bank had been the leader on the peninsula. He said overtime, regrettably, some of the programs had not been continued. He said he felt all departments and all services should be on the table.

#### **RFP for Banking Services**

Mr. DeRoberts said it had been approximately seven years since the Borough had done a RFP for banking services. He said, for the past few years, the Finance Department had been migrating bank accounts. He said, with the rising interest rate environment, they believed there was a great opportunity for the Borough to get much better terms and conditions and to increase revenue. He said he was requesting approval to issue an RFP.

#### **Stipend for Acting Fire Marshal, Acting Construction Official and Acting Assistant Administrator**

Consultant Hartnett said he wanted to make the Council that there were several positions, due to illness and vacancies, were being filled with existing employees. He said he was recommending that those employees be eligible for a stipend. He said he was requesting that the Council refer it to the Personnel/Finance Committee for action at the next meeting.

Mayor Menna agreed stating that that was the appropriate action.

#### **APPROVAL OF MINUTES – March 28, 2018**

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

### **MAYORAL APPOINTMENTS**

Mayor Menna appointed Edward Washburn to the Riverside Avenue Redevelopment Advisory Committee for a term expiring on 12/31/2018.

Councilman Zipprich offered a motion to confirm the appointments, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

## **REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Ballard said the Finance Committee was continuing to work on the budget. He said he knew the public was expecting to have something by now but said they were going to continue to work hard to bring a budget back that everyone could live with.

Councilman Zipprich thanked Councilman Yngstrom and Director Hoffmann for their efforts with the Marine Park meeting with Kimley-Horn. He said he had been well attended with both residents and non-residents. He said the DPW Committee would meet the following week. He also reported that he had attended a meeting held by Gov. Murphy in Asbury Park to combat gun violence. He said the Red Bank Borough Education Foundation would be holding a 50/50 on April 27 noting tickets were available for sale online. He also noted RiverCenter would be hosting the International Beer & Wine Festival on Sunday, April 22.

Councilwoman Horgan had no report.

Councilman Taylor reported that the first annual Earth Day Expo would be held on April 21 from noon to 4pm. He reviewed various events that would be offered at the expo. He also reported that there would be a ribbon cutting for the new dual electric car charging station. He said the dual station would replace a single station that was no longer functioning. He said the Green Team was also piggy backing with the Red Bank Police Department to support the National Prescription Drug Take Back Day. He said it occurred twice a year with the first date on April 28. He said the Police Department had set up collection containers at Borough Hall. He said the Code Committee had not met yet in April. He said he had discussed the issue of second and third floor vacancies downtown with RiverCenter Director Scavone. He said they had no information on whether they were residential or professional so they were going to start to share information to gather data to better assess the downtown area.

Mayor Menna noted that one of the buildings had been recently sold and said they had had second and third floor vacancies. He said he felt they would see great change because the owner was an astute urban developer. He said he would also like the Environmental Commission to provide feedback before the next Council meeting on the issue of grease traps. He said he had asked the Borough Attorney to prepare a grease trap ordinance that would be applicable to all food service establishments. He said they would be self-regulated and it would be part of the health inspections. He said it would be environmentally good but would also identify individuals who were responsible and those who were not. He asked Attorney Cannon to prepare the ordinance as early as the next meeting.

Councilman Taylor said the County Health Department did the inspections but said there was no reason Red Bank couldn't put forward their own regulations.

Mayor Menna said he wanted the burden to be on the food service establishment to get a licensed service and post the inspections.

Councilman Whelan had no report.

Councilman Yngstrom thanked the Red Bank Elks for their generous \$3,500 donation toward youth sports. He also thanked everyone who helped out with the Egg Hunt including the Red Bank Regional athletes and the Key Club as well as Councilman Taylor and Councilman Ballard. He said they had great weather and a great turn out. He said the Parks & Recreation Department had held the first of four meetings the previous Monday to discuss the future of Marine Park. He said Kimley-Horn had let the discussion and he thanked all who attended. He said the next meeting would be May 2<sup>nd</sup> with a 4:30 session and a 7pm session. He said there was a Toddler Music Class scheduled for Saturday in the Council Chambers.

Mayor Menna said St. Crispin's House had been opened the previous Sunday which was a community outreach center at St. Anthony's. He reviewed the services that would be provided.

## **COMMUNICATIONS AND PETITIONS**

Recommended for Approval by Special Events Committee:

- Request from Monmouth FC Soccer to use Count Basie Field on May 12 & 26, June 2 & 30 and July 13.
- Request from Red Bank Crop Hunger Walk to hold their 38<sup>th</sup> Annual walk in Red Bank between 2:30 and 4:00pm and Sunday, October 21, 2018.

Mayor Menna asked if the Soccer organization would be paying for the use of the field.

Councilman Yngstrom confirmed that they would.

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

**PUBLIC COMMENT – Ordinances on First Reading and Resolutions Only**

Mayor Menna opened the public comment portion of the meeting and asked if anyone would like to speak.

No one appearing, Councilman Whelan offered a motion to close the public comment portion of the meeting, seconded by Councilman Ballard.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

**ORDINANCES – First Reading**

2018-12 Mayor Menna read, “An Ordinance Amending Chapter 680, "Vehicle and Traffic", Subsection 680-60, "Schedule XXVI: Restricted Parking for Handicapped Persons" of the Revised General Ordinances of the Borough of Red Bank.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Public Hearing and final adoption scheduled for April 25, 2018.

**ORDINANCES – Public Hearing and Final Adoption**

2018-11 Mayor Menna read, “An Ordinance Amending and Supplementing Chapter 364, Flood Hazard Prevention.”

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

No one appearing, Councilwoman Horgan offered a motion to close the public hearing, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

**RESOLUTIONS**

18-98 Mayor Menna read, “A Resolution Authorizing the Appointment of Regular Crossing Guard(s) for the 2017-2018 School Year.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-99 Mayor Menna read, “A Resolution Confirming Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-100 Mayor Menna read, "A Resolution Authorizing Place-to-Place Transfer of Plenary Retail Consumption License No. 1340-33-014-012 (Triumph Brewing Company of Red Bank, LLC)."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-101 Mayor Menna read, "A Resolution to Award Payment of 2017 LOSAP Benefits to Eligible Members of the Red Bank Volunteer Fire Department and First Aid Squad."

Councilman Whelan offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-102 Mayor Menna read, "A Resolution Authorizing the Release of Maintenance Guarantee Posted by 100 NSR, LLC for Block 97.01, Lots 42 & 43."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-103 Mayor Menna read, "A Resolution Authorizing Submission of a Grant Request to the New Jersey Forest Service for a 2018 NJUCF Stewardship Grant."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-104 Mayor Menna read, "A Resolution Accepting Plea on Non Vult by Red Bank Elks Lodge #220 to certain ABC Charges and Imposing Penalty Therefor."

Councilman Whelan offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-105 Mayor Menna read, "A Resolution Authorizing Tax Appeal Settlement Regarding Amboy National Bank, Block 31, Lot 24, Red Bank, New Jersey."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-106 Mayor Menna read, "A Resolution Accepting Bids and Awarding Contract for Improvements to East Bergen Place."

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-107 Mayor Menna read, “A Resolution Approving Amendments to the Borough’s Contract with National Metering Services, Inc. for the Borough’s Water Meter Replacement Project.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-108 Mayor Menna read, “A Resolution Ratifying Consent Order Entered by the Borough’s Redevelopment Attorney Preserving the Affordable Housing Restrictions Recorded on 108 Dr. James Parker Boulevard, Unit D7, Red Bank, NJ Notwithstanding Sheriff’s Sale.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-109 Mayor Menna read, “A Resolution Amending the 2018 Temporary Appropriations.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

18-110 Mayor Menna read, “A Resolution Granting Brinkerhoff Environmental Services, Inc. Request to Conduct Monitoring Well Installation Activities on Behalf of Denholtz Oakland, LLC in the Public Roadway Adjacent to 101-107 Oakland Street within the Asphalt Parking Area within the Paper Street Known as Oakland Street.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

#### **PAYMENT OF VOUCHERS**

18-111 Mayor Menna read, “A Resolution for Payment of Bills Amounting to \$3,251,677.86.”

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

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Zipprich, Horgan

NAYS: None

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

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### **AUDIENCE**

Jimmy Dark—48 West Sunset Avenue—said the street sweeper hadn’t been around in quite some time. He said the situation was pitiful. He said the Mayor to take a ride around and look.

Mayor Menna said he had seen both the street sweeper and the “claw” being used around town.

Mr. Dark said some streets were not being cleaned.

Mayor Menna said he would request a written report from DPW Director Keen.

Mr. Dark said it was an ongoing problem.

Mayor Menna said he felt if an analysis was done, he would find that Red Bank did two or three times as much street sweeping and cleaning than other towns.

Mr. Dark disagreed.

Councilman Zipprich noted the number of Nor'easters in March, staff was focused on plowing, salting and brining. He said, once the weather got warmer, the staff had been out picking up brush and debris all over town. He noted there were four snow storms in March and it was now only April 11. He also pointed out that the Department was short staffed and said the Mayor had stated he had seen the street sweeper in operation.

Mr. Dark again asked Mayor Menna to look into it.

Councilman Taylor said he had a comment that was unrelated to the street sweeping issue but said he had noticed an increase in debris. He said some could be related to the snow storms but he added that he had noticed that employees of the private sanitation contractor did not pick up debris that falls out of cans as they are picking up. He asked Director Keen to reach out to the contractor to request that they be more thorough.

Mayor Menna said that made sense.

Mr. Dark said people had a right to come to a meeting and ask questions and said they should be disrespected.

No one else appearing, Councilwoman Horgan offered a motion to close the audience portion of the meeting, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

#### **EXECUTIVE SESSION**

18-112 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel and Contract Negotiations; action will be taken.

Councilwoman Horgan offered a motion to adjourn to executive session, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilman Zipprich offered a motion to adjourn from executive session and return to regular business, seconded by Councilman Whelan.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Mayor Menna explained the purpose of the Executive Session was for a personnel matter, specifically the position of the Business Administrator for the Borough. He said, after discussions with his fellow Council members and an extensive process, it was his pleasure to offer the position to Ziad Andrew Shehady, the current Business Administrator for the Township of Springfield. He asked the Council to affirm the position.

Councilman Yngstrom offered a motion to affirm the position, seconded by Councilman Ballard.

ROLL CALL:

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Mayor Menna opened the floor for public comment and asked if anyone would like to speak.

No one appearing, Councilwoman Horgan offered a motion to close the public comment portion of the meeting, seconded by Councilman Zipprich.

**ROLL CALL:**

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

**EXECUTIVE SESSION**

18-113 Mayor Menna read a resolution to adjourn to executive session to discuss Personnel; action will not be taken.

Councilman Zipprich offered a motion to adjourn to executive session, seconded by Councilman Whelan.

**ROLL CALL:**

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Councilwoman Horgan offered a motion to adjourn from executive session and return to regular business, seconded by Councilman Zipprich.

**ROLL CALL:**

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

**ADJOURNMENT**

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

**ROLL CALL:**

AYES: Taylor, Whelan, Yngstrom, Ballard, Zipprich, Horgan

NAYS: None

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

Respectfully submitted,

Pamela Borghi