

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
January 13, 2021
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

Navesink River Municipalities Commission appointment

Chuck Hunnewell to the Navesink River Municipalities Commission for an unexpired term ending 12/31/2021.

Councilman Yngstrom offered a motion to approve the appointment, 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.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Margie Lane—52 Tower Hill Avenue—thanked the Council for considering the immigration resolution. She said he husband had been born in Red Bank and had worked here his whole life. She said she was appalled that they were going to take the senior building from them and said she there had been talk that the Borough had gotten insurance money which she was told was \$500,000.

Administrator Shehady apologized for interrupting and said he wanted to note that this portion of public comment was in regard to agenda items only. He said the Senior Center was not an item on the agenda.

Stephen Hecht—135 Branch Avenue—said he was speaking regarding Resolution 21-33 for an adjudicated tax credit/refund. He said he wanted to urge the Finance Committee to study the number of tax appeals, what they have cost the Borough, how many have been adjudicated and how many have been the result of agreements between parties. He said, if the Finance Committee was willing to do that, he would like to see a report.

Mayor Menna said it was a good question and said that report should be prepared by the Assessor. He said he would ask the Administrator to ask the Assessor to provide a statistical analysis for 2020.

Angela Mirandi—8 West Lake Road—said she wanted to speak regarding Ordinance 2021-03 regarding Trinity Church. She said she had heard that the agreement would be for a three year lease but had heard callers state that the space was too small and that the bathrooms were difficult to maneuver in. She said she thought that she had heard that it was not ADA compliant. She said that was concerning and asked if the lease took those items into consideration.

Councilwoman Triggiano said the comments would be addressed at the end of the public comment.

No one appearing Councilman Yassin offered a motion to close the public comment, seconded by Councilwoman Triggiano.

ROLL CALL:

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

NAYS: None

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

MINUTES & REPORTS

Regular Meeting minutes of 11/10/2020

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.

Regular Meeting minutes of 11/24/2020

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

ROLL CALL:

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

NAYS: None

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

ORDINANCES - Public Hearing/Adoption:

None.

ORDINANCES – First Reading:

2021-01 Mayor Menna read, “Bond Ordinance Providing for Various Capital Improvements by and in the Borough of Red Bank, in the County of Monmouth, State of New Jersey; Appropriating \$3,317,000 therefor and Authorizing the Issuance of \$3,317,000 Bonds or Notes to Finance Part of the Cost thereof.”

Councilman Yassin made the motion to approve the introduction of the ordinance, Councilwoman

Horgan seconded.

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 1/27/2021 at 6:30 pm.

2021-02 Mayor Menna read, "Bond Ordinance Providing for Various Improvements by the Water/Sewer Utility of the Borough of Red Bank, in the County of Monmouth, State of New Jersey; Appropriating \$1,757,000 therefor and Authorizing the Issuance of \$1,757,000 Bonds or Notes to Finance the Cost thereof."

Councilman Yassin made the motion to approve the introduction of the ordinance, Councilman Zipprich seconded.

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 1/27/2021 at 6:30 pm.

2021-03 Mayor Menna read, "Ordinance Approving a Lease with Trinity Episcopal Church for Certain Recreational and Meeting Space at 65 West Front Street for Use as a Temporary Senior Center."

Councilman Zipprich made the motion to approve the introduction of the ordinance, Councilman Yngstrom seconded.

Councilman Ballard asked the lease was being approved as an ordinance rather than a resolution.

Administrator Shehady said leases by a government must be done by ordinance.

Councilman Ballard asked if it would become part of the Borough's laws.

Administrator Shehady said it would not and said not every ordinance becomes codified. He noted the bond ordinances were treated the same way. He said some items needed to be done by ordinance because they needed an introduction and a public hearing. He asked Attorney Sobel if he had anything to add.

Attorney Sobel said he did not and said the Administrator had covered it perfectly.

Councilman Zipprich said he wanted to clarify that he had verified with the Attorney that there was an escape clause in the lease with six months' notice.

Councilwoman Triggiano said she also wanted to clarify that the facility was ADA compliant and had ADA accessible bathrooms.

Administrator Shehady said there had been a lot of misinformation stated about the facility. He said it was ADA compliant and said it had the occupancy limits that were necessary for the Borough to hold sufficient senior programming especially in light of the pandemic and the restrictions thereof. He said the restrooms were not as people had described. He said they had referred to other restrooms in the building but not the restrooms the seniors would be using as part of the lease agreement. He said those Council members that had visited the facility could attest to that fact.

Councilman Zipprich was asking if the Administrator was saying there were comfort-height toilets in the handicap accessible bathrooms.

Administrator Shehady said they should be but, if they weren't, they have made a provision with the church to make those facility improvements. He said that was an item included in the lease.

Councilman Ballard said Director Reynolds had stated that one room was big enough to accommodate about 20 or 28 people and the other room could accommodate eight people.

Administrator Shehady said there was a large general assembly room and smaller rooms as part of the lease for office space and more intimate group meetings. He said to also keep in mind that, due to restrictions from the pandemic, they were going to be separating groups and making them smaller to keep everyone safe.

Councilman Ballard asked if the facility was large enough to accommodate every senior who wanted to go to the Senior Center.

Administrator Shehady said that was correct.

Councilman Ballard asked if there was any limitation on how many could be there at one time.

Administrator Shehady said there were limitations of maximum occupancies just like with any building

but they were creating programming based on that.

Councilman Zipprich asked if seniors would not be able to participate in one large group of 50 to 70 people but would have to be broken into smaller groups.

Administrator Shehady said it would depend on programming and would be the same even in the existing Shrewsbury Avenue Senior Center.

Councilman Zipprich noted that there were multiple rooms at the Shrewsbury Avenue facility.

Administrator Shehady said he understood but noted that the various activities were not going on at the same time.

Councilman Yassin said he felt they all had confidence in Director Reynolds to run programming.

Councilwoman Horgan agreed.

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 1/27/2021 at 6:30 pm.

2021-04 Mayor Menna read, "Ordinance Supplementing the Borough's Revised General Ordinances to Insert New Chapter 582: "Soil and Fill Importation" to Regulate the Importing and Depositing of Soil and Fill to Protect the Safety, Public Health, and General Welfare of the Borough's Residents."

Councilwoman Triggiano made the motion to approve the introduction of the ordinance, Councilman Yassin seconded.

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 1/27/2021 at 6:30 pm.

2021-05 Mayor Menna read, "Ordinance Supplementing and Amending Section 490-107: "Stormwater Management and Control" of the Borough's Revised General Ordinances to Adopt New Regulations Consistent with Amendments to the New Jersey Department of Environmental Protection's Stormwater Management Rules."

Councilman Zipprich made the motion to approve the introduction of the ordinance, Councilman Yassin seconded.

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 ordinance would be referred to the Planning Board for review and said the Public Hearing would be held on 2/10/2021 at 6:30 pm.

RESOLUTIONS

Mayor Menna called for a motion for the following resolutions to be moved by Consent Agenda:

- Resolution 21-14: Resolution for Payment of Bills Amounting to \$ 774,708.20
- Resolution 21-15: A Resolution Appointing Clifford Keen as Fund Commissioner and Ziad Shehady as Alternate Fund Commissioner to Monmouth County Joint Insurance Fund.
- Resolution 21-16: A Resolution Appointing Peter O'Reilly as Fund Commissioner and Ziad Shehady as Alternate Fund Commissioner to Central Jersey Health Insurance Fund.
- Resolution 21-18: Resolution to Authorize a Professional Services Contract with Gregory Cannon Individually and with Sobel Han LLP for Municipal Attorney Services.
- Resolution 21-19: Resolution to Authorize a Professional Services Contract with Daniel J. O'Hern Individually and with Byrnes, O'Hern & Heugle, LLC for Special Counsel for Tax Appeals.
- Resolution 21-20: Resolution to Authorize a Professional Services Contract with Gene J. Anthony, Esq. for Rent Leveling Board Attorney Services

- Resolution 21-22: Resolution to Authorize a Professional Services Contract with Charles J. Fallon Individually and with Fallon & Company LLP for Municipal Auditor Services
- Resolution 21-23: Resolution to Authorize a Professional Services Contract with William G. McGuinn Individually and with Hoagland, Longo, Moran, Dunst And Doukas, LLP for Municipal Prosecutor Services
- Resolution 21-24: Resolution to Authorize a Professional Services Contract with Kevin P. Wigenton, Esq. for Municipal Public Defender Services.
- Resolution 21-25: Resolution to Authorize a Professional Services Contract with Gregory R. Valesi Individually and with CME Associates for Municipal Engineer Services.
- Resolution 21-26: Resolution to Authorize a Professional Services Contract with Lisa A. Gorab Individually and with Wilentz, Goldman & Spitzer, P.A. for Municipal Bond Counsel Attorney Services.
- Resolution 21-27: Resolution to Authorize a Professional Services Contract with Leslie G. London Individually and with McManimon Scotland Baumann, LLC for Special Counsel for Redevelopment Services

Councilman Zipprich made the motion to move the resolutions en masse, Councilman Yassin seconded.

ROLL CALL:

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

NAYS: None

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

21-17 Mayor Menna read, “Resolution Determining the Form and Other Details of its “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank”, to be Issued in the Principal Amount of up to \$430,000, and Providing for the Issuance and Sale of Such Note to the New Jersey Infrastructure Bank, and Authorizing the Execution and Delivery of Such Note by the Borough of Red Bank in Favor of the New Jersey Infrastructure Bank, all Pursuant to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank.”

Councilman Yassin made the motion to approve the resolution, Councilman Zipprich seconded.

Councilwoman Horgan for an explanation of the resolution.

Administrator Shehady said this was not a Bond Ordinance that would authorize debt but would authorize the issuance of notes in order to get the money. He said it related to a bond that had been previously adopted and, once the debt was authorized by ordinance, they had to go out to finance it. He said they were using the I Bank which was not a traditional form of financing. He said, because it was related to the Water & Sewer Utility, the Borough was able to go through the State’s I Bank. He reviewed the benefits of using the I Bank. He said the resolution would authorize the Borough’s professionals to execute the necessary paperwork in order to get the financing.

Councilman Ballard asked if the funding was for a particular project and asked how they came up with the number.

Administrator Shehady said the Borough had made an application to the I Bank for both the Broad Street and White Street projects. He said the resolution related to water/sewer projects they had budgeted for and planned for.

Councilman Ballard asked the Administrator to refresh his memory regard what those two projects were.

Administrator Shehady said, as part of the White Street project, the Borough had had to redo the water/sewer infrastructure under it. He reviewed details of the project and the noted the Borough routinely reviewed the infrastructure under a project so they would not have to reopen a street when it was done.

Councilman Ballard asked about Broad Street.

Administrator Shehady said that was the same situation. He noted they had received grant money for Broad Street and said they were looking to upgrade the water/sewer underneath it.

Councilman Ballard asked if they had redone paving on Broad Street.

Administrator Shehady said they had not but that they were going to. He said the funds had been allocated in a previous bond ordinance. He said he expected they would award a contract by March. He discussed details of the project.

Councilman Ballard asked if that would include the installation of bollards.

Administrator Shehady said that was not the intent of the project but rather it was for a general resurfacing of the road. He said the original project had been submitted to the DOT pre-pandemic and

reviewed details of the original project, financing and the suggested changes made due to the pandemic. He said the installation of bollards was not part of this project.

Councilman Zipprich asked the Administrator to review the DOT funds that had been received to redo Broad Street.

Administrator Shehady said they had received \$290,000.

ROLL CALL:

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

NAYS: None

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

21-21 Mayor Menna read, "Resolution to Authorize a Professional Services Contract with Mark Tabakin Individually and with Weiner Law Group LLP for Labor Counsel Attorney Services."

Councilman Yassin made the motion to approve the resolution, Councilman Yngstrom seconded.

Councilman Ballard asked why they were going with this firm since they had not been the lowest bidder.

Mayor Menna said they did not have to go with the lowest bidder.

Councilman Yassin said he thought they were generally happy with the work.

Councilman Ballard said, he felt that, as a government entity, he thought they would want to find the lowest bidder.

Councilman Yassin said, as a government entity, he did not think cheap was always the best way to go.

A discussion follow regarding cost versus quality.

Administrator Shehady said, when the Borough was seeking professional services, they were not doing a Request for Proposals but were doing Request for Qualifications. He said it was not competitive bidding. He said the reason was that, when it came to professionals, it was not always necessarily the cheapest per hour that was desirable because it could take a professional three hours at a lower rate or another professional one hour at a slightly higher rate so they would end up paying less. He said the Governing Body looked at criteria such as experience and qualifications along with price to determine which professional they wanted.

Councilman Ballard said the Borough had paid the firm almost \$250,000 last year and said he wasn't sure why they continued to go with them.

Councilman Yassin pointed out that there had been several situations that they had had to deal with.

Administrator Shehady said he did not advocate for one firm over another but wanted to add that certain professionals may cost more up front but said, if they had done the work well and thoroughly, it would prevent a bigger expense later on. He said, since he had been here, the Borough had been able to prevail on nearly every matter because they had done such a good job.

ROLL CALL:

AYES: Yassin, Triggiano, Yngstrom and Horgan.

NAYS: Ballard and Zipprich

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

21-28 Mayor Menna read, "Resolution Calling upon the White House and Congress to Reunify Immigrant Families, Release Them from Detention and Afford Them Due Process in Immigration."

Councilwoman Triggiano made the motion to approve the resolution, Councilman Zipprich seconded.

ROLL CALL:

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

NAYS: None

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

Councilman Yngstrom made the motion to move the following resolutions en masse, Councilman Zipprich seconded.

- Resolution 21-29: Resolution Accepting the Resignation of Special Law Enforcement Officer Class II James Courtney.
- Resolution 21-30: Resolution Authorizing the Appointment of Regular Crossing Guards for the 2020-2021 School Year

- Resolution 21-31: Resolution Authorizing Tax Credits/Refunds Totaling \$6,345.69 and Cancelling 1st and 2nd Quarter Taxes for 2021
- Resolution 21-32: Resolution Authorizing Tax Credits/Refunds Totaling \$5,276.93 due to Over Payment by Property Owner
- Resolution 21-33: Resolution Authorizing Tax Credits/Refunds Totaling \$23,437.24 due to Judgments of the Tax Court of New Jersey

ROLL CALL:

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

NAYS: None

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

21-34 Mayor Menna read, “Resolution Authorizing Person-to-Person Transfer of Plenary Retail Consumption License No. 1340-33-015.”

Councilman Zipprich made the motion to approve the resolution, Councilwoman Horgan seconded.

ROLL CALL:

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

NAYS: None

ABSTAIN: Yassin

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

Councilman Yassin made the motion to move the following resolutions en masse, Councilman Zipprich seconded.

- Resolution 21-35: Resolution Authorizing the Mayor to Sign an Amendment to the Borough’s Recreation Open Space Inventory
- Resolution 21-36: Resolution Acknowledging the Efforts of Borough of Red Bank 2020 Complete Count Committee
- Resolution 21-37: Resolution Authorizing the Issuance and Advertisement of a Request for Qualifications from Qualified Contractors to Create a “Contractor Pool List” for the Borough’s Housing Rehabilitation Plan under Its Settlement Agreement with Fair Share Housing Center
- Resolution 21-38: Resolution Accepting the Resignation of Randy Tashman as Back-Up/Call-In Animal Control Officer.

ROLL CALL:

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

NAYS: None

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

MAYOR AND COUNCIL COMMENTS

Councilman Yassin said he had no report.

Councilwoman Horgan said Recreation Director Hoffman had address the Coat Drive Event at the earlier meeting and reviewed the success of the event. She also reported that registration was underway for indoor soccer and basketball. She said boat permits would be accepted as of February 1st and said packets were available at the Parks & Recreation Office. In regard to the Library, she said they were still doing curb side pickup and said the Winter Reading program was ongoing. She said the Library Foundation was currently raising money to help with the matching funds that were required for a grant that had been received.

Councilman Zipprich had no report.

Councilwoman Triggiano said she had no report for Police, Fire or Environmental Commission. She said she had taken on a new role as the Senior Center Liaison effective January 1 and said she had had her first “touch base” meeting with the Director. She said she looked forward to them being able to use the temporary facility as they had not been able to use it so far due to COVID restrictions.

Councilman Yngstrom said he had no report for the Department of Public Works. He said that, in regard to Parking, he wanted to report that the English Parking Lot, Eastside Parking Lots and the White Street Parking Lot were all “Pay by Plate” now. He said the Marine Park Parking Lot was still currently “Pay by Spot” but would be converted to “Pay by Plate” in the near future.

Councilman Ballard said he had no for the Code Committee. He said he wanted to make a comment about the Borough’s well-paid Labor Counsel and said the Council had received a lengthy report from them regarding an issue that was on the agenda for Executive Session at a meeting in December. He said

the matter had been pulled from the agenda and he hadn't seen it come back. He asked if they were going to get back to that anytime soon.

Mayor Menna said the Council should discuss it in Executive Session before the matter came out in public.

Councilman Ballard said he was pointing out that it had been listed for discussion in Executive Session but hadn't made it back on to an agenda.

Councilman Zipprich said that reminded him that there had been a resident complaint received in December that he had referred to the Borough Attorney and Councilman Yassin that also needed to be addressed.

Councilman Yassin said he had received it. He said he also wanted to make a comment on the resolution regarding migrant families. He said he wanted to thank Councilwoman Triggiano for bringing it to the Council. He said he thought Red Bank was one of only eight towns to adopt the resolution. He said he was proud and honored to have adopted the resolution and said it was why they did what they did.

Councilwoman Horgan also thanked Councilwoman Triggiano and said she thought it was an important resolution that would build on their inclusive community resolution.

DISCUSSION & ACTION

No items.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Memone Crystian—15 Marion Street—thanked the Council for supporting immigration reform. She said the issue was steeped in racism and thanked the Council for fighting for the community. She said she wanted to point out the irony claiming there was systemic racism in the Borough. She said many men in the Public Works Department had been pushed out of the jobs when trash collection was privatized. She reviewed her opinion of how the workers had been affected and said most affected were black men. She claimed that the Borough had not saved any money in privatizing trash. She claimed that, last year, the Council had voted for two more black men to lose their jobs while services were again reduced. She said the Council had also voted for people in other departments to receive salary increases. She claimed that this represented systemic racism. She said most of the Council members would condemn overt racism but said most do not realize that they were blind to systemic racism. She said she could give several more examples of systemic racism happening in Red Bank. She said she also wanted to talk about the Senior Center and asked the Council to stop delaying fixing the Senior Center. She asked that they make it a priority. She said she also wanted to comment on the protest and the press release that had followed. She said the public infighting and the retaliatory actions were embarrassing and needed to stop. She called on the Council to work together for the good of Red Bank residents. She said her most beloved Council member was Councilwoman Horgan. She said Councilwoman Horgan was the most senior member of the Council and the most poised and polished. She said she had the ability to be the most influential and unifying member. She implored her to use her influence.

Tiffany Harris—1 Cedar Crossing—said she wanted to present a petition and a draft resolution.

Administrator Shehady said both had been received and forwarded to the Mayor and Council by the Clerk.

Ms. Harris urged repair of the Senior Center.

Margie Lane—Tower Hill Avenue—said she was calling about the Senior Center. She said she had seen the temporary facility and claimed the toilets were not handicapped accessible. She said there was also no TV and there were stairs.

Administrator Shehady said she was referring to the old location. He said she was not referring to the new portion of the church. He said there were a lot of misinformation that people had been given.

Ms. Lane asked the Council to leave the facility where it was. She said many new people were joining and questioned how they would fit in the temporary facility. She said she had also been told that the Borough had received \$500,000 in insurance money and asked where the money had gone.

Administrator Shehady said if she was going to make statements, they should be factual. He said whoever was giving her the information was not giving her facts. He said \$500,000 was not received for insurance money.

Ms. Lane asked if it had been insured.

Administrator Shehady said that was correct. He said he would explain in more detail at the end of the comments but he could not allow for incorrect information to be put out there as speaker after speaker continued to state incorrect information.

Ms. Lane asked how come not one had been forthcoming for two years.

Administrator Shehady said they had been and said he would address that as well.

Ms. Lane asked if it was not for sale as the Mayor had said and if nothing was going to go in its place.

Administrator Shehady said he would address all of the comments at the end.

Patricia Kouten—46 Spring Street—said she had attended the rally for the Senior Center and commended Tiffany Harris for organizing the event. She said she had heard many seniors talk about how they missed going to the center. She said she had heard them talking about issues with the Trinity Church facility. She said she heard Mr. Shehady state that there was a new location in Trinity so said she would leave that be. She said she appealed to the Council to not get rid of the property and to fix the center. She criticized the recent press release. She said she would like to see infighting and name called to stop.

Councilwoman Horgan asked the Administrator to give an explanation of the situation with the Senior Center. She said there had been a lot of misinformation and people were repeating gossip.

Councilman Zipprich said he felt it was the time for public comment and said people had waited all night long to make their comments. He said, in fairness to the public, the Council should hear them out. He said he did agree that the Administrator should explain when they were done listening.

Councilwoman Horgan said she did not feel they should wait that long because people were going to say the same things and said she felt they weren't getting anywhere. She again asked that the Administrator go ahead with the explanation.

Councilman Zipprich again said they should hear from the people that had waited all night to speak.

Councilwoman Horgan said the Administrator could explain and then the people that still have questions could speak.

Mayor Menna said he felt the Administrator would give the explanation and they people were going to follow up anyway. He said he thought they had determine the procedure would be to let the public speak and then offer the explanation.

Brian Donohue—questioned comments being made regarding that fact that several speakers were appearing on screen under the name of Tiffany Harris. He said he felt there was an attempt being made to make a grass roots effort appear orchestrated.

Councilman Yassin said they were just making the point that the different individuals would need to state their name for the record.

Administrator Shehady said it was admitted that Tiffany Harris has organized the rally and he explained that speakers show on screen as the name that was registered for them. He said if someone registered and then shared or forwarded the email to other people, those people would show up under that original name. He said the point was, as stated by Councilman Yassin, he could only identify speakers by the name that appeared. He said he did not know if he was calling on the same person twice or if it was a different person.

Angela Mirandi—8 West Lake Road—said she had asked questions during the Workshop meeting and did not get answers. She said they needed to fine tune the process. She suggested they hold a town hall style meeting to address concerns rather than have them brought up at Council meetings. She said she had heard the Council say there was misinformation which she said may be so but said it was because the public did not get a lot of information. She called for more transparency. She criticized delays for repairs to the Senior Center and urged the Council to move forward to repair the building.

Lori Hohenleitner—Councilmember Atlantic Highlands—congratulated the Council on the contracts with Attorney Cannon and with the Engineering firm CME. She said she was also speaking as a representative of Horizons and congratulated and thanked the Council for passing of Resolution 21-28 regarding immigration reform. She also thanked the Council for the information on parking changes regarding pay by plate technology.

Councilwoman Horgan congratulated Ms. Hohenleitner on being awarded the Loretta Weinberg Trailblazer Award.

Afsheen Shamsi—ACLU Board member and drafter of Resolution 21-28—said she wanted to thank the Council for unanimously passing the resolution.

Robyn Gedrich—127A Manor Drive—thanked the Council for passing resolution 21-28. She said she was the proud daughter of an immigrant and a proud resident of Red Bank. She talked about the importance of the resolution.

Itzel Perez Hernandez—105 Locust Avenue—said she wanted to echo what Councilwoman Hohenleitner and Robyn Gedrich had stated. She also discussed the importance of the resolution. She commended Councilwoman Triggiano for engaging on the issue and commended the Borough for being a leader.

Councilman Zipprich thanked Ms. Perez for her community involvement including her participation in the complete count committee.

Councilwoman Horgan also thanked Ms. Perez for the efforts.

No one else appearing, Councilman Yassin made a motion to close the Public Comment period, Councilwoman Horgan seconded.

ROLL CALL:

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

NAYS: None.

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

Councilmembers asked Mr. Shehady to respond to the comments.

Administrator Shehady said the comments started off with comments about the Public Comment portion of the meeting. He said the Clerk took minutes and he also took notes about all of the questions that had come up. He said he had noted that Councilwoman Triggiano had done the same. He said in regard to an ordinance from 2020, he said it had not been a bond ordinance but an ordinance to refinance debt. He said the caller could contact him or the CFO for details. He said, regarding the Police Department's table of organization, despite misinformation given, the number of Sergeants had actually decreased from seven to six. He said the overall table when from 40 officers to 39 which he said was a testament to the Chief's great leadership and fiscal responsibility. He said there had also been a comment asking why they did not have a moderated chat. He said this meeting had demonstrated that no matter how many times people had made the same comments, they still wanted to be heard. He said that was their right during the public comment period and said the Borough would not moderate that chat. He said, regarding the turf replacement, that usage was shared by other people which was why they charged rental and permit fees. He also noted that the Borough had agreements with entities that use the fields. He said the largest which was also the Borough's partner in the Count Basie Complex was Red Bank Catholic. He said they contribute a large sum of money annually to the Borough. He said the Borough had recently renegotiated that when more improvements were made. He said they continue to be a good partner that contributes to the costs. He said the tax payers were not subsidizing other entities. Regarding the money from the settlement of the lawsuit, he said it could not be used for the Senior Center. He said he could not comment on the terms of the settlement but said he could comment that it was a lawsuit generated on behalf of the Water Utility and the funds would go back to the Water Utility. He said the funds would be used to make infrastructure improvements for the Water Utility, not general Borough operations. He said there had also been a question about animal licensing and said that was a goal. He said they could not do everything in one year especially with financial constraints. He said it had been his commitment and promise that the Borough would be doing more E-government and said he had been doing that generally. He said Animal Licensing was in the process and said he hoped that it would be up and running for the 20-21 renewal period. He said, regarding the issue of the Senior Center, comments had been made that there was a lack of transparency and information was not being given. He said that was not true. He said someone had said they had gone back to the minutes to see what happened. He said they were able to see what happened because the Borough had been transparent. He said the problems was that people were showing up "at the eleventh hour" and had not shown up to meetings of the Council or Redevelopment Agency in 2019 or 2020. He said he had personally attended Senior Citizen meetings in 2019 and 2020 to keep them apprised. He said accusations that he or Councilmembers had not been forthcoming with information was purely false. Conversely, he continued, if bad information had not been given then maybe there wouldn't have been such an uproar. He said he had heard comment after comment with incorrect information and assumptions being made about the Senior Center. He said the comments were made on the premise that neither the Administrator nor the Governing Body cared about the seniors or that they were neglecting them. He said the reason they were in the current situation was because they cared about the seniors. He said the problems originated from a burst pipe in the winter of 2019 and confirmed that the Borough was insured. He said the Borough was part of the Joint Insurance Fund which he compared to being self-insured. He said they had filed a claim and said the Borough had received approximately \$90,000. He noted that all of this information had been previously provided. He said, in the process of making repairs, they had discovered that the rest of the suppression system was not adequate and was failing. He said the sprinkler heads and pipes were not in condition to allow the fire suppression system to be operable. He said that was why the Fire Marshal had issued a notice of imminent hazard. He said those problems were not valid insurance claims. He said the valid insurance claims had been corrected and the Borough had received the money. He said some of the funds had been set aside for larger repairs but, in order to make the bigger repairs, it was going to cost several hundred thousand dollars. He again stressed that it was not just a burst pipe. He said the entire suppression system along with the associated electrical work, HVAC and roofing changes, insulation work, drywall, paint, spackle and flooring, was all part of the problem. He also noted the system was almost 20 years old. He said those were the reasons the Borough was in the mess it was in today. He said, even before the current issues, there were problems with the building and Public Works had put band aid after band aid in place. He said the reason they have not repaired it at this point was because they did not want to put more band aids on the problem and because they care about the seniors they want to give them the best facility possible. He said if that meant improving the existing building or looking at other locations that was because they cared about the seniors and they wanted to give them the best possible facility for the money. He said that way, five or ten years from now, they would not be questioning why the Borough had spent money on unnecessary repairs when they could have spent more and gotten a better facility. He said someone else had mentioned how many new seniors had joined recently which showed that, after two years of closure, more seniors were joining. He said that was a testament to the fact that

the Borough was running a great Senior Center program with excellent staff. He said despite the challenges of the pandemic and of the closure, the Borough was still serving them and providing excellent service. He said, in regard to the Redevelopment Agency, it was intended to be the arm that fully evaluated these for the Council. He said Governing Bodies and municipalities around the state were often criticized for making quick or rash decisions in response to political pressure. He said the majority of this Governing Body was not doing that. He said they had created a Redevelopment Agency to make sure they fully studied the issue and gathered all of the facts to make an educated and informed decision then present those facts to the public. He said they were hearing a lot of bad information that was presented by individuals with an ulterior agenda and using the subject for political purposes. He said the process in place was the way government should run which was like a good business rather than throwing on band aid after band aid and wasting tax payer money. He said no one had stated that the Borough was selling the Senior Center building but they had stated repeatedly that they were looking to explore every option. He said that would take time which was why they had created a situation where, considering the limitations of the borough, the available space and the high commercial rents that a desirable community like Red Bank demands, they had found a home for the seniors that was a good home that allowed the Borough to provide them with the services they need until the Council can make a good decision and take the right course of action.

Councilwoman Horgan thanked Administrator Shehady and said his explanation was excellent.

Councilwoman Triggiano said she appreciated his care and the time he had put into the matter. She asked the people who had called in to wonder why they had been given false information and who they had received it from. She said she knew she would not get a clear answer on the source of the false information. She said she had spent hours on the phone with several people in the past weeks including community leaders and had given them fact after fact but continued to hear the same false narratives. She asked those people to dig deep down into themselves and ask who told them the false information. She said if it was anyone that they considered a community leader, it was extremely wrong they told them it was sold, that it was just a simple pipe burst, that the insurance should have covered more, that the Council was trying to hurt anyone or the fact that the timing of this came up in December when it had been an issue that they had been working on since together. She said suddenly there was a call to arms under a false narrative. She asked them to consider why it had happened and to consider the timing. She asked them to allow the Redevelopment Agency, which was comprised of residents who applied to serve on that agency, to be able to do their job and give proposals that may work best for the town. She said the Borough had a Department of Public Works that was operating out of trailers and Borough Hall that needed a major overhaul or relocation. She said if they treated the problems individually, they would never make progress. She asked the residents to trust the Council to do their jobs and to wait for the Redevelopment Agency to give the Council proposals. She said for residents to question if any leader in the town fed them false information or if their family members fed false information. She said all of the Council Members cared about the senior citizens.

Councilwoman Horgan thanked her for her comments.

Councilman Ballard said he had never been a fan of the Redevelopment Agency and added that he spoken with residents who had said that they want the Senior Center to stay where it was. He said he did not care about Redevelopment Agency professionals that didn't live in Red Bank because they did not know what the residents wanted. He said there had been a number of speakers who had stated that.

Councilman Yassin said no one had said they were moving it.

Councilman Ballard asked if they were going to tear down the building and build a new one in the same spot. He said he was just telling residents what he knew which was that the building had been down for two years and they haven't moved to fix it. He said they had a Redevelopment Agency that was telling people that the Borough was looking to move it. He said they did not want it moved.

Councilman Yassin said there was no plan to move it. He asked Councilman Ballard to let the people he was speaking to know that the Borough was not selling the property. He asked him to help inform people.

Councilman Ballard said, if the Borough was looking to build another community center somewhere else, then what would they do with the existing property.

Councilman Yassin stressed that there was no definitive plan.

Councilman Ballard asked if they would have the existing property and a new community center.

Councilman Yassin said they had already stated that they were not getting rid of the property. He said he could not make it any more clear than that.

Administrator Shehady said the questions that Councilman Ballard was asking were the questions that the Redevelopment Agency was trying to answer. He said the professionals were doing the fact finding and gathering of information. He said the proposals were presented to the Redevelopment Agency and they would be the ones to make the recommendation. He said they had also come back asking for more information such as a better financial feasibility analysis. He said, that way, when the plan was presented to the public, they would have all of the facts. He said he could not yet say what the Borough would do

with the building because that was what the Agency was trying to answer. He said each proposal needed to be evaluated. He said there were several valid options. He said Councilman Ballard was saying that they should make a certain decision because the residents were demanding it but said it was the responsibility of elected officials, appointed officials and employees to be leaders on the issue and give the people the facts because the residents did not attend every meeting and have not been paying attention to the topic since 2019. He said, rather than go on the information that they had with limited facts, they needed to educate them on the matter. He said they should not just say "Ok, if that's what you want" because that would not be the best answer.

Councilman Zipprich said he was aware that information had gone out to the electronic media that had alarmed a number of people. He said he had spoken to a number of people about issues that had been reported in the electronic media. He said they were concerned about a report on the TapInto site and said it had confused a lot of residents in town. He said there was information out there that people did not understand or don't interpret correctly. He said that was how things went askew. He said the performances at this meeting were stellar. He said his fellow Council members were passionate about the issues and were spot on. He said they had made a good amount of progress over the years in working together on issues that needed to be addressed. He said he believed the previous Administration had dropped the ball as they wanted the Borough facilities deteriorate. He said revenues were down and they did not have the capital to do the immediate improvements. He said people were becoming impatient with the amount of time that it was taking to get government to act. He said sometimes it takes government a long time to get things done and said that had people concerned.

Mayor Menna said this had been a very long night and said he thought the Council should consider all of the comments received from all sources. He said they should deliberate on those comments. He said no one was calling on them to make a decision tonight. He said, ultimately, the Redevelopment Agency will make a recommendation to the Council but said it was the people sitting on the dais that will make the ultimate decision. He said that, as he had stated on New Year's Day, there were no plans and there was no design at this time or in the foreseeable future that the Center would be sold. He called for the Council to put their heads together and to continue to discuss the matter in a diplomatic fashion.

Councilman Zipprich said there was a comment made by the Mayor on New Year's Day that had confused a lot of residents which was that at present there was no plan to sell the Senior Center.

Mayor Menna said that was correct.

Councilman Zipprich said many people took that differently from what it sounded like.

Mayor Menna clarified that, as far as he was concerned, there were no plans. He said there could be plans 50 years from now. He said he could only talk about the present and said there were no plans to sell the Senior Center.

Councilwoman Horgan said she felt Administrator Shehady and Councilwoman Triggiano has explained the facts tonight. She said to the people that were still on the call that she hoped they had listened. She said the Council would move forward but urged those listening, now that they knew the facts, to let the Council do their job. She reassured the public that the Council was working on it and would find a solution. She noted that she and a couple of other Council members were seniors and said they understood.

EXECUTIVE SESSION

No Executive Session needed.

20-291 The Borough Attorney read a resolution to adjourn to executive session to discuss Potential Litigation and Personnel.

Councilwoman Horgan offered a motion to adjourn to Executive Session, 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.

ADJOURNMENT

Councilwoman Horgan offered a motion to adjourn the meeting, 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.

Respectfully submitted,
Pamela Borghi