

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL – BOROUGH OF RED BANK
July 13, 2022 ♦ Upon adjournment of Workshop Meeting**

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 15, 2021.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ALSO PRESENT: Interim Administrator McConnell, and Borough Clerk Reinertsen

ABSENT:

6:37PM Councilman Zipprich motioned to suspend the workshop to enter into the regular meeting for this discussion only; Councilman Ballard seconded the motion.

Mayor Menna noted it is an important action and deserves discussion. He further noted that he should have been given the courtesy of being informed prior to the meeting that this was the intent of the majority of Council. While unorthodox the Mayor opened the meeting up for procedural discussion on the resolutions presented.

Mayor asked any Councilmembers that wanted to speak to the resolution to do so:

Councilman Zipprich called for the vote.

There being nothing further from Council, Mayor Menna opened the floor to the public:

Ben Forrest 16 Locust Avenue – Noted that he did not see the resolution and would like to know more about it. Is uncertain of the legality of this unusual action and is very uncomfortable with the borough not having legal counsel.

Sue Viscome 25 Cedar Street – Curious why action is taking place on something the public cannot even see. Wishes for transparency.

There being no further comment, the Mayor closed the floor to the public. Mayor Menna expressed his concern that this action is not transparent and leaves the borough in a difficult situation.

Roll call; Mirandi, aye; Sturdivant, aye; Triggiano, nay; Ballard, aye; Zipprich, aye; Horgan, nay. Motion passes.

RESOLUTION NO. 22-184

RESOLUTION TERMINATING THE BOROUGH’S CONTRACT FOR BOROUGH ATTORNEY LEGAL SERVICES WITH SOBEL HAN & CANNON, LLP

WHEREAS, by Resolution dated January 1, 2022, the Borough of Red Bank, County of Monmouth, State of New Jersey (the “Borough”) awarded a Contract for Borough Attorney Legal Services to the law firm of Sobel Han & Cannon, LLP; and

WHEREAS, paragraph 9 of the Borough’s Contract for Borough Attorney Legal Services with Sobel Han & Cannon, LLP provides that “the Borough is free to terminate the Firm’s representation of its interests at any time”; and

WHEREAS, the Borough desires to terminate its Contract for Borough Attorney Legal Services with Sobel Han & Cannon, LLP;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. The Borough hereby terminates its Contract for Borough Attorney Legal Services with Sobel Han & Cannon, LLP; and
2. The Borough Administrator is hereby directed to coordinate the transfer of any existing files/matters from the law firm of Sobel Han & Cannon, LLP to substitute counsel of the Borough’s choice; and

3. That a certified copy of this resolution be forwarded to the Borough Chief Financial Officer, Borough Administrator and Sobel Han & Cannon, LLP.

Mayor Menna read the title of the other resolution the council majority presented for consideration:

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ACTING BOROUGH ATTORNEY LEGAL SERVICES WITH JARDIM, MEISNER & SUSSER, P.C.

Mayor Menna expressed that the Council could appoint whomever they choose as long as the individual is licensed in the State of New Jersey. However, State law (Title 40 Municipal Law) makes it clear that the appointment of the borough attorney is the prerogative of the Mayor. At this time the Mayor is exercising his legal right to not move on this resolution. The Council can take action after 30 days to nominate an appointment. It was further divulged that Councilwoman Mirandi would have to abstain as the firm represented her. Also Atty. Scott Salmon just provided the council majority representing the borough with a favorable opinion. There will be no action on this resolution this evening.

Councilman Zipprich pointed out Atty. Salmon's credentials and it is an "Acting" appointment until a formal appointment can be made.

Mayor Menna stated that there are two other borough attorneys that can be utilized, or Mr. Cannon can still represent the borough until a successor is.

Councilwoman Horgan stated her reservations with Atty. Salmon's representation of the council not just the majority.

Mayor Menna will not be making a nomination this evening for borough counsel.

Councilwoman Triggiano motioned to return to the order of business in the Workshop Meeting; Councilwoman Horgan seconded the motion.

8:15PM

Councilman Ballard asked the Mayor to reconsider his decision and appoint Jardim, Meisner & Susser, P.C. as Acting Borough Attorney. Mayor Menna noted the termination of Counsel Cannon was the Council majority's decision and the decision to nominate was his by NJ Statute and he chooses not to make a nomination. Councilman Zipprich read NJSA Title 40 Mayoral Appointments into the record.

Without a borough attorney to make a determination the Mayor's decision to not make a nomination pursuant to NJ Statute stands. He further stated that this could have been avoided with a little communication.

Councilwoman Horgan voiced her disappointment in not being provided adequate notice for this action.

Councilmen Ballard and Zipprich expressed their concern over the legality of continuing the council meeting.

PROCLAMATIONS, ANNOUNCEMENTS & PRESENTATIONS

- a. **Public Hearing** Year 2022 Community Development Project – Red Bank Lead Pipe Removal and Replacement Project - Phase 1 with a grant allocation request of \$200,000.00

Councilwoman Triggiano motioned to open the floor for the CDBG Public Hearing; Councilwoman Horgan seconded the motion.

There being no public comment; Councilwoman Triggiano motioned to close the public hearing; Councilwoman Horgan seconded the motion.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Councilwoman Triggiano inquired how public could comment on agenda items if all items are not on the agenda

Ben Forest 16 Locust Ave. – Concerned about public participation, there was none at the work session meeting. As a separate public meeting shouldn't there have been a public portion? Respects the Mayor's right but is very concerned and alarmed that there is no legal representation. Regarding the discussion for a strategic plan, thinks it is a great idea. Advocate for funding to get the parks done.

Suzanne Viscomi 25 Cedar Street - Regarding resolution 22-179: Cannabis Class 5 – Quiet Bloom, how many licenses have been issued and is there a limit. The Administrator replied that no licenses have been issued, approximately 6 resolutions of compliance have been approved. That does not mean the recipients of the resolutions will be issued a license. There is no limit on number of licenses at this time.

Cindy Burnham 71 Wallace Street – Its very irresponsible not to have limits on cannabis licenses. Matawan doesn't have limits either. Who is their attorney? Mayor Menna noted he is Matawan's attorney, but it is a government prerogative.

Barbara Boas 135 Branch Ave. – Regarding Broadwalk, shared how time is passing and residents are going to other towns. Council needs to support the businesses and support the Broadwalk. It is necessary for the town to survive. The road is done now, get these restaurants open. Start planning for next year next week.

There being no comment, Councilwoman Triggiano motioned to close the floor was closed for public comment; Councilman Zipprich seconded the motion. Roll call, unanimous, affirmative.

Public was reopened for virtual attendees: Councilwoman Triggiano motioned to re=open the floor; Councilman Zipprich seconded the motion.

Bob Zuckerman River Center – Expressed his appreciation to the Council and apologizes for not being present. Highlighted the importance of Broadwalk and the River center’s recommendations: beginning as soon as possible, seven days of the week, fees to remain same, two loading zones on the north and south side, River Center will invest in the daily clean up to supplement public works, the addition of recreation activities and event programming and run at least through Labor Day. Thanked the Mayor and Council for their consideration.

Councilwoman Horgan asked if he agreed to the price increase of \$2.25 per square foot? He divulged that the fees were not discussed when he spoke with Councilman Ballard and Councilwoman Mirandi last week. The primary concern was to get it running as soon as possible and for as long as possible. Councilwoman Mirandi stated the fee of \$2.25 per square foot was mentioned.

Mayor Menna stressed the importance of resolutions 22-182 and 22-183 pertaining to the Broad Walk and Street Eateries. While the resolutions may not be perfect, time is critical for the businesses and action needs to be taken.

Billy Portman 90 John Street – Summarized the loss the restaurants have already experienced due to construction. Inquired as to why the time only went through Labor Day. Asked about the fee schedule being 6 times increase for both the restaurants on Broad and the street eateries. It appears this is hurting the local businesses not helping them. The time for review is not a week before opening, give the businesses a break and leave the fees alone. Start looking at 2023 in September. Shouldn’t be looking at how the summer should work when it is halfway through.

Cindy Burnham 71 Wallace Street – Expressed her appreciation to Council members Sturdivant, Mirandi, Zipprich and Ballard for supporting and thinking about residents through all this. Businesses pay 29% of taxes while the residents pay 60% and apartments 9%. It’s good to help the businesses out but it’s a loser deal for the residents and that has to take it into considerations. Broad Walk is basically for visitors not residents. River Center is looking out for the businesses; someone has to look out for the residents.

Councilman Ballard wished to clarify the monthly fees are \$2.25 per square foot, not \$225 per spot.

Ben Forest 16 Locust Ave. – Feels that supporting the local businesses supports the town. Quality of life improves when the community thrives. As a resident enjoys the local downtown with his family.

Billy Portman 90 John Street – Asked if the members of Council that met with Mr. Zuckerman were in favor of the Broad Walk being open 7 days a week; Councilman Ballard indicated he was not. Reiterated the increase cost of outdoor seating areas for the businesses at over 6 times from prior year.

Dan Riordan 20 Irving Place – Hopes that Council will vote for the Broad Walk resolution tonight. Think about the prices a little better but this has to pass.

There being no further comment, Councilwoman Triggiano motioned to close the public portion; Councilman Zipprich seconded the motion.

Mayor Menna read resolution 22-182; Councilman Ballard motioned to approve resolution 22-182; Councilman Zipprich seconded the motion. Roll call: Mirandi, Sturdivant; Ballard, Zipprich, Horgan – aye; Triggiano – abstain.

Councilwomen Horgan and Triggiano aired their support of Broad Walk and disappointment with process that led to the resolution not being listed on the agenda.

RESOLUTION NO. 22-182

RESOLUTION TEMPORARILY DESIGNATING A PORTION OF BROAD STREET AS A PEDESTRIAN MALL AKA “BROADWALK” AT CERTAIN TIMES

WHEREAS, residents of the Borough of Red Bank have expressed an interest in continuing “Broadwalk” project within the Borough; and

WHEREAS, the Council proposes has established an Ad Hoc Committee on the “Broadwalk” project to initiate strategic planning, to recommend potential policies, procedures, and initiatives related to the project, and to ensure an effective means of liaising with the Administration, as well as local businesses, residents and groups committed to similar actions within the borough for 2022; and

WHEREAS, this has thoroughly reviewed the project and met with various stakeholders for input; the committee’s recommendations for 2022 are as follows:

1. Broadwalk participants will be charged a Monthly fee of \$2.25/square foot of space utilized within the designated broad walk that is considered Borough property, to include (but not

limited to) parking spots, loading zones and roadways.

2. Broadwalk will operate seven (7) days per week from July 18 (or as soon Broad Street is available) thru Labor Day ONLY for 2022. Broad Street (from Front Street to White Street) shall be closed to vehicular traffic from 8:00AM to 10:00PM from Sunday to Thursday and from 8:00AM to 11:00PM on Fridays and Saturdays, for the purposes of creating a pedestrian mall during such time period.
3. The Broad walk committee will remain intact after Labor Day to continue working with River Center to discuss long-range plans of the broad walk concept in Red Bank.
4. The Outdoor Business Extension is subject to §562 Sidewalk Cafes and Restaurants and subject to all conditions set forth in any Ordinance or Resolution heretofore adopted by the Mayor and Council of the Borough of Red Bank

Councilman Ballard motioned to approve resolution 22-183; Councilman Zipprich seconded the motion. Roll call: Mirandi, Sturdivant; Ballard, Zipprich, Horgan – aye; Triggiano – abstain.

**RESOLUTION NO. 22-183
RESOLUTION ESTABLISHING FEE SCHEDULE FOR STREET EATERIES WITHIN THE
BOROUGH OF RED BANK**

WHEREAS, the Mayor and Council authorized the Street Eateries within the Borough of Red Bank by resolution 22-147 on June 8, 2022; and

WHEREAS, it is the recommendation of the Broadwalk Committee to establish a set fee schedule for the Street Eateries in line with the fee established for the Broadwalk and the Broadwalk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. A non-refundable fee of \$2.25 per square foot of area utilized by the Applicant for the duration of said Applicant's use of said space(s).

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Red Bank that it hereby reserves the right to amend, terminate, or repeal this Resolution and/or any approvals granted herein at any point in time, if it determines that it is in the best interest of the health safety and welfare of the City, and accordingly no property rights are granted to any person(s) or entities by virtue of this Resolution and/or approval hereunder and any person(s) or entities electing to pursue temporary relief in accordance with the provisions of this Resolution are hereby given notice that the expenditure of any funds, or the incurrence of any costs, in reliance upon this Resolution and any approval hereunder shall be at their sole and exclusive risk and expense. All persons and/or entities are hereby given notice that the risk of loss for any expenditure and/or costs incurred shall be their sole and exclusive responsibility; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Red Bank that this Resolution shall take effect immediately; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Red Bank that, upon the effective date of this Resolution, all requirements of prior ordinances inconsistent with this temporary Resolution are hereby temporarily suspended to the extent of their inconsistencies only; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Red Bank that should any section, paragraph, sentence, clause or phrase of this Resolution or the accompanying ordinance be declared unconstitutional or invalid for any reason, or not approved by the State of New Jersey, the remaining portions of this Resolution shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this Resolution are hereby declared to be severable; and

MINUTES & REPORTS

- a. 05/16/22 Special Councilwoman Triggiano motioned to approve Councilwoman Horgan seconded the motioned. Roll call, Unanimous, affirmative.
- b. 05/25/22 Regular Councilwoman Triggiano motioned to approve Councilman Zipprich seconded the motioned. Roll call: Mirandi, Sturdivant, Triggiano, Ballard, Zipprich - affirmative; Councilwoman Horgan - abstained
- c. 05/25/22 Executive Session Councilwoman Triggiano motioned to approve Councilman Zipprich seconded the motioned. Roll call: Mirandi, Sturdivant, Triggiano, Ballard, Zipprich - affirmative; Councilwoman Horgan - abstained

ORDINANCES –

Public Hearing and Adoptions

2022-07 Councilman Ballard motioned to open the floor for the public hearing on ordinance 2022-07; Councilwoman Sturdivant seconded the motion. There being no discussion Councilman Zipprich moved to close the public hearing on this ordinance; Councilman Ballard seconded the motion.

Councilman Ballard moved to approve Ordinance 2022-07 for adoption; Councilwoman Sturdivant seconded the motion.

Roll call: Mirandi, Sturdivant, Ballard, Zipprich – aye; Triggiano, Horgan – nay; ordinance passes.

ORDINANCE DISSOLVING THE RED BANK REDEVELOPMENT AGENCY PURSUANT TO N.J.S.A. 40A:12A-24 AND REPEALING ARTICLE XIII: “REDEVELOPMENT AGENCY” OF CHAPTER 9: “BOARDS, COMMITTEES, AND COMMISSIONS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK

WHEREAS, the Red Bank Redevelopment Agency was created by Ordinance under the authority granted to the Governing Body of the Borough of Red Bank (the “Borough”) by the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-24, “[a] municipality or county may dissolve its redevelopment agency or housing authority by ordinance . . . and transfer all the agency’s or authority’s assets, liabilities and responsibilities to itself” in accordance with the provisions of the Local Authorities Fiscal Control Law, at N.J.S.A. 40A:5A-20; and

WHEREAS, under N.J.S.A. 40A:5A-20, the Local Finance Board must approve the dissolution of a redevelopment agency, and shall do so only “if it finds that the ordinance or resolution makes adequate provision in accordance with a bond resolution or otherwise for the payment of all creditors or obligees of the authority and that adequate provision is made for the assumption of those services provided by the authority which are necessary for the health, safety and welfare of the recipients of those services”; and

WHEREAS, the Borough’s Chief Financial Officer has examined the finances and funding of the Red Bank Redevelopment Agency, and affirmed by letter, attached hereto as Exhibit A, that adequate provisions have been made for the winding up of all obligations of the Agency, as well as for funding the Agency through its dissolution; and

WHEREAS, the services provided by the Red Bank Redevelopment Agency will be subsumed by the Borough’s operations in the ordinary course, and no interruption or disruption of any constituent services is anticipated by the dissolution of the Agency; and

WHEREAS, the Borough seeks to dissolve the Red Bank Redevelopment Agency, and seeks approval from the Local Finance Board for said dissolution, pursuant to the procedures of the New Jersey Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-1, *et seq.*;

NOW, THEREFORE, BE IT ORDAINED, that the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey hereby dissolves the Red Bank Redevelopment Agency; and

BE IT FURTHER ORDAINED by that Article XII: “Redevelopment Agency” of Chapter 9: “Boards, Committees and Commissions” of the Borough’s Revised General Ordinances is hereby repealed as follows (stricken text deleted; underlined text added):

CHAPTER 90: BOARDS, COMMITTEES AND COMMISSIONS

* * *

ARTICLE XIII: REDEVELOPMENT AGENCY

§ 9-53 Agency Created; legislative authority.

Pursuant to the provisions of Section 11 of the Redevelopment Law, the Borough hereby creates a body corporate and politic to be known as the "Red Bank Redevelopment Agency." Such Agency is and shall be an agency and instrumentality of the Borough created by ordinance duly adopted by the Borough Council, and is a "redevelopment agency" as contemplated and provided for by the Redevelopment Law and shall have and exercise all of the powers and perform all of the duties provided for by said Redevelopment Law and any other statutes heretofore or hereafter enacted and applicable thereto.

§ 9-54 Membership; term.

A. Pursuant to the Redevelopment Law, there shall be seven Commissioners of the Agency, to be appointed by the Mayor with the advice and consent of the Borough Council. Commissioners shall each serve for a term of five years, except that the first set of Commissioner appointees shall be designated to serve for the following terms: one Commissioner for a term of one year, one Commissioner for a term of two years, two Commissioners for terms of three years, one Commissioner for a term of four years and two Commissioners for terms of five years. Not more than

two of the seven Commissioners shall be members of the Borough Council or employees of the Borough. Any member of the Borough Council so appointed shall serve for a term of one year. A certificate of the appointment or reappointment of a Commissioner shall be filed with the Borough Clerk and shall serve as conclusive evidence of the proper appointment of such Commissioner.

B. Each Commissioner shall hold office for the term of his/her appointment and until his/her successor shall have been appointed and qualified. Any vacancy occurring in the office of a Commissioner, from any cause, shall be filled in the same manner as the original appointment, but for the unexpired term.

§ 9-55 Powers.

In addition to all such powers as are specifically granted to the Agency pursuant to the Redevelopment Law, and as may otherwise be generally allowed pursuant to other applicable New Jersey statutes, the Agency shall also have the power to:

- A. Execute plans and projects, pursuant to the approval of the Borough Council as provided by applicable law;
- B. Inquire into, survey and publicize the extent, advantages and utility of vacant land and other dormant and underutilized properties of the Borough;
- C. Classify such land and properties according to its adaptability for the establishment and development thereon of various types of economic activities;
- D. Generally engage in marketing activities to promote the Borough and its assets as a community, for the purpose of attracting desirable redevelopment;
- E. Study and analyze business trends, requirements and developments to ascertain the opportunities for "smart growth" and economic expansion in the Borough;
- F. Advertise the business advantages and opportunities and the availability of suitable sites and facilities in the Borough and otherwise initiate and pursue appropriate efforts to encourage and accomplish economic development within the Borough;
- G. Cooperate with other Borough departments, agencies, committees and local civic organizations to promote, encourage and assist economic development within the Borough;
- H. Arrange for the sale or lease of the Borough's vacant lands to businesses whose location thereon is best calculated, in the judgment of the Agency, to advance the interests of the Borough and of its citizens, all in accordance with plans as approved by the Borough; and
- I. Exercise such other powers as may be reasonably necessary and appropriate to accomplish its purposes and goals in accordance with New Jersey statutes and Borough ordinances.

§ 9-56 Compensation.

Commissioners shall receive no compensation. Commissioners shall be entitled to reimbursement for actual expenses necessarily incurred in the discharge of their duties as Commissioners, including reasonable travel expenses.

§ 9-57 Quorum; selection; adoption of bylaws.

- A. Four Commissioners shall constitute a quorum for the purpose of conducting business and exercising powers and all other purposes.
- B. Action may be taken by the Agency upon the affirmative vote of the majority, but not less than four of the Commissioners present, unless in any case the bylaws of the Agency shall require a larger number.
- C. The Agency shall select a chairman and a vice chairman from among the Commissioners, and it shall employ an executive director, who shall be its secretary.
- D. The Agency shall adopt such bylaws as it deems necessary and appropriate for the conduct of business.

§ 9-58 Disclosure of interests.

No Commissioner or employee of the Agency shall acquire any interest, direct or indirect, in a redevelopment project or in any property included or planned to be included in a project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials and services to be furnished or used in connection with a project. If any Commissioner or employee of the Agency owns or controls an interest, direct or indirect, in any property included or planned to be included in a project, he or she shall immediately disclose the same, in writing, to the Agency, and the disclosure shall be entered upon the minutes of the Agency. Failure so to disclose such an interest shall constitute misconduct in office. A Commissioner or employee required by this section to make a disclosure shall not participate in any action by the Agency affecting the property with respect to which disclosure is required.

§ 9-59 Removal.

For inefficiency or neglect of duty or misconduct in office, a Commissioner may be removed by the Borough, but a Commissioner may be removed only after he or she has been given a copy of the charges at least 10 days prior to the hearing thereon and has had the opportunity to be heard in person or by counsel. In the event of a removal of a Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Borough Clerk.

§ 9-60 Filing.

Copies of this article, certified by the Borough Clerk, shall be filed in the office of the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey after the effective date of this article.

§ 9-61 Repealer.

Any ordinance of the Borough adopted prior to the date of adoption of this article that is inconsistent herewith is hereby amended, superseded or repealed, as applicable, to the extent of any such inconsistency.

§ 9-62 When effective.

This article shall take effect in accordance with applicable law.

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

BE IT FURTHER ORDAINED that any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED that, after introduction, this Ordinance shall be transmitted to the Local Finance Board for its approval prior to adoption by the Borough Council.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law, and shall not be subject to referendum pursuant to N.J.S.A. 40A:5A-20.

2022-15 Councilwoman Triggiano motioned to open the floor for the public hearing on ordinance 2022-15; Councilwoman Horgan seconded the motion. There being no discussion Councilman Zipprich moved to close the public hearing on this ordinance; Councilwoman Horgan seconded the motion.

Councilwoman Triggiano moved to approve Ordinance 2022-15 for adoption; Councilwoman Horgan seconded the motion. Roll call: unanimous, affirmative

ORDINANCE AMENDING CHAPTER VIII, "PARKING LOTS AND HANDICAPPED PARKING SPACES", SUBSECTION 8-2.8, "RESTRICTED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK

WHEREAS, certain residents of the Borough have requested handicapped parking spaces in the vicinity of their homes to accommodate their handicaps; and

WHEREAS, the Police Department has investigated these requests and has recommended that the handicapped parking restrictions be established;

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter VIII "Parking Lots and Handicapped Parking Spaces", is amended and supplemented as follows:

SECTION ONE: Subsection 8-2.8 "Restricted Parking", Schedule IV is amended and supplemented to add the following parking spaces located on a public street:

The following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the New Jersey Motor Vehicle Commission. Only the following New Jersey handicap license placard: P2462507 may park in this designated parking space. No other persons shall be permitted to park in this place. This ordinance shall remain in effect only as long as the aforementioned handicap license placard is valid.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
West Street (P2462507)	West	Beginning at a point 90 feet south of the southwest intersection of Wall Street continuing south for a distance of 20 Feet. This space is located on the street in front of the residence commonly known as 36 West Street.

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the

provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the traffic ordinance are ratified and remain in full force and effect.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

2022-16 Councilman Zipprich motioned to open the floor for the public hearing on ordinance 2022-16; Councilwoman Triggiano seconded the motion. There being no discussion Councilwoman Triggiano moved to close the public hearing on this ordinance; Councilman Zipprich seconded the motion.

Councilwoman Triggiano moved to approve Ordinance 2022-16 for adoption; Councilwoman Horgan seconded the motion. Roll call: unanimous, affirmative

ORDINANCE AMENDING CHAPTER VIII, "PARKING LOTS AND HANDICAPPED PARKING SPACES", SUBSECTION 8-2.8, "RESTRICTED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK

WHEREAS, certain residents of the Borough have requested handicapped parking spaces in the vicinity of their homes to accommodate their handicaps; and

WHEREAS, the Police Department has investigated these requests and has recommended that the handicapped parking restrictions be established;

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter VIII "Parking Lots and Handicapped Parking Spaces", is amended and supplemented as follows:

SECTION ONE: Subsection 8-2.8 "Restricted Parking", Schedule IV is amended and supplemented to add the following parking spaces located on a public street:

The following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the New Jersey Motor Vehicle Commission. Only the following New Jersey handicap license placard: P2402121 may park in this designated parking space. No other persons shall be permitted to park in this place. This ordinance shall remain in effect only as long as the aforementioned handicap license placard is valid.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Drs. James Parker Blvd. (P2402121)	South	Beginning at a point 160 feet west of the southwest intersection of Leighton Avenue continuing west for a distance of 20 Feet. This space is located on the street in front of the residence commonly known as 239 Drs. James Parker Blvd.

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the traffic ordinance are ratified and remain in full force and effect.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

Introduction

2022-17 Councilwoman Triggiano motioned to approve ordinance 2022-17 on introduction; Councilwoman Horgan seconded the motion. Public hearing to be held July 27, 2022.

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 680, "VEHICLES AND TRAFFIC," SECTION 680-37, "SCHEDULE III: "NO STOPPING OR STANDING"

RESOLUTIONS

By Consent Agenda:

- Resolution 22-169: A Resolution for Payment of Bills Amounting to \$5,088,856.93

- Resolution 22-170: Payment #5 Broad St Improvements
- Resolution 22-171: Payment #6 Spring St Improvements
- Resolution 22-172: Refund Developers Escrow
- Resolution 22-173: ABC Consumption Liquor License Renewals
- Resolution 22-174: ABC Distribution Liquor License Renewals
- Resolution 22-175: Appoint FT Construction Clerk
- Resolution 22-176: Appointing Summer Camp Staff
- Resolution 22-177: Authorizing 2022 Community Development Projects
- ~~Resolution 22-178: Authorizing Shared Services SRO with Bd. of Education~~ (Tabled Councilman Ballard, seconded by Councilman Zipprich)
- Resolution 22-179: Cannabis Class 5 – Quiet Bloom
- Resolution 22-180: In Support of Veteran Property Tax Deduction Increase
- Resolution 22-181: Sourcewell COOP Purchase – Roll Off and Truck Hoist

Councilwoman Triggiano motioned the approval of resolutions 22-169 through 22-181, excluding 22-178; Councilwoman Horgan seconded the motion. Roll call vote, unanimous, affirmative.

RESOLUTION NO. 22-169
A RESOLUTION FOR PAYMENT OF BILLS AMOUNTING TO \$5,088,856.93

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the bills be paid as on attached check registers totaling \$5,088,856.93

July 13, 2022 Bill List - Borough of Red Bank

Check Type	Count	Total
Manual Check	173	\$5,088,856.93
Meeting Check	0	
Total	173	\$5,088,856.93

Checking Account	Count	Total
CAPITAL ACCOUNT	4	\$609,092.28
COAH DEV FEES	1	\$4,712.00
CURRENT -VALLEY	92	\$1,107,543.85
DEVELESCROW	1	\$2.17
DEVELESCROW2RIVER	16	\$10,574.19
GRANT FUND-VNB	4	\$24,391.33
MCIA LEASE	1	\$7,577.75
PARKSRECTRUST	3	\$32,376.89
PAYROLL	2	\$3,569.71
PKING CAP 2RIVE	2	\$231.50
PKINGOP2RIVER	10	\$34,643.23
RECREATION-VNB	12	\$11,728.37
TRUST ACCOUNT	3	\$32,522.75
TWO RIVERS	1	\$377.24
WATER CAPITAL	1	\$3,536.82
WATER OPERATING	18	\$177,018.77
WIRE	2	\$3,028,958.08
Total	173	\$5,088,856.93

Checking Account	Check Type	Count	Total
CAPITAL ACCOUNT	Manual Check	4	\$609,092.28
COAH DEV FEES	Manual Check	1	\$4,712.00
CURRENT -VALLEY	Manual Check	92	\$1,107,543.85
DEVELESCROW	Manual Check	1	\$2.17
DEVELESCROW2RIVER	Manual Check	16	\$10,574.19
GRANT FUND-VNB	Manual Check	4	\$24,391.33
MCIA LEASE	Manual Check	1	\$7,577.75
PARKSRECTRUST	Manual Check	3	\$32,376.89
PAYROLL	Manual Check	2	\$3,569.71
PKING CAP 2RIVE	Manual Check	2	\$231.50
PKINGOP2RIVER	Manual Check	10	\$34,643.23
RECREATION-VNB	Manual Check	12	\$11,728.37
TRUST ACCOUNT	Manual Check	3	\$32,522.75
TWO RIVERS	Manual Check	1	\$377.24
WATER CAPITAL	Manual Check	1	\$3,536.82
WATER OPERATING	Manual Check	18	\$177,018.77
WIRE	Manual Check	2	\$3,028,958.08
Total	All Checking	173	\$5,088,856.93

RESOLUTION NO. 22-170

RESOLUTION AUTHORIZING PROGRESS PAYMENT #5 RELATED TO THE CONTRACT WITH MONTANA CONSTRUCTION CORP., INC. FOR THE NJDOT BROAD STREET IMPROVEMENT PROJECT

BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Engineer that Payment #5 for the Contract listed below be and is hereby approved.

BE IT RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: Broad Street Improvements
CONTRACTOR: Montana Construction Corp, Inc.

80 Contact Ave., Lodi NJ 07644
 ENGINEER: CME Associates.
 1460 Route 9 South, Howell, NJ 07731

Payment #2

Current to Date Total	\$4,101,498.27
Less 2% Retainage	\$82,029.97
Less Previous Payments	\$3,491,877.71

Amount Due	\$527,590.59
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All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 22-171

AUTHORIZING PROGRESS PAYMENT #5 RELATED TO THE CONTRACT WITH Z. BROTHERS CONCRETE CONTRACTORS, INC. FOR THE IMPROVEMENT TO SPRING STREET PROJECT

BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank of Monmouth County, New Jersey upon recommendation of the Borough Engineer that Payment # for the Contract listed below be and is hereby approved.

BE IT RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: Spring Street Improvements

CONTRACTOR: Z Brothers Concrete Contractors, Inc.

304 Jernee Mill Rd., Sayerville, NJ 08872

ENGINEER: CME Associates.
 1460 Route 9 South, Howell, NJ 07731

Payment #2

Current to Date Total	\$884,085.55
Less 2% Retainage	\$17,681.71
Less Previous Payments	\$788,069.33

Amount Due	\$78,334.51
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All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 22-172

RESOLUTION AUTHORIZING REFUND OF DEVELOPERS ECROW ACCOUNT BALANCES TOTALING \$4,510.02

WHEREAS, the following applicant has deposited Escrow amounts as required by the Planning and Zoning Department for a development project; and

WHEREAS, the Planning and Zoning Department has determined that the applicants' corresponding project is substantially complete and therefore the balance of Escrow can be released; and

WHEREAS, the Escrow Account identified in the enclosed schedule, 'Schedule A' identify balances remaining, after all relevant fees have been satisfied and there appears no further basis to retain the Escrow Deposit;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Red Bank that the Escrow balance be released and that the Chief Financial Officer is hereby directed to issue a check for the refund.

Applicant	Schedule A Address	Balance
Hackensack Meridian Health (PI11160)	1 Riverview Plaza	\$4,510.02
		Total \$4,510.02

RESOLUTION NO. 22-173

A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2022-2023

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Consumption Licenses issued for the period July 1, 2022 through June 30, 2023 are hereby renewed:

1340-32-018 Renegade Fondue Inc (t/a Melting Pot) 2 Bridge Avenue
1340-33-026 Chubby’s Waterfront Café (t/a 26 West on the Navesink) 26 West Front Street

RESOLUTION NO. 22-174
A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES FOR 2022-2023

BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the following Plenary Retail Distribution Licenses issued for the period July 1, 2022 through June 30, 2023 are hereby renewed:

1340-44-032-006 RUDHRA INC. (t/a On The Rocks) 205 Shrewsbury Avenue

RESOLUTION NO. 22-175
A RESOLUTION RATIFYING AND CONFIRMING THE APPOINTMENT OF A FULL-TIME CLERK IN THE CONSTRUCTION DEPARTMENT

WHEREAS, the Borough Administrator has recommended that it would be in the best interests of the Borough to appoint a full-time Clerk in the Construction Department; and

WHEREAS, pursuant to Chapter 90, Article VI, Section 90-28 of the Revised General Code of the Borough of Red Bank, the Borough Administrator appoints Taylor Gerber as a full-time Clerk in the Construction Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that they do hereby ratify and confirm the Borough Administrator’s appointment of Taylor Gerber as full-time Clerk in the Construction Department effective July 16, 2022 at the hourly pay rate of \$21.60, per the 2022 CWA Local Pay Scale

RESOLUTION NO. 22-176
RESOLUTION TO APPROVE THE HIRING OF PARKS AND RECREATION SUMMER STAFF

WHEREAS, the Director of Parks and Recreation has advised that it is desirable to fill Summer Staff positions for the Parks and Recreation Department; and

WHEREAS, it is recommended the following individuals be appointed, contingent upon successful completion of physical and background checks:

First Name	Last Name	Assignment	Hrs	Previous Year Rate	New Rate	Start Date
Fiona	Slattery	Counselor	25	n/a	\$15.00	July 18, 2022

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the hiring of the above named individuals at the designated rate of pay is hereby approved effective July 18, 2022.

RESOLUTION NO. 22-177
COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR 2022 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2022 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2022 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Red Bank Lead Pipe Removal and Replacement Project - Phase 1 with a grant allocation of \$200,000.00; and

WHEREAS, the Borough of Red Bank hereby met all of requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Red Bank has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Borough of Red Bank.

RESOLUTION NO. 22-179

A RESOLUTION ACKNOWLEDGING THAT CANNABIS BUSINESS LICENSE APPLICANT HAS PROPOSED A TYPE OF CANNABIS BUSINESS THAT IS PERMITTED WITHIN THE BOROUGH AND WOULD NOT EXCEED ANY MUNICIPAL LICENSE LIMIT

WHEREAS, in November 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to legalize a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the “Act”), which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational cannabis operations, use and possession; and

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis businesses allowed to operate within their boundaries, as well as the location, manner, and times of operation of such businesses, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, by Ordinance introduced July 21, 2021, the Governing Body of the Borough of Red Bank (the “Borough”) permitted and established land use regulations and local taxes for regulated cannabis businesses within the Borough in accordance with the Act and the New Jersey Municipal Land Use Law; and

WHEREAS, under the Act, prospective cannabis business license-applicants are required to submit to the New Jersey Cannabis Regulatory Commission, *inter alia*, a Resolution from the governing body of any potential host-municipality, certifying that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction, and a confirmation that, if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the applicant by the Commission would not exceed that limit; and

WHEREAS, the Borough has received a request for such an aforementioned Resolution from Quiet Bloom LLC, which seeks a license from the Commission for a Class 5 cannabis business license to be potentially located within the Borough;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey has reviewed the request of Quiet Bloom LLC for a Resolution, and finds that the Borough has indeed authorized the type of cannabis business license being sought by the license-applicant, and the issuance of a license to the applicant by the Commission would not exceed any municipally imposed limit; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Administrator, Director of Community Development, and Quiet Bloom LLC.

RESOLUTION NO. 22-180

RESOLUTION SUPPORTING ASSEMBLY CONCURRENT RESOLUTION NO. 31 INCREASING THE PROPERTY TAX DEDUCTION FOR VETERANS TO \$1,000.00 AND BASE FUTURE DEDUCTIONS ON ANNUAL CONSUMER PRICE INDEX INCREASES

WHEREAS, Monmouth County is home to a veteran population in the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from

active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United State Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31 proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Red Bank Borough Council supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Red Bank Borough Council, State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

BE IT FURTHER RESOLVED that the Clerk shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

RESOLUTION NO. 22-181

AUTHORIZING THE PURCHASE OF A 2024 HV613 ROLL OFF TRUCK AND HOIST UNDER A NATIONAL COOPERATIVE PURCHASE AGREEMENT

WHEREAS, The Borough of Red Bank is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3); and

WHEREAS, Sourcewell, formally the National Joint Powers Alliance (NJPA), bidding and contract award process meets the criteria as established by the Department of Community Affairs; and

WHEREAS, The Borough of Red Bank intends to participate in the Sourcewell contract award, specifically contract #060920-NVS, to purchase a 2024 HV613 Roll Off Truck and Hoist; and

WHEREAS, It is the intent of the Red Bank Borough Purchasing Agent to make a purchase pursuant to said contract award to Allegiance Trucks pursuant to the proposal submitted to the Borough of Red Bank dated July 11, 2021; and

WHEREAS, the Director of the Department of Utilities has reviewed the proposal and has determined that said purchase through the Sourcewell contract award, contract #060920-NVS will result in significant savings to the Borough, and

WHEREAS, funds in the amount of \$187,890.80 are currently available for this purpose as certified by the Chief Financial Officer in account no(s). M-21-00-101-144

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Purchasing Agent is hereby authorized to authorize the purchase of a 2024 HV613 Roll Off Truck and Hoist through Sourcewell contract #060920-NVS, from Allegiance Trucks, in the amount of \$187,890.80 as set forth in their proposal dated July 11, 2021.

BE IT FURTHER RESOLVED that, to the extent applicable, this resolution is further contingent upon the Chief Financial Officer's Certification of Sufficient Funds.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Chief Financial Officer.

MAYOR AND COUNCIL COMMENTS

Councilwoman Mirandi – No report:

Councilwoman Sturdivant – No report.

Councilwoman Triggiano reported on:

- Provided information on National Night Out – Tuesday August 2, 2022
- Expressed her appreciation to everyone that supported the Fire Department by going to the car show.

Councilwoman Horgan reported on the following:

- Library – Provided information and parameters on the library sponsored photo contest, please check online for criteria

Councilman Ballard – No report

Councilman Zipprich reported on the following:

- Historic Preservation Commission welcomed their new counsel
- DPW Committee met to discuss various projects
- Seniors are very excited about the Senior Center renovation project
- Spoke with the DEP in regard to the waterfront access at the Senior Center

DISCUSSION & ACTION

Mayor Menna read the following requests:

i. Special Event Requests

1. Elks United BBQ for Hometown Heroes; IBPOEW Lodge, Shrewsbury Avenue; Saturday, July 23rd; noon-5pm
2. Cirque de Peace, Light up the Park; Riverside Gardens; Friday, July 29th
3. Jazz Arts Projects; Westside Jazz Concerts; Starting Sunday, July 31st
4. Two River Theater 11th Annual Crossing Borders; Johnny Jazz Park; Wednesday, August 3rd; 6pm-8pm
5. Community Event; Johnny Jazz Park; Friday, August 5th; 5:30pm-8:30pm
6. Calvary Baptist Church; Church Property; Saturday, August 6th; noon-4pm
7. Tigger House; International Overdose Awareness Day; Marine Park; Wednesday, August 31st; 5pm-7:30pm
8. RBAWC; Dog Days; Marine Park; Saturday, September 10th; noon-4pm; RD Sunday, September 11th

Councilwoman Horgan motioned to approve the Special Events requests; Councilman Ballard seconded the motion. Roll call vote: unanimous, affirmative.

PUBLIC COMMENT (Governmental Issues, 5 Minute Limit)

Councilman Zipprich moved to open the floor to the public, Councilwoman Horgan seconded the motion:

Sue Viscomi 25 Cedar Street – Expressed her disappointment in the Council's ability to respect each other and work together for the town. Hope the Council can finish out the year strong. Also commented on the sides of the roadways not being cleaned of debris.

Stephen Hecht 135 Branch Avenue – Think about one meeting leading into another. When you bleed the workshop into the council meeting it is not fair to the citizenry to attend a council meeting.

Mr. Boyton PO Box 274 – Johnny Jazz Park – The auto shop next to the park is encroaching on the park property inhibiting access. Count Basie Park bleachers need to be painted and the port-o-johns are filthy. Something needs to be done.

There being no further discussion, Councilwoman Horgan offered a motion to close the Public Comment period, Councilwoman Triggiano seconded. Roll call, unanimous, affirmative.

ADJOURNMENT

There being no further business Councilwoman Triggiano offered a motion adjourn, seconded by Councilwoman Horgan Roll call, unanimous, affirmative. 9:29PM

Respectfully submitted,

Laura Reinertsen