

**FAIR HAVEN BOROUGH COUNCIL**  
**SEPTEMBER 13, 2021**

The meeting was called to order by Mayor Lucarelli at 6:22 p.m. The Flag Salute was followed by a Moment of Silent Meditation. The Sunshine Law Statement was read and included that this meeting was being broadcast via Facebook Live simultaneously with the in-person meeting.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Koch, McCabe, McCue and Neff. Absent: Councilmembers Chrisner-Keefe and Rodriguez. Others present: Administrator Casagrande and Chief McGovern.

**RESOLUTION**

1. Resolution No. 2021-203, Executive Session: Personnel, Acquisition of Property and Contract Negotiations

**WHEREAS**, the Open Public Meetings, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body may wish to discuss the following matters:

**Personnel**

1. Part-time Non-Aligned Employee Salaries
2. Police Captain Promotion

**Acquisition of Property**

1. 21 Fair Haven Road

**Contract Negotiations**

1. PBA Negotiations
2. Teamster Negotiations
3. Facility Project Manger
4. Consulting Engineer

**WHEREAS**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW, THEREFORE, BE IT RESOLVED** that the public be excluded from this meeting.

Offered for adoption by Councilwoman Koch, second by Councilman McCue

Affirmative: Councilmembers Koch, McCabe, McCue and Neff

Negative: None

Abstain: None

Absent: Councilmembers Chrisner-Keefe and Rodriguez

Council went into executive session from 6:30 p.m. until 7:00 p.m. and this meeting was reconvened at 7:04 p.m.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez. Others present: Administrator Casagrande, Attorney Cannon, Engineer Gardella and Chief McGovern.

**PROCLAMATION**

Mayor Lucarelli read a proclamation for Childhood Cancer Awareness Month which is September.

**WORKSHOP SESSION**

A Special Council meeting was held on September 8<sup>th</sup> for the Hance Road and Cooney Terrace Road Project where options were provided by the Borough Engineer and discussion took place with the public. Administrator Casagrande said the governing body needs to discuss the options and give the Borough Engineer a direction. Mayor Lucarelli thanked Administrator Casagrande, Engineer Gardella and the Council for the special meeting presentation. The Mayor stated that he is recognized as an Advocate for Complete Streets, he has certificates and recognition from various entities and has sat in on meetings in Washington, D.C. He said that Option #3, with sidewalks, should be the way to go, but to have sidewalks as an Add Alternate in the bid. Most people prefer to walk on a sidewalk. Councilwoman Koch said Option #3 has curbing and the public

has asked that there be no curbs; she asked for everyone's thoughts. Councilwoman Neff asked why Battin Road was done without curbing and Hance Road has curbing planned; Engineer Gardella said they are two separate projects. Hance Road is unique and there are washouts on certain properties. The DPW has been adding asphalt curbing at the request of residents. A series of catch basins are there and curbs control the edge side erosion. Currently, a resident is trying to prevent their side yard from flooding; curbs would help keep things in line. Councilwoman Koch asked if there are alternatives to curbing which will help stormwater flow; there are alternatives with various type of curbing. Curbs will assist with snowplow operations and as well as remediate the roadside erosion. Curbing was recommended and the properties will be restored to how they were. Councilwoman McCabe felt that the Engineer's opening statement about keeping the character of the streets was negated when he recommended curbs because they are not part of the street now. There was discussion regarding curbing and how it will affect the trees (we need to be respectful of the trees). It was asked if parking restrictions on Hance Road need to be reviewed because Lewis Point Road to River Road has restrictions that are not being adhered to. The conversation with the community needs to be taken into consideration; there were great options, and we could maybe blend them. The Borough will have to forfeit the grant if we do nothing, so we should look at the options that were given; there is a lot more work to be done. Administrator Casagrande said that there was a bond ordinance approved in 2020 in the amount of \$650,000 that is in place and specific for this project. We can cancel the bond ordinance but cannot reallocate it to another project. Mayor Lucarelli said that the structure of the grant, the bond and all involved is not conceivable for what is recommended for this project. There was discussion on whether to mill and pave the road only without curbs or sidewalks. Engineer Gardella said that Hance Road has severe deficiencies, and we can place sidewalk around the trees, curbs provide for proper drainage and will assist in clearing up the issues on the road. Councilwoman Neff said that she walked Hance Road today and front lawns are washed out and there is significant erosion. There is also intermittent curbing all the way down the street. Mayor Lucarelli asked if there was a consensus for Alternates in Option #3. Councilwoman Neff said that we are also talking about a pocket park at the end of the road for all to enjoy so we need to provide appropriate access. If we decide not to do sidewalks, then there shouldn't be a pocket park because no one will visit a pocket park without a one. Pedestrians are not safe if there are two cars driving in opposite directions on Hance Road without sidewalks. Councilwoman Chrisner-Keefe said that all Borough waterfront locations are different, and the end of Hance is the smallest and least accessible. She reviewed Grange Avenue, the Boat Launch Ramp, Fair Haven Road, and the Williams Robard Albert Park. Council needs to consider how the public is using the loop when walking which needs to be accessible for everyone. Councilman McCue asked about drainage on the west side of the street; there is drainage because of the two catch basins that are set off the road. Everyone must remember Grange Manor Estates where curbs were installed. If it is decided to not install curbs, there will be the challenge of drainage. Engineer Gardella said Battin Road was different as there was no curbing; the roadway was widened as much as possible. Hance Road has existing erosion that DPW is constantly battling. There is also a property that has sheath flow during rain let alone storms. The solution is traditional curbing as catch basins are there.

Council spoke with a lot of neighbors, and it was asked how everyone gets an understanding of what is there, what calls have been received from property owners regarding the condition of their property and how do we protect the river. It was asked if curbs are good for the river and what is the benefit. Mayor Lucarelli said that you stop the erosion going into the storm drain; curbs are proper storm water management. Councilwoman Neff suggested plantings and a rain garden. Councilman Rodriguez asked Engineer Gardella what catch basins do. The existing conditions are the erosion. Catch basins intercept the water every few hundred feet and it pipes it to flow. This drainage area encompasses The Gentry, Hance Road, Knollwood and the side streets so we can put water treatment devices to make the water cleaner. The devices should not be near the river because it will create other issues. Engineer Gardella reviewed the conditions that are already there and what has been dealt with prior to when he joined the Borough in 2007. His department must certify road side erosion and how it is being dealt with; we cannot eliminate all of the curbing because they are needed. Councilwoman Neff asked how many trees will be affected with curbing; Engineer Gardella said that with all the projects in the Borough, his department and the contractor have worked around the trees by making adjustments where there is potential conflict. Mayor Lucarelli said that we need proper stormwater management and there may be a tree or two that may not survive or will need to be removed. Councilwoman McCabe said that everyone comes with different lenses and views, so we need to take everything into consideration to balance what is best for the entire community. Councilwoman Chrisner-Keefe was struggling to understand how these changes will impact the long term (trees, river) and asked if curbs will put additional pressure on the system than it already has. Councilman Rodriguez suggested bidding Option #2 and Option # 3 without curbs. The DPW has been dealing with issues on this road for a decade and if we have sidewalks, we will not have property topsoil flowing into the river. The Mayor said it would be wasteful to not have curbs because the roads are going to deteriorate without the appropriate material and us not doing the job correctly; it should be done right once for the future and as a capital investment for 50 years. Councilwoman Neff said Council should listen to the Engineer and the DPW employees who have been dealing with the issues and band aiding them. Councilwoman Koch said that this topic

was discussed for four hours on September 8<sup>th</sup> when we heard from everyone; she does not want to lose the grant and suggested having sidewalks as an alternate in the bid and asked what Council can do to move forward tonight. The Borough Engineer has given his opinion and recommendation for what should be done to improve the road and presented options. Some Councilmembers felt more information was needed to make the appropriate decision (responses to the requests made at the special meeting regarding greener options such as grass, a concrete swale or other materials, getting the Green Team and Environmental Commission's input). Engineer Gardella asked what Council is looking to achieve; if it is minimizing tree root exposure, there are design adjustments that can be made. He advised that a sewer company came to the Hance and Cooney area a few years ago and it took a week to jet out years and years of erosion (24" pipe that was ½ full); there is a problem. With regard to the trees, they were discussed at the special meeting (we need to look at site triangle and what the chosen design is); the Engineer and contractor will work around the trees with the design by making the curb narrower and pinching the road width. There could be 1-2 trees lost.

The Mayor asked for a consensus of the governing body for which option they prefer. Councilwoman McCabe asked if the height of the curb would be the same as Battin Road; it has to be 6" high to avoid trucks driving or vehicles driving on the property. If the sidewalks are bid as an alternate, it will give us a fixed number as to what the cost for sidewalks would be. Crosswalks go with sidewalks so if there are no sidewalks, then there would be no need for crosswalks. The consensus of Council was Option #3 with sidewalks bid as an alternate; three members were in favor and three were against, so the Mayor broke the tie and voted in favor of Option #3 with a sidewalk alternate. Administrator Casagrande advised the governing body that the pocket parks were authorized to go to bid, and the engineering has already been done. Councilwoman Koch made a motion to proceed with Option #3 and having sidewalks as an "add alternate" moved by Councilman Rodriguez with the following vote:

Ayes: Councilmembers McCue, Neff, Rodriguez and Mayor Lucarelli

Nays: Councilmembers Chrisner-Keefe, Koch and McCabe

Abstain: None

With regard to LOSAP hours for 2021, Administrator Casagrande said last year the hours were reduced due to COVID so our volunteers could qualify. We are monitoring the hours and will have more information for the governing body, at the end of September, after the hours for the Firemen's Fair have been tallied; we can adjust, if need be. Administrator Casagrande will check with the Fire Company.

There is a Safe Routes to Schools grant application opportunity (it is a federal program through the NJDOT); the information was shared with the Engineering and DPW Committee to view the presentation. The application is due by October 14<sup>th</sup> and is highly competitive. Councilwoman Chrisner-Keefe asked if there are criteria or a spreadsheet for what to apply for. Administrator Casagrande said there are a variety of things to consider such as \$10 million in funding for the entire state and that this grant favors urban areas. With all the projects in queue, we do not have the time to get an application prepared and most municipalities use a consultant to prepare and oversee this type of grant.

At the August 16<sup>th</sup> Council meeting, it was brought up by Councilwoman McCabe that landscapers should be required to remove the brush from their customer's property. Administrator Casagrande said that we look for landscapers who put brush out at inappropriate times. The homeowners are given the warning or summons, not the landscaper, where it applies. Councilwoman McCabe said the Brush Committee did great work, but there are issues with vehicles in the roadway and brush piles that are dangerous. It was understood that not everyone has a landscaper and that the resident is held responsible, but those that do have one, should have the brush removed which will reduce DPW hours spent on collection and help our brush site. Some landscapers charge an additional fee to remove the brush. Councilman Rodriguez said the Brush Committee discussed eliminating brush pick up all together; survey results showed that 70% were in favor of what Fair Haven does and 7% were dissatisfied. There was also discussion regarding a green can for brush. Councilman Rodriguez said if landscapers take it away and residents have the option to bring their brush to the brush site, it can eliminate the amount of debris on the streets. Councilman Koch said that developers also need to take away their brush material. Mayor Lucarelli said that the zones have helped and improved the way things were done eight years ago. There was discussion regarding amending the ordinance to have landscapers fined if they put debris out after the pick-up schedule has ended and to have landscapers register with a list of their customers. Code Enforcement can always knock on the doors to find out who the landscaper is, if there is one. The landscaper should be made to sign off on the new regulations to acknowledge that they understand the rules. Councilmembers Rodriguez and Koch will meet and discuss this matter.

### **PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 8:30 p.m. Ruth Blaser,

River Road, said the problem is not the brush pick-up itself. Everyone is happy with the schedule, but it seems that not everyone is putting out their material whenever they'd like vs what the Borough schedule is. She said that senior citizens cannot bring their brush to the brush site. With regard to the acquisition of 21 Fair Haven Road, she was not in favor of the purchase. Mrs. Blaser asked the governing body to not take on any more property because what we already have is not being maintained (condition of Schwenker's Pond and McCarter Pond bubblers not working).

Tracy Cole, Grange Avenue, echoed what Mrs. Blaser said about purchasing additional property. She felt that Council's vote on Option #3 disheartening as there were a lot of residents that wanted to be part of the process. September 8<sup>th</sup> was a grueling meeting and not all of the information and answers to question were provided; she felt that tonight Council made a bad decision for the neighborhood and that the vote was pushed through. There is another way to go about things such as discussing the projects with the community first before moving forward with anything or applying for grants. She asked what the Borough would be submitting for Safe Streets to Schools; she was advised that the Borough is not going to apply for this grant; Administrator Casagrande reviewed the parameters and that this grant is for a more comprehensive road project that involves major intersections for overall connectivity. Councilwoman McCabe said that the criteria are more restrictive, and we are not an appropriate candidate. Mrs. Cole asked about the bond ordinance listed for introduction on the agenda; it is the ordinance we do annually for budgeted capital improvements in the amount of \$215,000. Councilman Rodriguez was asked about the resolution for the Land Use Advisory Committee; we are replacing folks on the Committee such as former Councilmembers Marchese and Banahan. The scope of work is to help "tackle" the issues such as zoning, HFAR, construction and to look where we can make amendments to current ordinances and bring issues to a place to make progress.

Mrs. Blaser asked about Resolution No. 2021-209 which appoints a Technology Consultant. Engineer Gardella said he spoke with the Borough's Architect regarding the needs for smart technology, lighting, Wi-Fi, computer systems. The DPW technology piece was not part of the original contract.

There being no further comments or questions, the meeting was closed to the public at 8:40 p.m.

#### **APPROVAL OF MINUTES**

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of August 16, 2021, second by Councilwoman Neff

Affirmative: Councilmembers Chrisner-Keefe, McCabe, Neff and Rodriguez

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman McCue

Councilman Rodriguez made a motion to approve the Executive Session minutes of August 16, 2021, second by Councilwoman Neff

Affirmative: Councilmembers Chrisner-Keefe, McCabe, Neff and Rodriguez

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman McCue

#### **OLD BUSINESS**

#### **HEARING AND ADOPTION OF ORDINANCES**

1. Ordinance No. 2021-11, Amend Chapter 7: "Vehicles and Traffic" to prohibit parking in certain locations and install new stop signs at certain intersections

#### **AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING CHAPTER 7: "VEHICLES AND TRAFFIC" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO PROHIBIT PARKING IN CERTAIN LOCATIONS AND INSTALL NEW STOP SIGNS AT CERTAIN INTERSECTIONS TO ENHANCE TRAFFIC SAFETY WITHIN THE BOROUGH**

On motion of Councilwoman Koch, second by Councilman Rodriguez with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 8:41 p.m.

There being no comments or questions, the Hearing was closed to the public at 8:41 p.m. on motion of Councilwoman Koch, second by Councilman Rodriguez with Ayes by all present.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: Councilman McCue

**NEW BUSINESS**

**Council Committee Reports**

**Finance** - Councilwoman Neff did not have a report.

**Personnel** - Councilwoman Chrisner-Keefe did not have a report.

**Planning & Zoning** - Councilwoman Koch advised that the Planning Board meeting will be held on September 21<sup>st</sup> and the Zoning Board’s next meeting will be October 7<sup>th</sup>.

**Parks and Recreation and Communications** - Councilwoman Koch reported that the Halloween Egg Hunt and Parade will be held on October 24<sup>th</sup>.

**Police, Fire & OEM** - Councilman McCue did not have a report.

**Engineering and DPW** – Councilman McCue did not have a report.

**Borough Facilities** - Councilman Rodriguez said there have been recent meeting with the Facilities Committee over the past three weeks. There have been several questions posed to the Committee like the Board of Education and how they have a project manager for their facilities.

**INTRODUCTION OF ORDINANCES**

1. Ordinance No. 2021-12, Capital Bond Ordinance

**AN ORDINANCE OF THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE, IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, the Borough of Fair Haven, in the County of Monmouth, New Jersey (the “Borough”), has determined to acquire various equipment and make improvements to infrastructure and public buildings and grounds; and

**WHEREAS**, the Borough has \$215,000.00 in the Capital Improvement Fund.

**NOW, THEREFORE, BE IT ORDAINED** and enacted by the Borough Council (the “Governing Body”) of the Borough, AS FOLLOWS:

**SECTION 1.** The sum of \$215,000.00 is hereby appropriated from the Borough’s Capital Improvement Fund for the acquisitions or improvements described in Section 2 of this ordinance and such acquisitions and improvements are hereby authorized as a General Capital authorization to be undertaken in and by the Borough.

**SECTION 2.** The acquisitions and improvements hereby authorized to be undertaken consist of:

- a. Any capital equipment, so determined as to be necessary by the Governing Body;
- b. Roadway and Infrastructure Improvements, so determined to be necessary by the Governing Body;
- c. Buildings and Grounds Improvements, so determined to be necessary by the Governing Body;
- d. Information technology hardware and software, so determined to be necessary by the Governing Body;

together with all items necessary, incidental or appurtenant thereto.

**SECTION 3.** The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

**SECTION 4.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same hereby are repealed to the extent of their inconsistency.

**SECTION 5.** This ordinance shall take effect as provided by law.

Offered for introduction by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

**CONSENT AGENDA**  
**RESOLUTIONS**

2. Resolution No. 2021-204, Appoint Land Use Advisory Committee

**WHEREAS**, there is a need to amend and appoint members to the Land Use Committee for the Borough of Fair Haven.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the following Borough residents be appointed to the Borough Facilities Committee:

Mayor Benjamin Lucarelli

Councilwoman Elizabeth Koch

Councilwoman Laline Neff

Director of Engineering and Public Works, Richard Gardella

Assistant Director of Engineering and Public Works, Nicolas Poruchynsky

Joseph Mule, Planning and Zoning Code Compliance Officer

Todd Lehder

Peter Neczesny

Jim Kennedy

Gregory Cannon, Esq., Borough Attorney

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Councilwoman Chrisner-Keefe asked for clarification as to what the purpose and mission statement is for this Committee. She was advised that work was done regarding HFAR and this committee did not proceed for obvious reasons. Councilwoman Neff, at a previous meeting, brought up concerns about new construction and the size of homes, etc. It was felt that goals and community engagement should be required. Councilwoman Chrisner-Keefe said that she is glad to have the committee and applauds the work done, to date, but they need a mission statement with the community needs and desires involved. She noted the members listed in the resolution and felt residents should be included because we need ideas from the community to share what they have seen in their neighborhoods. After in depth discussions and a decision being made, it can be presented to our professionals. Mayor Lucarelli said decades ago, the Borough came up with HFAR to avoid “McMansions” being built and it is causing problems with the Zoning Board. The Chairman of the Zoning Board and Planning Board requested we form a subcommittee to discuss alternatives for HFAR. The topic was discussed with the Land Use Advisory Committee and our professionals, and a memo came back from our Planner. Not everyone agreed with the memo; this is going to be revisited and an amended memo will go to the Planning Board for review and additional discussion. Councilwoman Chrisner-Keefe felt there needs to be more input from the public; she spoke with Todd Lehder and Councilwoman Neff and there is a need for different members on this committee. Councilwoman Koch agreed with having resident input, but the member names on this resolution are aware of everything mentioned and more. There was discussion for clarification on who, what, where and when. Councilwoman Chrisner-Keefe reiterated the need for more input from the public with community engagement before proceeding with a memo or plan. The Borough needs the public’s view and what they have experienced with the development in the Borough and their neighborhood. Administrator Casagrande gave the history and explained that in 2017, the general feeling of the public and Mayor and Council was that houses were too big for the area. We had a prior Planner who gave long and short-term options. She reviewed the discussions and who was involved and the in-depth conversations. We have Heyer & Gruel’s current report that was sent to the committee; at that time, our Special Legal Counsel asked us to hold off as we discussed and addressed Affordable Housing. Administrator Casagrande was asked to go back and resume the work and whether there will be adjustments to Heyer & Gruel’s memo. Councilwoman Neff said she brought it up because of the homes that are being built and we need some sort of resolution to the issues and complaints being received. We know some of the issues that are harder and easier to resolve. Todd Lehder advised Councilmembers Chrisner-Keefe and Neff that he would like to have more community involvement. The Committee should have clear objectives and the community engaged to find a resolution. Councilwoman Koch said there seems to be confusion in the interpretation of ordinances; there are a lot of layers to this and there needs to be more clear and concise regulations to avoid multiple interpretations.

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None  
Abstain: None  
Absent: None

3. Resolution No. 2021-205, Authorize Extension of Contract for Trash and Recycling until June 30, 2024

**WHEREAS**, the Borough of Fair Haven (the “Borough”) previously entered into a Contract for solid waste and recycling collection services with Suburban Disposal (“Suburban”) on May 13, 2019; and

**WHEREAS**, said Contract provided that Suburban, as the lowest responsible bidder in response to the Borough’s Notice to Bidders of February 22, 2019, would provide solid waste and recycling collection services within the Borough from July 1, 2019 to June 30, 2022, at costs of: (1) \$296,000 annually for the Base Contract; (2) \$290 per haul for Alternate #2; and (3) \$30,000 annually for Alternate #3; and

**WHEREAS**, said Contract provided the Borough with the right to extend its term for up to two (2) years at such costs submitted by Suburban in response to the Borough’s Notice to Bidders; and

**WHEREAS**, the Borough desires to extend said Contract upon those terms, as follows:

<b>Term</b>	<b>Base Contract</b>	<b>Alternate #2</b>	<b>Alternate #3</b>
July 1, 2022 to June 30, 2023	\$323,000	\$290/haul	\$30,000
July 1, 2023 to June 30, 2024	\$323,000	\$290/haul	\$30,000

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, hereby extend the Borough’s Contract with Suburban from July 1, 2022 to June 30, 2024 upon such terms and conditions set forth hereinabove.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: None

4. Resolution No. 2021-206, Approve Block Party: Hendrickson Place (between Allen St & William St) - September 18<sup>th</sup>

**WHEREAS**, a request was received to hold a Block Party on Hendrickson Place (between Allen Street and William Street) on Saturday, September 18, 2021 from 5 pm to 11 pm with a rain date of Saturday, October 2, 2021; and

**WHEREAS**, Police Chief Joseph McGovern reviewed the application and submitted his approval on August 17, 2021.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Hendrickson Place (between Allen Street and William Street) on Saturday, September 18, 2021 from 5 pm to 11 pm with a rain date of Saturday, October 2, 2021.

**BE IT FURTHER RESOLVED** that Permit No. BP 2021-07 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: None

5. Resolution No. 2021-207, Approve Block Party: Church Street (between River Rd & Hayes Pl) - September 25<sup>th</sup>

**WHEREAS**, a request was received to hold a Block Party on Church Street (between River Road and Hayes Place) on Saturday, September 25, 2021 from 3 pm to 10 pm; and

**WHEREAS**, Police Chief Joseph McGovern reviewed the application and submitted his approval on August 27, 2021.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Church Street (between River Road and Hayes Place) on Saturday, September 25, 2021 from 3 pm to 10 pm.

**BE IT FURTHER RESOLVED** that Permit No. BP 2021-08 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2021-208, Approve Block Party: Lake Avenue (between Princeton & Harvard Roads) - September 26<sup>th</sup>

**WHEREAS**, a request was received to hold a Block Party on Lake Avenue (between Princeton and Harvard Roads) on Sunday, September 26, 2021 from 4 pm to 7 pm; and

**WHEREAS**, Police Chief Joseph McGovern reviewed the application and submitted his approval on August 17, 2021.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Lake Avenue (between Princeton and Harvard Roads) on Sunday, September 26, 2021 from 4 pm to 7 pm.

**BE IT FURTHER RESOLVED** that Permit No. BP 2021-09 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2021-209, Amend Architect's Contract to include Technology Consultant for DPW Facility

**WHEREAS**, by way of Contract for Professional Services dated March 8, 2021 (the "Contract"), The Goldstein Partnership ("Architect"), a licensed architect in the State of New Jersey, was retained by the Borough of Fair Haven (the "Borough") to perform certain architectural services in connection with the construction of the Borough's new Police Department and Public Works Buildings (the "Work"); and

**WHEREAS**, during the planning and design of the Borough's new Public Works Building with the Architect, the Borough desires to include certain technological aspects in said plans; and

**WHEREAS**, to incorporate said technology into the new Public Works Building, the Architect has advised that the retention of a Technology Consultant is necessary (the "Additional Services"); and

**WHEREAS**, the Architect has submitted a Proposal, dated August 26, 2021 and attached hereto as Exhibit A, in the amount of \$6,500.00 for the Additional Services; and

**WHEREAS**, the augmentation of the Contract to include the Additional Services is both contemplated and permitted under Section 4.2 of the Borough's Contract with the Architect;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, hereby:

- (1) Amend the Borough's Contract with The Goldstein Partnership, dated March 8, 2021, to include the Additional Services set forth in the Proposal attached hereto as Exhibit A in the



amount of \$6,500.00; and

- (2) Authorize the Borough Administrator to accept and execute the Proposal attached hereto as Exhibit A pursuant to N.J.S.A. 40A:11-5; and
- (3) Direct that Technology Consultant shall submit a Business Entity Disclosure Certification which certifies compliance with New Jersey's Pay-to-Play law; and
- (4) Direct that the Borough Purchasing Agent shall ensure the appropriate public contracting language and subcontractor documentary requirements are submitted by Technology Consultant prior to commencement of the Additional Services; and
- (5) Direct that a certified copy of this resolution be forwarded to the Borough Administrator, Chief Financial Officer, Borough Engineer, and The Goldstein Partnership; and

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to prepare the appropriate purchase order(s) for the full proposal amounts received from the Architect and draw down from those encumbered funds, inclusive of Work and Additional Services performed to date; and

**BE IT FURTHER RESOLVED** that the necessary funds to pay the Architect for the Additional Services described on Exhibit A hereto will be encumbered from existing bonds obtained by the Borough and payment to the Architect will be made through purchase orders as services are provided.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: None

8. Resolution No. 2021-210, Appoint Part-Time School Crossing Guard - Brian Allison

**WHEREAS**, a vacancy exists in the Fair Haven Police Department for the position of part-time School Crossing Guard; and

**WHEREAS**, Chief Joseph McGovern has recommended the vacancy be filled by Brian Allison who meets all of the required qualifications.

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that Brian Allison is hereby appointed as a part-time School Crossing Guard with an hourly salary of \$15.75 effective September 13, 2021.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: None

9. Resolution No. 2021-211, Appoint Shade Tree Commission, Alternate #1 Member - Peter D'Agati

**WHEREAS**, there is a vacant seat in the Alternate #1 position on the Borough's Shade Tree Commission that needs to be filled; and

**WHEREAS**, the Shade Tree Commission Chairman has found a volunteer willing to fill the unexpired term to serve on the Shade Tree Commission as follows:

Peter D'Agati, Alternate #1 member, for an unexpired term set to expire December 31, 2021

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: None

10. Resolution No. 2021-212, Approve Block Party: Dartmouth Avenue (between Hance Rd & Hunting Lane)-October 2<sup>nd</sup>

**WHEREAS**, a request was received to hold a Block Party on Dartmouth Avenue on Saturday, October 2, 2021 from 3:00 pm to 9:00 pm; and

**WHEREAS**, Police Chief McGovern reviewed the application and submitted his approval on September 8, 2021; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Dartmouth Avenue on Saturday, October 2, 2021 from 3:00 pm to 9:00 pm.

**BE IT FURTHER RESOLVED** that Permit No. BP 2021-10 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

11. Resolution No. 2021-213, Payment of Vouchers

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the September 13, 2021 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 7,244.24
2021 CURRENT ACCOUNT	\$ 1,341,183.29
GENERAL CAPITAL	\$ 60,620.00
GRANT FUND	\$ 1,209.83
PAYROLL AGENCY	\$ 13,714.38
OTHER TRUST	\$ 4,428.14
DOG TRUST	<u>\$ 278.60</u>
	<b>\$ 1,428,678.48</b>
LESS VOIDED CHECKS	<u>\$ - 1,517.76</u>
<b>TOTAL</b>	<b>\$ 1,427,160.72</b>

Current Check No. 61649, \$630.00

Current Check No. 61659, \$887.76

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

12. Resolution No. 2021-214, Approve Fire Department Affiliate Membership/First Aid - Christina Sanchez

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Christina Sanchez, 290 Fair Haven Road, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCabe, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

**Reports of Departments**

**July 2021**

-Municipal Court

**August 2021**

-Municipal Clerk  
 -Dog Report  
 -Tax Collector  
 -Budget Status

Motion to accept the reports, as submitted, moved by Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 9:03 p.m. Ruth Blaser, River Road, said that the Planning Board and Zoning Board do not make the rules, statutes and the governing body does. Most people who come before the board are seeking a variance. She said that she has sat at the meetings for years. Chairman Lehder has said that the Planning Board and Zoning Board do not make the rules, the Mayor and Council do, and board(s) enforce them. The governing body needs to help the land use board. Mayor Lucarelli said that the governing body creates the rules.

Sheri D'Angelo, Hance Road, asked about a project manager for the DPW and Police Department and why it was not part of the original plan. She was advised that our Engineering Department does not have the time to oversee the project so the project manager would handle overseeing the construction and report back to the Borough. Councilman Rodriguez reviewed what an owner's representative would do. The cost of this person would fall under the bond ordinance's soft costs. Councilwoman McCabe said the Borough needs to prioritize what work the Engineer and Borough are each doing.

Councilwoman Chrisner-Keefe asked the record to reflect that the Mayor's conduct and behavior directed toward her tonight, by slamming down the gavel, is very unbecoming of a public official and he should not do this again to her or the public. The Mayor said that he was interrupted several times during the meeting by Councilwoman Chrisner-Keefe and when he interrupted and was called out on it by her, and he stopped. Councilwoman McCabe agreed that we need a code of conduct to be adhered to. The Mayor apologized for his behavior and losing his temper. He felt that "things have deteriorated tremendously in the last 20 months. The Chair runs the meeting and that is the one thing he has, as Mayor. There have been interruptions and people shouting out during the meeting. He apologized for being lax and not keeping things tighter in meetings and which led to things getting out of control". When he started on Council, 12 years ago, he was told everyone has a chance to speak, and if someone wanted to speak, they excused themselves, waited to be recognized by the Mayor and then made their point. He felt Council should also take ownership for not learning how meetings should be run or what is contained in Roberts Rules. The Mayor apologized to Councilwoman Chrisner-Keefe and asked if the apology was accepted; she accepted the apology.

Tracy Cole, Grange Avenue, said that she has sat through every meeting for the last 3 years and understood why Councilwoman Chrisner-Keefe had to say what she said. The public has been subjected to poor treatment (use of gavel, use of language, reaction to or correction of the audience). As a member of the public and a person that Council serves, she wants to see a strong Council. The Mayor has an important role to conduct a meeting and Council also has an important role. Mrs. Cole agreed that when the legislative forms a committee, the resolution should have a mission statement to set the work, so the committee members know what they are tasked with. She suggested starting with a public survey for feedback on projects. Administrator Casagrande will recirculate the survey conducted a few years ago to the governing body with the results; the survey that was sent was a broad survey as opposed to a narrow focus.

Councilwoman Neff said, since COVID, we implemented the plastic bag ban and Acme is using the same plastic bags that were used before. Several residents have asked Acme to comply instead of single plastic bag usage. What can be done to address it? Administrator Casagrande advised that when COVID came, there were some Executive Orders from the Governor so some of regulations were put on hold. We can move forward with the implementation and send the ordinance to the businesses. Councilwoman Neff said Councilwoman McCabe asked for a date for an annual planning meeting to discuss how we want to arrange and plan for the meeting. Administrator Casagrande said our 2021 bond ordinance to prioritize capital spending is introduced in October to help with the priorities to be funded, strategic planning for future projects and for financing. We will set committees and priorities for the following year. Councilwoman Neff and Councilwoman McCabe will meet and collaborate a few times and then discuss with Administrator Casagrande about setting up multiple meetings for strategy and vision going forward.

Councilwoman Koch acknowledged the residents on Oaklawn Road and said that she met with them to discuss how children get to school and the challenges they face. When the children of Oaklawn come to Ridge Road, there is no crosswalk, but they have the opportunity to cross over to the new sidewalks installed by Little Silver (this is not safe) and then have to cross back when they

reach Harrison Avenue, or they must ride against traffic on bike travelling east on Harding to Harrison where there are sidewalks; most kids, to be safe, are cutting through someone's yard. It is ironic that there has been discussion to eliminate sidewalks on Hance Road and other areas are craving sidewalks. Councilwoman Neff said we should have the residents of Oaklawn attend the September 27<sup>th</sup> meeting to plead their case. The Mayor and Administrator Casagrande discussed the bond ordinance and options; there are placeholders in the spreadsheet from 2016-2023 with color coding. There is a multi-year plan that needs a decision for 2021 and how it fits into the bond authorization. Councilwoman Koch asked the governing body to please consider this project for the safety of the children. Administrator Casagrande said we have micro projects that address the issues around town. Mayor Lucarelli said connectivity is key and asked Council if the money should go to Oaklawn to Harrison Avenue or Prospect, along Ridge. He felt it should toward sidewalks from Prospect to Harrison as a broader outreach and then, later, take it to Rutgers Drive; do the project in phases. The Borough is the best at winning grants; we go out with a concept and the community involvement should come once the grant is awarded, otherwise it is wasted time and resources. We are a small Borough with a small staff, and we could accomplish all that has been advocated if we had a larger staff with a larger building. We need to be cautious.

Councilwoman McCabe said it is clear as day that Oaklawn is a priority, and all are on board. We need to proceed for the safety of the children. She said, with regard grants, we should go to the community, in the beginning, to see if there is interest in before investing time and energy. Administrator Casagrande said that Council seems to be struggling with these projects (application, bond ordinance) which take a number of years; many members on Council were not here when we had public input/discussions that took place for the pocket parks and Hance and Cooney. We hold a public hearing for grants, and they are discussed numerous times through numerous council meetings. Priorities were set by a prior governing body, and we are trying to execute that. When things are put in action, year's prior, priorities change with varying governing bodies, and we are trying to balance what was approved and the direction given to the Administrator and Engineer. Administrator Casagrande will send her spreadsheet for consideration so the governing body can re-prioritize the projects how and if they want. Community engagement is more prevalent, as of late, where the public would come to meetings and now, they want the information to come to them (there has been a paradigm shift on how we do things).

Councilman McCue reported that a Safe Streets award was received last week. He thanked the Green Team, especially Jennie Foster and Kelly Flanagan, as well as the police department. It is nice to be recognized, but this is more of an accountability award; we need to be accountable.

There being no further comments or questions, the meeting was closed to the public at 9:35 p.m.

Council resumed executive session from earlier in the meeting at 9:43 p.m. and this meeting was reconvened at 10:43 p.m.

### **ADJOURNMENT**

Motion to adjourn moved by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe with Ayes by all present.

Time of Adjournment: 10:43 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk