

FAIR HAVEN BOROUGH COUNCIL
MAY 28, 2019

The meeting was called to order by Mayor Lucarelli at 7:00 p.m. The Flag Salute was followed by a Moment of Silent Meditation. The Sunshine Law Statement was read.

ROLL CALL

On Roll Call the following were present: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen. Others present: Administrator Casagrande and Dante Alfieri, Esq., Borough Attorney's Office.

PRESENTATIONS

Mayor Lucarelli asked that the First Aid Squad members, in attendance, come forward. The Ambulance Committee (Dan Kane, Bob Krueger and Raquel Falotico came forward). The Mayor read a proclamation honoring and acknowledging the Fair Haven First Aid Squad. Raquel Falotico recognized John Toomey who bequeathed the First Aid money which went to both ambulance refurbishments. She thanked the governing body for paying for the radios. Bob Krueger stated that a new ambulance would have cost a lot more. Katy Frissora said that at the end of Mr. Toomey's life, his neighbor, June, cared for him. She acknowledged and thanked June for coming to the meeting and thanked Mr. Toomey for his generosity to the Fair Haven First Aid Squad.

WORKSHOP SESSION

Mayor Lucarelli said that there is a draft ordinance consideration for restaurant use. Heyer Gruel & Associates provided a memo which was provided in the Council packets and updated this afternoon (the latest version at the dais). As per Council's direction at the last Council Meeting, the Planner, Zoning Officer and Borough Attorney met and discussed the matter. The Planner's memo listed the categories in the current code and they recommended clarification between Category #2 and #3 or the elimination of Category #3 Restaurant definition and the definition of Drive-In Restaurant and add the definitions of Drive-In and Drive-Through Restaurants from the "Complete Illustrated Book of Development Definitions". It was recommended that the initial observations be discussed with the subcommittee for review. A draft ordinance dealing with the language ambiguity can be ready for the June 10th Workshop Agenda. The second piece can be dealt with at another time. Our greatest control is the parking standards; we should look at the standards in its entirety as part of the process. Councilwoman Koch is more interested in the second piece than clearing up the language and felt that pre-existing restaurants should be grandfathered in. The Mayor felt the Borough should be careful with how we approach this so that there is no cause of an undue burden on other entities. Councilwoman Koch said a lot of places are really small in town. Councilwoman Rice felt that the explanation of drive-in is vague and asked that the language be buttoned down more. Councilman Rodriguez asked if there was a committee; no, three governing body members will be needed. Mayor Lucarelli said he would like to speak with Todd Lehder, Chairman for both the Planning Board and Zoning Board, first. He asked that the Borough Attorney provide a draft ordinance addressing the ambiguity of language and then a subcommittee will be appointed. Councilman Rodriguez advised that he would not be able to attend the June 10th Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:16 p.m. Meghan Keefe, Beechwood Place, asked if the Borough would share the memo from the Planner before she makes comment; Administrator Casagrande provided her copy for review.

Tracy Cole, Grange Avenue, stated that she sensed the fast food conversation is starting to get confused with trips and traffic. She said the residents are more concerned about trips and traffic than fast food. She provided the governing body with a list of fast food businesses. Councilman Peters noted that the list was of corporate establishments and stated that Land Use Laws are based on businesses not just corporate entities. Mrs. Cole said that Los Angeles banned all fast food chains from their city.

Mrs. Keefe stated that she reviewed the Planner's memo and she asked about limiting and/or restricting fast food. The memo is placing emphasis on drive-in and drive-through as fast food and it does not fit the definition of fast food. Mayor Lucarelli said at the last Council meeting, Fred Heyer was in attendance and commented that all fast food would be considered drive-through. Councilman Peters said the Borough is trying to address traffic and congestion issues. Mrs. Keefe stated that turn over differences need to be investigated such as having a sit-down meal vs grabbing a bagel.

There being no further comments or questions, the meeting was closed to the public at 7:23 p.m.

APPROVAL OF MINUTES

Councilwoman Koch made a motion to approve the Regular Meeting minutes of May 13, 2019, second by Councilwoman Sorensen

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

Councilwoman Koch made a motion to approve the Executive Session minutes of May 13, 2019, second by Councilwoman Sorensen

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

OLD BUSINESS
HEARING ON AMENDMENT TO 2019 MUNICIPAL BUDGET

Administrator Casagrande read Resolution No. 2019-107 adopted at the May 13th meeting (it amended the 2019 introduced budget because the line item for trash and recycling was being increased more than 10%) aloud to the public. The resolution was advertised in the May 16th legal section of the Asbury Park Press.

Mayor Lucarelli opened the public hearing on the amendment to the 2019 Municipal Budget at 7:29 p.m. on motion of Councilwoman Sorensen, second by Councilwoman Rice with Ayes by all present. There being no comments or questions, the hearing was closed to the public at 7:29 p.m.

HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2019-05, Renew Consent for COMCAST Contract

**AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO
COMCAST OF MONMOUTH COUNTY, LLC. TO CONSTRUCT, CONNECT,
OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS
SYSTEM IN THE MUNICIPALITY OF FAIR HAVEN, MONMOUTH COUNTY,
NEW JERSEY**

On motion of Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 7:29 p.m.

There being no comments or questions, the Hearing was closed to the public at 7:29 p.m. on motion of Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

NEW BUSINESS
CONSENT AGENDA - RESOLUTIONS

1. Resolution No. 2019-110, Award Fair Haven Day Fireworks Contract to Garden State Fireworks (\$15,000)

WHEREAS, the Borough of Fair Haven solicited quotes for a fireworks display during Fair Haven Day on June 15, 2019 (rain date of June 16, 2019); and

WHEREAS, the following quote was received:

Garden State Fireworks submitted a quote in the amount of \$15,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Mayor and Borough Clerk are hereby authorized to execute a contract with Garden State Fireworks, Inc. in the amount of \$15,000 for Fair Haven Day which will take place on June 15, 2019 (rain date of June 16, 2019).

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Peters and Rodriguez
Negative: None
Abstain: Councilmembers Koch, Rice and Sorensen

Absent: None

2. Resolution No. 2019-111, Approve Purchase Authorization for DeNormandie Park Landscaping Project.

WHEREAS, Ordinance No. 2017-07 was adopted on July 10, 2017 and provides for the acquisition of various equipment, infrastructure improvements and improvements to public buildings, grounds and parks; and

WHEREAS, Capital Item requests have been made as follows:

DeNormandie Park

- Landscaping for a passive park \$31,680.00

Total \$31,680.00

WHEREAS, one company responded with a quote for this capital project from Absolute Quality Lawn Care, Inc. for the above amount; and

WHEREAS, this work will be charged to Capital Account 04-55-707-004 (\$25,546.99) and Capital Account C-04-56-971-000 (\$6,133.01).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the above capital item expenditure is hereby approved with a Certification of Funds executed by Colleen Lapp, Chief Financial Officer.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2019-112, Appoint 2019 Summer Rec N Crew Counselors

WHEREAS, the Borough of Fair Haven will be offering a Rec-N-Crew Summer Camp Program through the Parks and Recreation Department for the 2019 summer season; and

WHEREAS, DJ Breckenridge, Parks and Recreation Director has recommended the following individuals be appointed as part time Counselors for the 2019 program:

| Camp Employee | Hourly Salary | Title/Notes | Term |
|----------------------|---------------|---------------------------|-------------------|
| Alex Componile | \$19.00 | Head Counselor | July 1 – August 2 |
| Edward Messigner | \$19.00 | Head Counselor | July 1 – August 2 |
| Jacob Black | \$12.00 | Assistant Head Counselor | July 1 – August 2 |
| Cam Lewis | \$12.00 | Assistant Head Counselor | July 1 – August 2 |
| TJ Bull | \$11.00 | Trip Supervisor Counselor | July 1 – August 2 |
| Jack Benedetto | \$10.00 | Counselor | July 1 – August 2 |
| Kelly Cusick | \$10.00 | Counselor | July 1 – August 2 |
| Christian Danielczyk | \$10.00 | Counselor | July 1 – August 2 |
| Giavonna Darcy | \$10.00 | Counselor | July 1 – August 2 |
| Thomas Friedman | \$10.00 | Counselor | July 1 – August 2 |
| Jason Hall | \$10.00 | Counselor | July 1 – August 2 |
| Declan Kearns | \$10.00 | Counselor | July 1 – August 2 |
| Dana Liberi | \$10.00 | Counselor | July 1 – August 2 |
| Brody McGowan | \$10.00 | Counselor | July 1 – August 2 |
| Grace Niro | \$10.00 | Counselor | July 1 – August 2 |
| Jane Pavluk | \$10.00 | Counselor | July 1 – August 2 |
| Mike Piperno | \$10.00 | Counselor | July 1 – August 2 |
| Christopher Pozzuto | \$10.00 | Counselor | July 1 – August 2 |
| Emily Pozzuto | \$10.00 | Counselor | July 1 – August 2 |
| Greer Shanley | \$10.00 | Counselor | July 1 – August 2 |
| Luke Alex Turoczi | \$10.00 | Counselor | July 1 – August 2 |
| Katherine Stephens | \$10.00 | Counselor | July 1 – August 2 |

WHEREAS, the Summer Playground Program is offset through the fees paid by participants of the programs by way of the Recreation Trust Fund.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Fair

Haven that the above Counselors be appointed for the 2019 Summer Rec-N-Crew Camp Program at the program salaries listed above for the program beginning July 1, 2019 through August 2, 2019.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

4. Resolution No. 2019-113, Authorize Reappointment of Registrar – Betty Ann Berube

WHEREAS, the State of New Jersey through NJSA 26:8-13 requires that a Registrar of Vital Statistics be appointed every three years; and

WHEREAS, Betty Ann Berube, Borough Administrator, has successfully completed the requirements for a Certified Municipal Registrar by the NJ Department of Health and Senior Services; and

WHEREAS, Betty Ann Berube has served in the Registrar of Vital Statistics position for the Borough of Fair Haven since May 11, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, of the Borough of Fair Haven, that Betty Ann Berube is hereby reappointed as Registrar of Vital Statistics for a three-year term to expire on December 31, 2021.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

5. Resolution No. 2019-114, Approve Adoption of 2019 Municipal Budget

See copy of resolution attached to these minutes.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

6. Resolution No. 2019-115, Executive Session: Personnel and Acquisition of Property

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. DPW Staffing

Pending Litigation

1. Yacht Works

Acquisition of Property

1. River Road

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 Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

7. Resolution No. 2019-116, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the May 28, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

| | | |
|----------------------|-----------|-------------------|
| 2018 CURRENT ACCOUNT | \$ | 1,224.62 |
| 2019 CURRENT ACCOUNT | \$ | 152,543.91 |
| GENERAL CAPITAL | \$ | 3,414.83 |
| OTHER TRUST | \$ | 14,856.21 |
| TOTAL | \$ | 172,039.57 |

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Koch, Peters, Rice, Rodriguez and Sorensen
Negative: None
Abstain: None
Absent: None

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:32 p.m. Councilwoman Sorensen stated that it is that time of year when dogs are being walked and asked Administrator Casagrande to have an announcement posted that dogs need to be on leashes and pet waste needs to be cleaned (Borough’s website, Facebook Page and added to Constant Contact).

Councilman Peters said he is liaison to the Environmental Commission and the discussion on banning plastic bags, styrofoam and straws has taken place. He said the Commission would like to move forward and have a draft ordinance created for the June 10th Workshop agenda.

Councilwoman Koch thanked DJ Breckenridge, Director of Parks and Recreation and Special Events Coordinator, for his hard work on the Memorial Day parade and ceremony held May 27th; the weather was great and it was a proud time to be part of Fair Haven. Administrator Casagrande added that the crowd for these events are large so the Borough will look to increase the speakers on the outer tiers so that everyone can hear. Councilwoman Sorensen thanked the DPW for doing a great job as well as the Police with traffic control.

Susan O’Brien, River Road, asked what she should do about dogs running at large and leaving “presents” on her property. She was advised that if the dog is running at large without the owner, the Police should be called. Chief McGovern said that the police non-emergency number can be called and an officer will be sent to retrieve the dog if it is still in the area.

Meghan Chrisner-Keefe, Beechwood Place, asked if there was an opening date for DeNormandie Park; she was advised probably some time in July. She asked if that is what the name of the park will be. No, it will be called the Williams, Albert and Robards Park.

There being no further comments or questions, the meeting was closed to the public at 7:37 p.m.

Council went into executive session at 7:40 p.m. and this meeting was reconvened at 8:20 p.m.

ADJOURNMENT

Motion to adjourn moved by Councilman Banahan, second by Councilwoman Sorensen with Ayes by all present.

Time of Adjournment: 8:21 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk