

FAIR HAVEN BOROUGH COUNCIL
JULY 15, 2019

The meeting was called to order by Mayor Lucarelli at 7:04 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 Attorney Alfieri.

WORKSHOP SESSION

A request was received from Cameron Spector to film on August 10th and 11th on Lake Avenue, Fair Haven Fields and the Fair Haven Road Dock. He requested a waiver of fees. Mr. Spector said that he will be shooting a fun movie in those two days. He has entered his past movies in film fests and contests. He extended an invitation to the shoot. Motion to approve moved by Councilwoman Sorensen, second by Councilman Peters with Ayes by all present.

Administrator Casagrande advised the governing body that our three-year contract with the Garden State Municipal Joint Insurance Fund expires at the end of this year. Since she has a conflict with this matter, Allyson Cinquegrana, Borough Clerk/Assistant Administrator, will work with a subcommittee of the governing body and the Borough's Risk Manager. A subcommittee of the governing body needs to be decided and a resolution of appointment listed on the July 29th agenda. It was decided that Councilmembers Peters, Koch and Rice will be the subcommittee.

With regard to Support Path to Progress Recommendations (NJ Economic and Fiscal Policy Workgroup), Councilmembers Peters and Rodriguez spoke about it and there needs to be a nuanced opinion. Privatization of highways is a concern and challenging since there are no highways except for the Parkway. The Borough and its residents are burdened by paying for it: we should not carry the weight for other parts of the State. Councilwoman Rice was concerned with regionalization of schools. Councilwoman Sorensen agreed; clarity is needed that Fair Haven will not become a County school. We need to hear from our school district. Councilman Peters would like to come back to the July 29th meeting with a statement. Councilman Rodriguez said that the State credit rating is very low and their finances are not in good shape. He also spoke with Councilwoman Koch about benefits and pensions for teachers. This matter will be relisted on the July 29th agenda.

With regard to the FAQ topic discussed at the last meeting, Councilwoman Sorensen said that she and Councilwoman Rice are on the Communications Committee with Administration and the one thought was to incorporate FAQs on the website. Some great topics were received at the last meeting. The first topic will be a facilities update (DPW, Borough Hall and the Police Department). She asked that the meeting be opened for other topics or specific questions for the facilities. Liz MacNeill, Third Street, said that there has been testing at DPW and it would be great to know what is going on. Mike McCue, Third Street, said the status of finalizing the Third Street project. Administrator Casagrande said that the Engineering Department is finishing punch list items now.

With regard to the Borough's website upgrade, Administrator Casagrande said the Borough received quotes and companies were interviewed through the Communications Committee. There is a resolution on this evening's agenda based on a joint recommendation of the Communication Committee to award a three-year contract to CivicPlus.

With regard to the proposed amendment to Ordinance No. 2019-10, Banning Plastic Straws, Styrofoam and Plastic Bags, Attorney Alfieri said that Acme's attorney addressed the ordinance that was introduced at the last meeting and we incorporated those changes. Laline Neff, Environmental Commission, provided some recommendations as well. The redlined changes were distributed to the governing body this evening (a definition was added as well as some exemptions). We can remove some of the language if the governing body wants. Councilwoman Sorensen asked Mrs. Neff if she is looking to not have eggs packaged in cartons. Mrs. Neff said Acme wanted to exclude eggs, meat and produce from Styrofoam; the concern is more for pre-package items not being able to be sold. There is no reason that Acme cannot provide a different kind of tray; they could use more ecofriendly alternatives if they are packaging some things in-house. Administrator Casagrande asked if the governing body wants her to circle back to Acme's attorney with the proposed amendments for their input and relist for discussion on July 29th. The Mayor asked Administrator Casagrande to find out if the Monmouth County Regional Health Commission has a guideline for containers.

The matter of basements and high water will be held for discussion on July 29th.

A request has been made to hold a Jamie Riley Memorial Scholarship Pickleball Fundraiser on October 5th and 6th. Mayor Lucarelli noted many people in attendance for this matter. Sadie who runs the Pickleball events, Cassie Riley (sister of Jamie Riley) and Kim Smith. The fundraiser will be held on October 5th (raindate of October 6th). One tennis court will be left and there will be 12

pickleball courts; tape will be laid down on the court (it will not be striped). The money raised will go toward a Knollwood School Scholarship. All would be honored if the Borough would allow it to proceed. Councilwoman Sorensen asked how the event will be promoted. It will be on Pickleball websites. Beginners and locals are encouraged to come. The event is a fundraiser not a tournament. The hope is to get donations for the winners and for all of the money to go to the scholarship. They were advised to approach the Recreation Committee about this as well. Council-woman Koch said that it would be important that the public be advised that there would not be any tennis that day. Councilwoman Rice asked that the organization reach out to DJ Breckenridge, Director of Parks and Recreation, to have the matter put on the Recreation Committee’s August agenda. Councilman Peters made a motion to approve the event, second by Councilwoman Rice with Ayes by all present.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:30 p.m. Gudrun Koletzki-Bailey, Fisk Street, said with regard to egg containers, Acme can choose their suppliers for packaging. There being no further comments or questions, the meeting was closed to the public at 7:31 p.m.

APPROVAL OF MINUTES

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of June 24, 2019, second by Councilwoman Koch

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

Councilwoman Sorensen made a motion to approve the Executive Session minutes of June 24, 2019, second by Councilwoman Koch

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

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2019-09, Amend Tow Truck Operator Ordinance - Fees

**AMEND BOROUGH CODE 4-15, SECTION 10, FEES AND CHARGES FOR
TOW TRUCK OPERATORS**

On motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 7:31 p.m.

There being none, the Hearing was closed to the public at 7:32 p.m. on motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

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

2. Ordinance No. 2019-10, Ordinance Banning Plastic Straws, Styrofoam and Plastic Bags

**AN ORDINANCE OF THE BOROUGH OF FAIR HAVEN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, NEW SECTION ENTITLED,
“LIMITING USE OF SINGLE-USE PLASTIC BAGS, POLYSTYRENE FOAM
CONTAINERS AND PLASTIC STRAWS BY BUSINESSES”**

On motion of Councilman Peters, second by Councilwoman Sorensen with Ayes by all present, this matter was adjourned to July 29th for further amendments.

NEW BUSINESS - CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2019-132, Executive Session: Personnel, 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. Director of Engineering and DPW

Potential Litigation

1. Dartmouth Avenue
2. Buena Vista Avenue

Pending Litigation

1. Yacht Works
2. Fair Share Housing

Acquisition of Property

1. River Road

Contract Negotiations

1. Facilities Project Consulting

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 Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2019-133, Approve Block Party - Gentry Drive (Third Street to Denise Court)

WHEREAS, a request was received to hold a Block Party on Gentry Drive from Third Street to Denise Court on Saturday, September 21, 2019 from 5:00 pm to 9:00 pm (no rain date); and

WHEREAS, Chief McGovern reviewed the application and submitted his approval on June 24, 2019; 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 Gentry Drive from Third Street to Denise Court on Saturday, September 21, 2019 from 5:00 pm to 9:00 pm (no rain date).

BE IT FURTHER RESOLVED that Permit No. BP 2019-02 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2019-134, Approve Block Party - First Street (Lexington Avenue to Lincoln Avenue)

WHEREAS, a request was received to hold a Block Party on First Street (between Lincoln and Lexington Avenues) on Saturday, July 27, 2019 from 4:00 pm to 11:00 pm with a rain date of Sunday, July 28, 2019; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on July 8, 2019.

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 First Street (between Lincoln and Lexington Avenues) on Saturday, July 27, 2019 from 4:00 pm to 11:00 pm with a rain date of Sunday, July 28, 2019.

BE IT FURTHER RESOLVED that Permit No. BP 2019-03 will be issued for said event.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2019-135, Chapter 159: Alcohol Education and Rehabilitation Enforcement

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Fair Haven has received a \$401.87 grant from State of New Jersey for an Alcohol Education Rehabilitation and Enforcement Fund and wishes to amend its 2019 budget to include this amount as revenue; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2019 in the amount of \$401.87 which items in now available as revenue from:

The State of New Jersey
Alcohol Education Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$401.87 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey
Alcohol Education Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2019-136, Approve Fire Department Membership Application – Cameron Lewis

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Cameron Lewis, 160 Third Street, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2019-137, Approve Fire Department Affiliate Application - Ashley Finamore (Auxiliary)

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Ashley Finamore, 165 Third Street, 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 Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2019-138, Approve Fire Department Affiliate Application - Dora Finamore (Auxiliary)

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Dora Finamore, 325 Cedar Avenue, 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 Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2019-139, Approve Fire Department Affiliate Application - Carol Corbett (Auxiliary)

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Carol J. Corbett, 90 Princeton 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 Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2019-140, Award Contract for Website Services – Civic Plus

WHEREAS, the Borough of Fair Haven has determined that a municipal website is beneficial to the residents and businesses in Fair Haven as well as the greater community; and

WHEREAS, the current contract for a website provider will expire December 31, 2019; and

WHEREAS, proposals were solicited and received; and

WHEREAS, this is an Extraordinary Unspecifiable Service in accordance with NJAC 5:34-1.2 and will not exceed \$17,500; and

WHEREAS, the Borough Attorney, Borough Administrator and Communications Committee have reviewed the proposals and determined that CivicPlus with offices at 302 South 4th Street, Suite 500, Manhattan, Kansas 66502 and 1300 Massachusetts Avenue, Boxborough, Massachusetts 01719; and

WHEREAS, this is a three-year contract with payments of \$5,334 per year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that it hereby awards a three-year contract for Website Hosting, Design Development and Notification services to CivicPlus.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

10. Resolution No. 2019-141, Approve Release Agreement for David L. Becker, DPW Laborer

WHEREAS, David L. Becker retired from the Department of Public Works for the Borough of Fair Haven and will execute an Accrued Leave Time Release Agreement, as per the collective

bargaining agreement between the Borough of Fair Haven and Teamster Local 177; the section addressing Sick Leave Accrual is attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that a payment release for unused accrued leave time in the amount of \$853.10 to David L. Becker be authorized.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

11. Resolution No. 2019-142, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the July 15, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$ 1,434.67
2019 CURRENT ACCOUNT	\$ 2,136,267.13
GENERAL CAPITAL	\$ 15,660.00
GENERAL FUND	\$ 493.17
PAYROLL AGENCY	\$ 13,377.68
OTHER TRUST	\$ 4,343.01
DOG TRUST	\$ 6.00

TOTAL \$ 2,171,581.66

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

12. Resolution No. 2019-143, Approve Reimbursement to Fair Haven First Aid – Sale of 2006 Ambulance

WHEREAS, two of Fair Haven’s First Aid Ambulances owned by the Borough were refurbished; and

WHEREAS, to offset the cost of said refurbishment, the chassis from the 2006 Ford Ambulance (VIN #1FDXE 45P66 DA242 16) was sold to Jeff Maul in the amount of \$1,000.00 and the payment has been deposited in the Borough’s account.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the vehicle sale amount of \$1,000.00 will be turned over to the Fair Haven First Aid Squad through the July 29th Payment of Vouchers.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

May 2019

-Chief Financial Officer

June 2019

-Municipal Clerk

-Dog License

-Police Department

-Planning Board and Zoning Board

-Municipal Court

Motion to accept the reports, as submitted, moved by Councilwoman Rice, second by Councilwoman Sorensen with Ayes by all present.

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:34 p.m. Susan O'Brien, River Road, asked if and when the Transportation Plan was adopted by the Planning Board. It was adopted by the Planning Board in March.

There being no further comments or questions, the meeting was closed to the public at 7:35 p.m.

Council went into executive session at 7:39 p.m. and this meeting was reconvened at 8:46 p.m.

ADJOURNMENT

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

Time of Adjournment: 8:46 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk