

**FAIR HAVEN BOROUGH COUNCIL**  
**OCTOBER 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 Koch, Peters, Rice, Rodriguez and Sorensen. Absent: Councilman Banahan Others present: Administrator Casagrande and Attorney Alfieri.

**WORKSHOP SESSION**

Administrator Casagrande said this year's Best Practice process has been amended greatly (layout and more questions). There were many survey questions which the Division of Local Government Services plans to take information from (not scored). A lot of time and went into this on by the Chief Financial Officer, the Borough Clerk and Borough Administrator. Councilman Peters noted that some answers to the surveys should be scored such as Interlocal Service Agreements. A score of 30 or above means that the Borough will receive Local Aid from the State; we scored a 37. Motion to accept and approve the Best Practice Inventory was moved by Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

Council reviewed the proposed 2020 Council Meeting dates. After brief discussion, it was decided that the February 10<sup>th</sup> meeting be moved to February 12<sup>th</sup> and the first meeting in April be held on April 6<sup>th</sup>. A revised schedule will be provided for the November 12<sup>th</sup> Council Meeting.

Administrator Casagrande gave a Borough property subdivision update. The Borough's Police Department, Community Center and the parking lot were listed on the ROSI. We cleared title on it and Attorney Alfieri's office filed paperwork with the DEP and received approval to remove these items from the ROSI. We had the piece subdivided at the last Planning Board meeting. The Borough's ROSI will be refiled with the NJDEP after the subdivision has been perfected which should be done by year end.

**PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 7:12 p.m. Meghan Chrisner-Keefe, Beechwood Place, asked about the meeting dates for next year and if all meetings will be on a Monday at 7:00 p.m. She asked if the governing body ever considered a wide array of meetings i.e. on Saturdays or making the meetings a little later in the evening like 8:00 p.m. so that people who commute or have children are able to attend the meetings. She was advised the "Marchese Meeting" held at Knollwood School during the day. Mrs. Keefe was advised that changing the meetings had not been discussed before because tradition holds that meetings are held the second and fourth Monday of each month at 7:00 p.m. There are also other meetings/committees that the governing body members also attend. Mrs. Keefe asked if a change could be considered/discussed.

Tom Dachik, Oxford Avenue, asked about the sump pump ordinances. He said his basement currently has water. He asked if he could take copies of the ordinances to his neighbors because they have issues with water as well. Mayor Lucarelli said the ordinances being considered this evening are for new development not existing homes. We have had an unusual rainy season creating high water tables.

Doug Fleischer, Maple Avenue, asked about the proposed new DPW facility. He was advised that this matter should be discussed under Good of the Borough.

Susan O'Brien, River Road, said with regard to the Borough's ROSI, she thought the fields adjacent to the Community Center were designated as Green Acres; they are not. She was advised that all reporting goes to Green Acres.

Carolyn Ferguson, Colonial Court, noted the sump pump replacement ordinance for introduction which is needed. She also noted that Ordinance Nos. 2019-07 and 2019-08 were listed for adoption on the agenda and she was hoping these matters would have been tabled. The Borough Clerk explained that these matters are carried to this meeting so final action could be taken by the governing body.

Mr. Dachik said that he hoped the sump pump ordinance would be part of the building code. Attorney Alfieri said that it is part of the Stormwater Management ordinance and the Borough Engineer reviews it. Mr. Dachik asked what the Borough Engineer does for the existing properties. Administrator Casagrande said that the grading plan is reviewed as well as water run off. The as built survey and grading survey are reviewed and compared.

There being no further comments or questions, the meeting was closed to the public at 7:27

pm.

### **APPROVAL OF MINUTES**

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of October 15, 2019, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Rice, Rodriguez and Sorensen

Negative: None

Abstain: Councilman Peters

Absent: Councilman Banahan

Councilwoman Sorensen made a motion to approve the Executive Session minutes of October 15, 2019, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Rice, Rodriguez and Sorensen

Negative: None

Abstain: Councilman Peters

Absent: Councilman Banahan

### **OLD BUSINESS**

With regard to Path to Progress, Councilman Peters said he and Councilwoman Rice met with the Board of Education to address local concerns. The State's bond rating was reviewed and the document before the governing body was put together regarding Interlocal Service Agreements, Public Assets, etc. It was requested that the letter be included in Constant Contact, on the Borough's website by motion of Councilman Peters, second by Councilwoman Sorensen with Ayes by all present. The letter will be sent in conjunction with the Board of Education. It was asked that the Borough Clerk work with the Board of Education on this.

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

1. Ordinance No. 2019-07, Amend Land Use Chapter 30-2.4, Definitions

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN  
BOROUGH CODE, CHAPTER 30, LAND USE DEVELOPMENT  
REGULATIONS, SECTION 2.4, DEFINITIONS**

On motion of Councilwoman Koch, second by Councilman Peters with Ayes by all present, this ordinance was disapproved and will be revisited after the Restaurant Ordinance Review Committee submits their recommendation.

2. Ordinance No. 2019-08, Amend Land Use Chapter 30-5.3, Permitted and Prohibited Uses

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN BOROUGH  
CODE, CHAPTER 30, LAND USE DEVELOPMENT REGULATIONS, SECTION  
5.3, PERMITTED AND PROHIBITED USES**

On motion of Councilwoman Koch, second by Councilman Peters with Ayes by all present, this ordinance was disapproved and will be revisited after the Restaurant Ordinance Review Committee submits their recommendation.

### **NEW BUSINESS**

#### **INTRODUCTION OF ORDINANCES**

1. Ordinance No. 2019-12, Create A Technical and Design Review Committee

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN BOROUGH  
CODE, CHAPTER 30, LAND USE DEVELOPMENT REGULATIONS, SECTION  
30-3.15, FOR THE CREATION OF THE TECHNICAL AND DESIGN REVIEW  
COMMITTEE**

**BE IT ORDAINED** by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey, as follows:

#### **I.**

The purpose of this Ordinance is to amend Chapter 30, Section 30-3.15, for the creation of the Technical and Design Review Committee.

**NOTE:** The section of Chapter 30 that is to be amended by the Ordinance creates a new section. All additions are shown in **bold italics with underlines**. The deletions are shown as ~~strikeovers in bold italics~~.

## II.

### **30-3.15.1 Establishment and Purpose.**

**The Technical and Design Review Committee is established for the purpose of reviewing applications for development on any municipally owned property or with respect to any other proposed development on commercially zoned property in or about the Borough's downtown, and to provide recommendations and technical assistance to the Mayor and Council and the Planning Board regarding the architectural and engineering design of the proposed development, and to ensure to the largest extent practicable that said designs are consistent with the intent, purpose, meaning and spirit of the master plan, and any reexamination report thereof.**

### **30-3.15.2 Permanent Members.**

**The Technical and Design Review Committee shall consist of four (4) members, who shall have the following qualifications:**

- a. A Council member serving on the Planning Board;**
- b. The Chairperson of the Planning Board or his designee;**
- c. The Planning Board engineer or his designee; and**
- d. The Borough's Director of Code Enforcement.**

### **30-3.15.3 Technical Element Subcommittee.**

**The Technical and Design Review Committee shall be assisted on each application by a Technical Element Subcommittee, who shall review each detailed concept plan and site plan application and shall provide their comments in writing to the full Technical Design and Review Committee. The members of the Technical Element Subcommittee shall consist of the following:**

- a. The Borough's Fire Department Administrator, who shall provide comments and recommendations regarding the prevention code issues and accessibility by the fire equipment.**
- b. Representatives of the Borough's Public Works Department, who shall provide comments and recommendations regarding public spaces, landscaping, sanitation, drainage, and water/sewer utility access.**
- c. Such additional members as the Mayor and Council may designate from time to time by resolution; and**
- d. The Borough's Director of Code Enforcement shall serve as the Chairman of the Technical Element Subcommittee, but shall be entitled to vote on the comments and recommendations of the Technical Element Subcommittee only in the event of a tie.**

### **30-3.15.4 Appointments.**

**Members of the Technical Design and Review Committee and Subcommittees who are not designated by virtue of their position or title, shall be appointed by the Mayor with the advice and consent of the Borough Council and shall serve for a term of one (1) year. Prior to commencing service, all members of the Technical Design and Review Committee and its Subcommittees shall certify that they have read and are familiar with the Borough's Master Plan, and the subsequent reexamination report thereof.**

### **30-3.15.5 Scope of Review.**

**The Technical and Design Review Committee shall serve in an advisory and screening capacity and shall review and make comments and recommendations with respect to all detailed concept plans submitted to the Mayor and Council and all site plans submitted to the Planning Board relating to proposed redevelopments on municipally owned property, or on any other commercially zoned property in the Borough's downtown. The Technical and Design**

Review Committee shall not impose standards or technical or design requirements that will infringe upon the marketability or economic feasibility of a project, except in compliance with such design guidelines as may be adopted from time to time by the Mayor and Council.

The scope and extent of the review engaged in by the Technical Design and Review Committee and its subcommittees, if any, shall be proportionate to the nature and extent of the proposed development, it being understood that smaller projects will be subjected to less extensive technical review and comments than larger projects involving greater bulk and potential impact on the Borough and its infrastructure.

#### 30-3.15.6 Procedure for Review and Comment.

The Technical and Design Review Committee and the Technical Element Subcommittee shall establish uniform procedures for the sharing of information and plans, relating to proposed developments subject to this subsection, and the reporting of the Committee's comments and recommendations relating to the proposed development to the Mayor and Council in the case of detailed concept plans and to the Planning Board in the case of site plans. Nothing contained herein shall preclude the Mayor and Council from conducting its review of a detailed concept plan simultaneously or in conjunction with the review of the plan by the Technical and Design Review Committee. The Technical and Design Review Committee shall complete its review of proposed site plans prior to the submission of the site plan to the members of the Planning Board and its written comments and recommendations shall be submitted to the Planning Board members at least ten (10) days prior to the Planning Board's hearing with respect to the proposed redevelopment.

#### 30-3.15.7 Meetings.

The Technical and Design Review Committee, and the Design Element Subcommittee and Technical Element Subcommittee shall meet as often as necessary so as not to delay any application or project. A quorum based upon physical attendance of members shall not be required for the conduct of meetings or votes by the Technical and Design Review Committee or its Subcommittees. While physical meetings are preferred, the Technical and Design Review Committee and the Subcommittees are authorized to rely upon non-contemporaneous written, telephonic or other electronic communications of the respective members in reaching a consensus and voting upon the recommendations and comments to be submitted to the Mayor and Council and/or the Planning Board pursuant to this subsection. Nothing contained herein shall be construed to prevent one (1) or more members from submitting a minority report expressing why he, she or they disagree with the consensus recommendations and/or comments reached by the majority. The Borough Administrator or his or her designee, shall act as the liaison between the Borough Council and the Technical and Design Review Committee and its Subcommittees.

#### 30-3.15.8 Escrow.

The escrow fee provisions applicable to applications for development in the Borough shall be applicable to all projects required to be reviewed by the Technical and Design Review Committee and the Borough shall be entitled to deduct from the said escrow the amount of reasonable fees and expenses charged by the Planning Board's engineer in conducting the review.

#### STATEMENT OF PURPOSE

The amendments proposed are to create a Technical and Design Review Committee established for the purpose of reviewing applications for the development on any municipally owned property or with respect to any other proposed development on commercially zoned property in and about the Borough's Downtown, and to provide recommendations and technical assistance to Mayor and Council and the Planning Board regarding the architectural engineering design of the proposed development.

Offered for introduction by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: Councilman Banahan

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH SUPPLEMENTING CHAPTER 23,  
STORMWATER MANAGEMENT AND MUNICIPAL STORM SEWERS  
BY ADDING SECTION 3, DRAINS AND SUMP PUMP DISCHARGES.**

**WHEREAS**, the intent of this Ordinance is to adopt regulations relating to drain and sump pump discharges and codifying permit requirements related thereto.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough of Fair Haven, County of Monmouth, New Jersey, that Chapter 23 of the Revised General Ordinances of the Borough of Fair Haven, is hereby amended and supplemented as follows:

**SECTION I.**

**23-3 DRAINS AND SUMP PUMP DISCHARGES.**

- a. No person will discharge roof drains, area drains, yard drains or sump pump drains into the public right-of-way; connect them to any portion of the stormwater drainage system or discharge them outside of the public right-of-way in a manner to cause concentrated flow into the public right-of-way without obtaining a permits
- b. A permit to discharge roof drains, area drains and other facilities, which do not convey groundwater and only flow during immediately after rainfall, into the public right-of-way or to connect them to the municipal storm drainage system will be issued if the Borough Engineer determines that:
  1. No groundwater will be conveyed; and
  2. No hazard to public health or safety will result; and
  3. No damage to any public infrastructure or to any portion of the right-of-way will result; and/or
  4. All disturbed portions of the public infrastructure will be adequately replaced or repaired.
- c. A permit to discharge sump pump drains or other facilities which convey groundwater into the public right-of-way or connect them to the municipal drainage system is subject to the following:
  1. No permit will be issued if:
    - i. The Borough Council, on the advice from the Borough Engineer or other Borough official(s), finds that the proposed discharge will create significant, unacceptable public safety or public health issues; or
    - ii. The Borough Engineer determines that a reasonable alternative other than discharge into the public right-of-way exists. Reasonable alternatives include modifications of the system to reduce or eliminate the volume of discharge and/or discharging into ponds, water courses or landscaped or natural areas on or adjacent to the property.
  2. The Borough Engineer will only issue a permit subject to use of the following options when available:
    - i. Connection to a stormwater drainage system or adequate receiving piping available or to be made available on or adjacent to any portion of the permittee's property; or
    - ii. Connection to a stormwater drainage system or adequate receiving piping available or to be made available not more than one (1) property away from the permittee's property which can be reached within the public right-of-way without crossing a street; or
    - iii. Any other reasonably available alternative.
  3. When issuing a permit to allow discharges into the public right-of-way or a connection to the stormwater drainage system, the Borough Engineer may designate the location of the discharge or connection.
- d. Drains and sump pump discharges in the public right-of-way legally existing on the date of adoption of this section may be continued without a permit and will not constitute violations of

this ordinance until:

1. The property owner is notified by the Borough Engineer that a permit must be obtained for the existing discharge; and
  2. One (1) year elapses from the date of notice by the Borough Engineer without the applicant obtaining a permit.
- e. Permit fees shall be paid to the Borough as set forth in Section 2-56.4.

## **SECTION II.**

All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

## **SECTION III.**

The Mayor, Clerk, Borough Attorney, and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Ordinance.

Offered for introduction by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: Councilman Banahan

3. Ordinance No. 2019-14, Amend Chapter 2-56 to include fees pertaining to drains and sump pumps

## **AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH SUPPLEMENTING CHAPTER 2, ADMINISTRATION BY ADDING SECTION 2-56.4, NON-REFUNDABLE PERMIT FEES.**

**WHEREAS**, the intent of this Ordinance is to create fees necessary for the regulations relating to drains and sump pump discharges.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough of Fair Haven, County of Monmouth, New Jersey, that Chapter 2 of the Revised General Ordinances of the Borough of Fair Haven, is hereby amended and supplemented as follows:

## **SECTION I.**

### **2-56.4 NON-REFUNDABLE PERMIT FEES.**

The following non-refundable permit fees are established and shall be collected by the Borough Clerk before issuing a permit:

- a. Unless a specific fee is established hereinafter, the permit fee shall be \$200.00.
- b. Moving building along a street -- \$1,000.00.
- c. Discharge of a sump pump drain, roof drain or area drain into the public right-of-way where no connection to the public stormwater connection system is proposed -- \$200.00 (paragraph #4 below applies if a connection is proposed).
- d. Connecting to the sanitary sewer or stormwater collection system -- \$200.00, and where a pavement opening is required, \$25.00 additional for each 100 square feet, or fraction thereof, of area disturbed.
- e. For construction or replacement of curbs, sidewalks or driveway aprons -- greater of \$200.00 or \$1.00 per lineal foot of curb plus \$0.50 per square foot of sidewalk and driveway apron.
- f. For other excavations or occupancies which disturb improvements, such as utility connections -- \$200.00, plus \$25.00 additional for each 100 square feet, or fraction thereof, of area disturbed.
- g. For utility infrastructure installation, repairs, upgrades, or replacements -- \$200.00, plus \$0.50 per linear foot of utility main installed, repaired, upgraded, or replaced for the purposes of the fee calculation, lineal footage of directional drilling, micro-tunneling, Jack and Bore, moling or other trenchless installation shall be included.

## **SECTION II.**

All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

**SECTION III.**

The Mayor, Clerk, Borough Attorney, and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Ordinance.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Banahan

4. Ordinance No. 2019-15, Include construction of basements/cellars under Development Regulations

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH SUPPLEMENTING CHAPTER 11, BUILDING AND CONSTRUCTION BY ADDING SECTION 11-2, BASEMENTS/CELLARS**

**WHEREAS**, the intent of this Ordinance is to adopt regulations relating to the installation of a new basement or cellar in relation to the seasonal high-water table.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough of Fair Haven, County of Monmouth, New Jersey, that Chapter 11 of the Revised General Ordinances of the Borough of Fair Haven, is hereby amended and supplemented as follows:

**SECTION I.**

**11-2 BASEMENTS/CELLARS**

The bottom of the floor slab of a basement or cellar shall be a minimum of two (2') feet above the seasonal high-water table based on mottling data prior to the construction of a new basement and/or cellar. The bottom of any proposed sump pit shall also be located a minimum of two (2') feet above the seasonal high-water table. Soil boring logs and/or soil pit profiles shall be provided to document the seasonal high-water elevation to the satisfaction of the Zoning Officer, Construction Official and/or Borough Engineer. The soil borings and/or pits shall be located within the footprint of the principal structure.

Offered for introduction by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: Councilman Banahan

**CONSENT AGENDA**  
**RESOLUTIONS**

1. Resolution No. 2019-209, Executive Session: Personnel, Acquisition of Property, Pending Litigation & 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. Borough Clerk
2. DPW Personnel

**Pending Litigation**

1. Yacht Works
2. Fair Share Housing

**Acquisition of Property**

1. River Road
2. Fair Haven Road

**Contract Negotiations**

1. DPW (Unfair Labor Practice)

**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 Koch, Peters, Rice, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: Councilman Banahan

2. Resolution No. 2019-210, Authorize Entry into a Cooperative Purchasing Agreement for Public Works Equipment

**WHEREAS**, the Borough of Fair Haven (the “Borough”) is authorized pursuant to NJSA 52:34 6.2(b)(3) to use alternative procurement methods by entering into a nationally recognized cooperative purchasing agreement that utilizes competitive bidding; and

**WHEREAS**, National Joint Powers Alliance (“NJPA”) is a municipal national contracting agency operating under Minnesota Law; and

**WHEREAS**, the NJPA is authorized to contract with eligible entities for the purchase of goods and services; and

**WHEREAS**, the NJPA has instituted a cooperative purchasing program under which it contracts with eligible entities; and

**WHEREAS**, the Borough of Fair Haven desires to contract with the NJPA for the cooperative purchasing of Public Works equipment to save money on the same.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Fair Haven in the County of Monmouth, State of New Jersey that they Mayor is hereby authorized and directed to execute the Cooperative Purchasing Agreement attached hereto and made part hereof with the NJPA pursuant to the terms and conditions contained therein for the purpose of cooperatively purchasing Public Works equipment.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: Councilman Banahan

3. Resolution No. 2019-211, Amend Resolution No. 2019-197 Awarding Brush Grinding, Transportation

**WHEREAS**, Resolution NO. 2019-197 awarded the Brush Grinding, Transportation and Disposal Bid to Mazza Mulch, Inc. in the total amount of \$72,800; and

**WHEREAS**, the Chief Financial Officer certified funds for the 2019 grind in the amount of \$18,200; and

**WHEREAS**, an invoice in the amount of \$22,204 was received from Mazza Mulch, Inc. for the 2019 grind.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the amount for the 2019 Brush Grinding in the amount of \$22,204 is hereby approved and the Chief Financial Officer is hereby authorized to pay said invoice using 2019 budgeted funds.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: Councilman Banahan



4. Resolution No. 2019-212, Payment of Vouchers

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

2018 CURRENT ACCOUNT	\$ 23.02
2019 CURRENT ACCOUNT	\$1,695,523.55
GENERAL CAPITAL	\$ 24,345.37
OTHER TRUST	\$ 3,350.48
<b>TOTAL</b>	<b>\$ 1,723,242.42</b>

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:35 p.m. Doug Fleischer, Maple Avenue, asked about the DPW facility. He said he looked at the plans today as the site is across the street from his home on Maple Avenue (backside of DPW in the center of Maple Avenue). He said that his curb and sidewalk need improvement and asked if the work could be tied into the project. Mr. Fleischer was advised that the Borough has a road program with an approximate \$250,000 per year budget. He replied that the DPW facility will be a major project and felt that the curb and sidewalk work could be tied in. He was advised the Borough would look into it.

It was asked where the slide at the Community Center was; it was hit by a tree branch and was taken down by DPW so no one was injured.

Councilwoman Rice reminded everyone that the Color Run would take place on November 3<sup>rd</sup>. The Annual Veteran’s Day Ceremony will take place on Monday, November 11, 2019 at 11 a.m. in Memorial Park. Senior Fitness classes are taking place. The water fountains have been installed at Fair Haven Fields; DJ Breckenridge will speak with the schools on October 30<sup>th</sup> regarding the fountains, how and why they were obtained, etc.

Councilwoman Koch advised that the Restaurant Ordinance Review Committee will be holding an open public forum regarding our restaurants. There will be activities for the public to participate in. The meeting will take place at Borough Hall on October 29<sup>th</sup> at 7:00 p.m. All are invited to attend.

Councilman Peters recognized Councilwoman Sorensen who was present for this meeting after driving home from a business trip in Colorado.

Ruth Blaser, River Road, asked what the Borough is doing with the sump pump ordinance; it was introduced. She felt that the Borough has too many ordinances and the governing body is meddling into the people’s business.

Meghan Chrisner-Keefe, Beechwood Place, asked about a payment for a substantial amount on page 5 of the bill list for starter fertilizer. She thought the Borough was trying not to use fertilizer and asked where it was being applied. Administrator Casagrande said that it was applied at an area of Fair Haven Fields in conjunction with aerating and seeding. It was asked that the type and cost be researched for the future. With regard to meeting minutes, Mrs. Keefe asked how minutes could be corrected. The Borough Clerk types the minutes, which do not need to be typed verbatim, the Borough Council reviews them and approves them at a meeting. If someone feels the minutes need to be corrected, the Council should be advised at a meeting or a statement should be submitted to be read into the record. Mrs. Keefe said it is understood that they do not need to be verbatim, but they should reflect what occurred. The Borough Clerk said a resident was advised of the process last week via e-mail.

Mrs. Blaser stated that the scum on the pond is not gone and it is almost November; she asked that the governing body look into a solution for next year. Mayor Lucarelli said they are organic plants not scum or algae. When money is available, there is an aggressive plan. Councilwoman Sorensen said that she is on the committee for the pond and in 2017 the biochemicals worked, it was recommended for 2018 and they did not work because it was an unusually weird,

hot summer. The same treatment was done in 2019. There are a lot of municipalities experiencing the same issue. The Borough is working on another plan which will cost some money. The goal, at the time, was not to spend \$100,000, but to spend less and it worked. Global Warming does exist. The Mayor said McCarter Pond is following its natural path which is to become a meadow. We lost the southern 150' of pond (it is now wetlands and cannot be touched).

Mrs. Blaser said that she is having an issue with the Borough's garbage contractor; she puts her can on the curb and the contractor puts it back in the street lying on its side. Administrator Casagrande said if the can hits the curb after it has been dumped, it can fall over. Mrs. O'Brien said that Mrs. Blaser has a smaller trash can which could be the issue; the same thing happens to her neighbors who have the small can.

There being no further comments or questions, the meeting was closed to the public at 7:48 p.m.

Council went into executive session at 7:54 p.m. and this meeting was reconvened at 8:56 p.m.

### **ADJOURNMENT**

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

Time of Adjournment: 8:56 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk