

**FAIR HAVEN BOROUGH COUNCIL  
KNOLLWOOD SCHOOL  
NOVEMBER 12, 2019**

The meeting was called to order by Mayor Lucarelli at 1:36 p.m. The Flag Salute was followed by a Moment of Silent Meditation. The Sunshine Law Statement was read by Emma Owendoff, Student Council.

The following Student Council members were paired with the following Governing Body members and Administrative staff:

**ROLL CALL**

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

Emma Owendoff was paired with Mayor Lucarelli, Emma Beyer was paired with Councilman Peters, Tess Bates was paired with Councilwoman Koch, Annie Sheehan was paired with Councilwoman Rice, Molly Sheehan was paired with Administrator Casagrande, Violet Longbons was paired with Attorney Padula and Damian Holt was paired with Clerk Cinquegrana.

**PRESENTATIONS**

Jaye Sims, District Head of Monmouth County Recycling, gave a recycling Presentation to the Knollwood School students. He applauded the Knollwood Student Council as he served on Student Council when he was in school. He also served on Council in the Borough of Freehold for 12 years finishing his final term last year. Mr. Sims said that recycling is important and has taken a "dip" as a commodity and revenue stream. A PowerPoint presentation was given on single and dual recycling streams. The most current Recycling Law on the books is from 1987. Sizing and packaging of recycling are now smaller and not all municipalities bring their recycling to the Monmouth County Reclamation Center; some contract with companies who take it to different processing facilities. He stated that if the recycling is sorted correctly, it goes to the landfill. Mr. Sims put a lot of emphasis on the fact that recycling should not be put in plastic bags and that there are many municipalities that have an ordinance banning plastic bags. Sea life are affected by non-recycling and litter at the beach because it gets swept into the ocean and gets tangled up around their necks, fins, etc. Monmouth County Recycling Directories which explained what is recyclable and what is not were made available for the students to take as a reference.

**WORKSHOP SESSION**

A request was received from Dermer's Dreams to post lawn signs and have their event included on the electronic sign in front of Borough Hall. They are holding a food drive and will be collecting food on November 23<sup>rd</sup>. He asked Daniel and Alyse Dermer to come forward and present their request. Mrs. Dermer showed the governing body and students the yellow bags that will be distributed beginning this week to the homes throughout town which they requested be filled and left on their door step for collection on November 23<sup>rd</sup>. The Borough will be divided into sections/areas and there will be team captains who will collect the donations from their assigned area. Mr. Dermer said that they started Dermer Dreams after Superstorm Sandy occurred in 2012 when they lived in Sea Bright and saw so many families lose their home and in need of food and clothing. Mr. Dermer is a property manager of buildings in New York City and decided to develop a food drive program and collect food and clothing from each of the buildings he managed and distributed the donations directly to food pantries and shelters. There are many kids who grow up hungry in the area so the food collected locally will be brought to Lunch Break as well as any clothes that will be donated. Mr. Dermer said the neighborhood captains will distribute the yellow bags on November 16<sup>th</sup> and 17<sup>th</sup> for them to be filled and collected on November 23<sup>rd</sup>. The Captains will be dressed in bright yellow so they will be easy to identify. The items being donated should be placed in the yellow bag and left on the front porch. Motion to approve moved by Councilwoman Koch, second by Councilwoman Rice with Ayes by all present.

Fair Haven Business Association requested permission to place a banner at the entrance to Fair Haven from November 20<sup>th</sup> until December 7<sup>th</sup> presenting various upcoming holiday events. Motion to approve moved by Councilwoman Rice, second by Councilwoman Koch with Ayes by all present.

The amended 2020 Council Meeting dates were presented and approved on motion of Councilwoman Rice, second by Councilman Peters with Ayes by all present.

A draft resolution Calling for a Study Commission to Review the Open Public Records Act has been listed for discussion. The Borough Clerk explained that the League of Municipalities and Municipal Clerk's Association of New Jersey have requested that municipalities consider and adopt a resolution (sample was provided) for a Study Commission to review the Open Public Records Act since the law is close to 20 years old. The resolution provides specific information regarding OPRA

requests in Fair Haven for 2017 to present (i.e. number of requests per year, attorney fees, types of requests). Motion to approve listing a resolution on the November 25<sup>th</sup> agenda moved by Councilwoman Koch, second by Councilwoman Rice with Ayes by all present.

Administrator Casagrande advised the governing body that a Historic Preservation grant through Monmouth County has been applied for. On November 1<sup>st</sup>, DJ Breckenridge, Director of Parks and Recreation, created and submitted a grant application for Bicentennial Hall to be painted.

**PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 2:17 p.m. Ruth Blaser, River Road, asked if the purchase of a new DPW vehicle would replace another vehicle. Yes, it will replace an older truck from the fleet. It will serve multiple functions for the department.

There being no further comments or questions, the meeting was closed to the public for comments or questions at 2:18 p.m.

**APPROVAL OF MINUTES**

Councilwoman Rice made a motion to approve the Regular Meeting minutes of October 28, 2019, second by Councilman Peters

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

Councilwoman Rice made a motion to approve the Executive Session minutes of October 28, 2019, second by Councilman Peters

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

**OLD BUSINESS**

**HEARING AND ADOPTION OF ORDINANCES**

1. Ordinance No. 2019-13, Create A Drains and Sump Pump Discharge Ordinance (Chapter 23, Section 3)

**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.**

On motion of Councilwoman Rice, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 2:19 p.m.

There being no comments or questions, the Hearing was closed to the public at 2:20 p.m. on motion of Councilman Peters, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilman Peters, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

2. 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**

On motion of Councilwoman Rice, second by Councilman Peters with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 2:21 p.m.

There being no comments or questions, the Hearing was closed to the public at 2:21 p.m. on motion of Councilwoman Rice, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilman Peters, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

**NEW BUSINESS - CONSENT AGENDA**  
**RESOLUTIONS**

1. Resolution No. 2019-213, Authorize Special Council Meeting – November 13, 2019, Fair Share Housing

**WHEREAS**, the Mayor and Council have determined that a special meeting is required to be held for a proposed plan for Borough Facilities with any and all business of the Borough to be conducted; and

**WHEREAS**, the Mayor and Council have selected Wednesday, November 13, 2019 at 7:00 p.m. for a Special Meeting regarding the Borough's Fair Share Housing; and

**WHEREAS**, the Borough Clerk has noticed for and advertised the special meeting in accordance with the requirements of the Open Public Meetings Act.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey, that the Mayor and Council shall hold a special meeting on November 13, 2019, at 7:00 p.m. for discussion regarding the Borough's Fair Share Housing Plan and any and all business of the Borough to be conducted directly following, as deemed necessary and appropriate.

Offered for adoption by Councilwoman Rice, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

2. Resolution No. 2019-214, Approve Capital Purchase Authorization for the Department of Public Works

**WHEREAS**, Ordinance No. 2017-06 was adopted on May 22, 2017 and provides for the acquisition of various equipment, infrastructure improvements and improvements to public buildings and grounds; and

**WHEREAS**, Capital Item requests have been made as follows:

**Public Works Department**

One (1) 2020 Ford F-250 Super Cab w/Utility Body with options	\$ 40,000.00 (not to be exceeded)
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**WHEREAS**, the above equipment will be purchased through State Contract #A88727 for the Public Works Department as per Richard Gardella, Director of Engineering and Public Works' Capital Budget Request.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the above capital item expenditures are hereby approved

Offered for adoption by Councilwoman Rice, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None

Abstain: None

Absent: Councilmembers Banahan, Rodriguez and Sorensen

3. Resolution No. 2019-215, Authorize Refund of Cash Repair Escrow - Lexington Avenue

**WHEREAS**, Ordinance No. 2007-31 created the Street Excavation Ordinance which requires a cash repair deposit be posted to serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the

excavation if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work performed in accordance with the excavation permit; and

**WHEREAS**, the Director of Engineering and Public Works has completed an inspection of the street opening (Permit No. 2019-41 approved on October 2, 2019) for 114 Lexington Avenue where the existing driveway apron was redone and the driveway opening was expanded; and

**WHEREAS**, the Assistant Director of Engineering and Public Works has recommended that the cash repair deposit posted by Mr. Andrew Data be returned in the amount of \$277.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the foregoing cash deposit return is hereby approved and the Chief Financial Officer/Assistant Chief Financial Officer and Borough Clerk are hereby authorized to pay said refund to Andrew Data, 114 Lexington Avenue.

Offered for adoption by Councilwoman Rice, second by Councilwoman Koch

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

4. Resolution No. 2019-216, Memorialize Borough Clerk’s Vacation Time

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Allyson M. Cinquegrana, Borough Clerk, should receive 25 vacation days per year as of January 1, 2019 until the year 2027 when she will receive one additional day per year until the maximum of 29 days as per the Borough’s Personnel Manual

Offered for adoption by Councilwoman Rice, second by Councilwoman Koch

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

5. Resolution No. 2019-217, Executive Session: Personnel, Pending Litigation, 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. Police Chief
- 2. Non-Aligned Personnel

**Pending Litigation**

- 1. Yacht Works
- 2. Reger vs. Planning Board

**Acquisition of Property**

- 1. River 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 Rice, second by Councilwoman Koch

Affirmative: Councilmembers Koch, Peters and Rice

Negative: None  
Abstain: None  
Absent: Councilmembers Banahan, Rodriguez and Sorensen

6. Resolution No. 2019-218, Payment of Vouchers

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the November 12, 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	\$3,898,184.59
GENERAL CAPITAL	\$ 61,221.56
GRANT FUND	\$ 38,812.00
PAYROLL AGENCY	\$ 12,830.50
OTHER TRUST	\$ 1,480.59
DOG TRUST	\$ 1.20
<b>TOTAL</b>	<b>\$4,012,553.46</b>

Offered for adoption by Councilwoman Rice, second by Councilwoman Koch

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

**Reports of Departments**  
**October 2019**

- Municipal Clerk
- Dog License
- Municipal Court
- Planning Board and Zoning Board
- Police Department

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

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 2:23 p.m.

There being none, the meeting was closed to the public at 2:23 p.m.

Council went into executive session at 2:35 p.m. and this meeting was reconvened at 3:10 p.m.

**ADJOURNMENT**

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

Time of Adjournment: 3:10 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk