

FAIR HAVEN BOROUGH COUNCIL
APRIL 12, 2021

The meeting was called to order by Mayor Lucarelli at 7:02 p.m. The Flag Salute was followed by a Moment of Silent Meditation. The following Sunshine Law Statement was read:

IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, PUBLIC MEETINGS MAY BE HELD IN PERSON OR BY MEANS OF COMMUNICATION EQUIPMENT TO INCLUDE STREAMING SERVICES AND OTHER ONLINE MEETING PLATFORMS (NJSA 10:4-8(b)).

DUE TO THE COVID-19 SITUATION, THE BOROUGH OF FAIR HAVEN'S MUNICIPAL FACILITIES ARE CLOSED TO THE PUBLIC. THIS MEETING IS BEING PRESENTED THROUGH THE ZOOM MEETING PLATFORM AND BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS COUNCIL MEETING OF APRIL 12, 2021 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL PUBLIC QUESTIONS/COMMENT TIME, WHICH WILL BE ANNOUNCED. AT THAT TIME THE PUBLIC HAS THE OPPORTUNITY TO QUESTION/COMMENT BY PHONE OR THROUGH ZOOM BY THE "RAISE HAND" BUTTON AND WILL BE CALLED ON AT THE APPROPRIATE TIME.

NOTICE OF THIS MEETING WAS INCLUDED IN A SCHEDULE OF MEETINGS WHICH WAS ADOPTED BY RESOLUTION NO. 2021-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 7, 2021 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

WITH ADEQUATE NOTICE HAVING BEEN GIVEN, THE BOROUGH CLERK IS DIRECTED TO INCLUDE THIS STATEMENT IN THE MINUTES OF THIS MEETING.

ROLL CALL

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

PROCLAMATIONS

Mayor Lucarelli read proclamations for the following:

- Autism Awareness and Acceptance Month (April)
- Child Abuse Awareness Month (April)
- Arbor Day (April 30th)

WORKSHOP SESSION

Mayor Lucarelli said the first order of business was the Brush Committee recommendations for the brush site. A memo was provided in the Council packets. The Mayor thanked Councilmembers Koch and Rodriguez and the Brush Committee (Jonathan Peters, Mike Cannon, Jackie Rice, James Newell, Allison Morrison, Engineer Gardella, Administrator Casagrande and Chief McGovern). Councilman Rodriguez said the Committee met six times; he reviewed the discussions, process, survey and recommendations provided. There were two main findings; an appreciation for the process for collection and processing and the other was the dislike of the traffic, noise, etc. The recommendation of the committee was broken down into 5 parts (keeping the brush site where it is and break the ILSA with Rumson, changing the process as far as the noise and size of the trucks, providing mulch to our residents, improvement to communication about brush schedules, and enforcement and warnings).

Councilwoman Koch said she wasn't sure what to expect from the process. There was a great group of residents on the committee and everyone was aligned with objectives and goals. She appreciated resident feedback to the survey; it provided valuable information which led to the recommendations given. She thanked everyone who participated; the work is not done. She would like stickers for the cans to provide dates, etc. for the residents to be able to refer to. She thanked the committee for their hard work.

Councilman McCue liked the sticker idea which was also looked into by the Environmental Commission. The Green Team visited Mazza at the beginning of the month; he suggested combining the sticker for brush and recyclables which would be a great reminder to all. He said the triple grind seems like a great idea to bring back. He asked Engineer Gardella what can be used for the trails and fields to offset our increasing cost for disposing of it. Engineer Gardella explained that we could use the initial grind for the Natural Area trails. Triple grind is what is best to provide to our residents and use in our own flower beds.

Councilwoman Neff asked Councilman Rodriguez about his not recommending the close of the facility and asked if a financial analysis was done. Yes, one was done. It is impractical to truck our brush out as it would take 3 times longer than the current system. There were monetary and environmental issues as well. Councilwoman Neff asked if we could sell the equipment; we can, but there are other duties that the DPW employees handle using that equipment. She asked about outsourcing; there was discussion about the affects of outsourcing and what would be lost. Administrator Casagrande stated that our DPW would still have to pick up brush and leaves, in season, and bring it to another location to dump which is not feasible. It is easier to bring a contractor in and have them process at the site. We are also no longer taking Rumson's brush which will reduce the amount of brush and truck traffic, at the site. Councilman Rodriguez advised the number of trucks will be reduced without Rumson which could reducing the number of truck loads and fewer grinds which should help the residents in the area. It is season dependent on the pick-ups because there could be storms or emergency situations that we may not expect. Councilwoman Neff felt the proposed improvements are good, but she would like other solutions because it is not healthy to have the operation near so many homes (there are more homes than when the site was first placed there).

Councilwoman Chrisner-Keefe asked Councilman Rodriguez if the survey results will be shared publicly. Administrator Casagrande said the survey results were on the website for quite some time. She asked, "could there be a mechanism for residents to drop off their brush in brown paper bags"? Councilman Rodriguez said it was discussed and thought through a bit, however, a lot of times residents will mix leaves and grass clippings which is a violation. Some considerations could be manning the site to avoid comingled debris, and we have many landscapers handling a lot of resident debris with no way to trace who may violate the rules and regulations; there are also insurance considerations. Councilwoman Chrisner-Keefe asked if the committee explored an interlocal agreement with a neighboring municipality to bring our brush to them. She was advised that it would prolong the collection because and would not reduce the cost of equipment and maintenance. The committee looked at Middletown and Little Silver, but did not pursue because it would prolong the production and would be operationally impractical. The Brush Committee was thanked for their work. Councilman Rodriguez said the committee is going to wait to see how all goes without Rumson's brush before meeting again.

Councilman Rodriguez thanked the Mayor for putting the committee together and all that he has done to get this moving. He thanked Administrator Casagrande and Councilwoman Koch for all of their input and attendance for this matter and the volunteers for their hard work.

The next order of business was an engineering projects update and bid preparation. Administrator Casagrande advised that a meeting was held last week to discuss DPW/Engineering projects with the DPW/Engineering Liaisons. Engineer Gardella will give a presentation on two projects; a synopsis was sent last week to the Mayor and Council for review. Last Friday there was a meeting with NJ American Water's engineers and executives who want to upgrade mains from Rumson to Red Bank along River Road in conjunction with the County's road paving project. This will affect our River Road Streetscape West Project so Administrator Casagrande, Engineer Gardella, Attorney Canon and the Mayor are working with the County and NJ American Water to discuss; they are meeting again on April 23rd to further discuss. A meeting was also held with the Fair Haven Board of Education regarding traffic, curbs and sidewalks at Sickles School (Willow Street); Engineer Gardella will be following up with their engineers. The thought was to combine resources with the Board of Education to go to bid to upgrade Willow Street for the good of residents and school personnel; there is a meeting on April 23rd for that as well. We would need to authorize Engineer Gardella to go out to bid at our April 26th Council Meeting. She turned the meeting over to Rich Gardella to go over the Waterfront Improvement projects and the Micro-Projects.

- **Waterfront Improvements - Pocket Parks.** Engineer Gardella shared his screen with 19 pages of construction ready drawings for waterfront parks (Grange Avenue, Hance Road and Battin Road Boat Ramp Replacement); Maser Engineering assisted with the plans for these projects. Based on budget and scope of work, the drawings have been finalized. He reviewed the Grange Avenue bulkhead, repairing the outfall pipe, a damaged pipe and installing benches to create a site with a vista view. The scope is aligned with the Monmouth County Open Space Grant monies received. The end of Hance Road was shown which includes beach access (we received funds from NJDOT to improve Hance Road and Cooney Terrace; all work will be combined to tie it all in). The next plan was for the boat ramp at the end of Battin Road; it is more of a user-friendly concept because it is difficult to launch a boat or tie it up while someone goes to park their car. The plan includes a floating dock, dredging and ADA accessibility. We secured permits with NJDEP to conduct the work. The next thing would be to finalize the bid specifications with Maser Consulting so we can move forward with the bid packet. The Engineer's estimate is \$800,000 for the projects which is in line with the grants received and monies allocated.

Councilwoman Chrisner-Keefe confirmed that there is a \$250,000 grant for these projects; yes, through Monmouth County Open Space. She asked if the balance for funds needed are part of a prior bond authorization? Yes, Administrator Casagrande said the total authorized is \$850,000. The bond ordinances for these projects are 2016-02, 2016-14 and 2018-21. Councilwoman Chrisner-Keefe asked Engineer Gardella about the project at the end of Grange; it will include stairs with access to the bulkhead and she asked if there would be fencing or a barrier to prevent water access. There will be bulkheading, a promenade with benches and stairs; there would be safety measures in place. The Hance Road is accessed down to a beach; yes, it was discussed with NJDEP to provide access and use of the beach or shoreline to launch a kayak and fish on the beach in a safer way. The elevation will be similar to what is there now. There is no parking at the terminus of Hance Road. She asked about Battin Road showing a dock and asked about the entryway to the dock. Engineer Gardella showed how someone would access the floating dock via a “boardwalk” walkway which will run parallel to the existing River Rats dock. It was asked who is responsible to maintain the dock; the Borough’s DPW, as is done now. From an insurance perspective, it was asked if we are covered for floating docks and the extension dock. Administrator Casagrande said the Joint Insurance Fund looks at total assets and claims when assessing the Borough.

Councilwoman Neff asked if the boat ramp is currently used to launch boats and how many boats are launched? Yes, it is used, minimally, at the moment, because of current conditions (about 10 permits are issued per year). The ramp can be used for paddleboards and kayaking besides launching a boat.

Councilman McCue asked if the waterfront projects will help our residents whose property is on the water as far as FEMA and Flood Plain coverage is concerned. These projects are to improve the areas that are in need of repair. It does not service a lot of residents, but could help those who have their own bulkhead that abuts the property.

- **2021 Micro Projects: Road, Sidewalk and Drainage Improvements.** Engineer Gardella shared his screen which showed proposed Park Lane drainage improvements (3 catch basins that are 15 years old and don’t go anywhere); he showed the work done on Buttonwood Drive and Linden Drive in 2017 as well the work done on Third Street in 2019; the proposed work on Park Lane would tie into all of the work done the past few years. This has been on the “to do” list for some time. The estimate to do the work is \$225,000 for concrete, milling, paving and catch basin tie ins.

Hunting Lane was done off a change order in 2017 as a microproject job. There is a drainage pipe that is at failure mode with sinkholes. Curbing was restored, but we never paved the street where the trench was dug. The repair is holding up well. The right of way for the road is 60’ as opposed to 50’. Hunting Lane is a main point of access to the neighborhood so we should put in sidewalk on one side of the street since it is also a way to get to Knollwood School. The scope of work for this project would be curb, sidewalk, milling and paving at a cost of \$75,000.

Gentry Drive sidewalks were also discussed. There is a lot of uplift from the trees. DPW did what it could to eliminate some of the more egregious trip hazards. This development goes back to the 1990s. He explained that ADA curbs and access are needed as well as thousands of feet of sidewalk in the amount of \$50,000.

On Fair Haven Road, there are brick sidewalks from River Road down to the dock. In 2009, a road project was done (milling and paving, curbs and laying of brick sidewalk); there has been a lot of uplift from the trees. There is approximately 3,000 feet of brick sidewalks that needs to be removed and reset at a cost of \$35,000.

There are other miscellaneous curbs, sidewalk and curb ramps to be done through the Borough. We will add sidewalk on Lewis Point Road from the new Battin Road sidewalk. During the Battin Road Project, the contractor went down one house on Lewis Point Road with sidewalk so we can tie in sidewalks in from Lewis Point Road to Battin Road.

Administrator Casagrande said there is \$643,009 available through Ordinance Nos. 2018-21 and 2020-12 to be used for the work explained by the Borough Engineer for sidewalk, road and drainage improvements. Hunting Lane is authorized under 2020-12, separately. We have money to do this work, so we can go out to bid. Councilwoman Neff asked Engineer Gardella about Fair Haven Road and if the trees would have to be removed; no, because there are brick pavers, the work can be done without disturbing the trees.

Consensus of Council was to move forward and list a resolution on April 26th authorizing bids for the projects.

The meeting was opened to the public for comments or questions at 8:10 p.m. Ruth Blaser, River Road, asked if the outfall pipe at the end of Hance Road was removed; no, it was restored and maintained. She asked if it will be fenced off or barrier access to the water and the pipe? It is a beach area and the Engineers have considered what is needed. With regard to the brush grinding area, she asked if the Borough will allow residents to pick up mulch and compost; yes, there will be an area near the community garden with double or triple ground mulch for the public.

Trish Ferretti asked about Hance Road improvements and if the Borough is extending sidewalks from Lewis Point Road toward the river; yes, we submitted an NJDOT grant and there will be sidewalk on one side of the road. We are waiting on base maps for the right of way, but anticipate the east side will have sidewalks.

Carolyn Ferguson, Colonial Court, said with regard to the end of Hance Road, people used to put kayaks in. She asked if it will be maintained, or a ramp put in for easier access. Engineer Gardella said there are only a few steps from the beach for direct water access. Mrs. Ferguson said that with regard to the brush grinding site, she does not fully understand the recommendations and asked if something could be shared? Administrator Casagrande said there is a memo that can be put on the website. With the situation of 18-wheelers going up and down the street to access the brush site, she asked what the future state would be. The Committee wanted to move from the 100-yard trailers to deindustrialize the process. Engineer Gardella is contacting local contractors and is looking into some options to minimize the scope of work and criteria to provide relief to the neighbors. Administrator Casagrande said that we are waiting to see if we have to get quotes or if a bid is required. Mayor Lucarelli said we will adjust as we go. She asked if we are continuing with the incoming and outgoing process; yes. Councilman Rodriguez said there will be a reduction without Rumson's brush. We will see how this process goes without Rumson's brush and reanalyze the operation. Mrs. Ferguson thanked the Brush Committee and everyone for their hard work.

Jen Spitz, Willow Street, asked Councilman Rodriguez some questions regarding NJDEP approval to move the brush site. Councilman Rodriguez advised there was a lot of conversation within the Committee to possibly swap the gardens (belongs to FHNA) and brush site locations. The Borough is not going to the State before we have everything in order (our "ducks in a row"). Mrs. Spitz asked if the process starts now or in a few years? Councilman Rodriguez said this is more of a Council decision, not Brush Committee decision. We should see how the reduction in trucks, traffic and load plays out in the community and then poll everyone. The door is not closed, but we need to see what the solution brings. Mrs. Spitz said the Committee and Borough are "advocating for changes" and asked what that statement means (noise vs trucks vs traffic vs safety). Councilman Rodriguez said we can limit truck size, limit total number of grinds and time of day limits which should help. Mrs. Spitz asked if the changes can be included in the bid spec now. Administrator Casagrande said we need to see if we need to go for bids or quotes. The bid specification is not written (depends on State Contract Law). Mrs. Spitz noticed the contractor is storing debris from Bicentennial Hall and Borough work at the brush site. Engineer Gardella said the larger material was from the Buttonwood Drive work handled by Frontier Tree; we are getting quotes to have the debris taken out or ground. She said the residents have been dealing with ivy since the trees were brought there. Administrator Casagrande said invasive ivy has been all over Fair Haven Fields and may now be getting to the neighbors. She asked about the triple grind and how will it affect the residents i.e. longer disruption, more house shaking, more noise. Engineer Gardella advised we have been doing a double grind for 14 years so this shouldn't affect the residents. The Mayor said we reduced the material 60-70% so it should reduce the amount of time and impact to the resident's homes. Grind for residents will be available by the community gardens. The Mayor advised that looking into the relocation of the site is on the back burner at the moment. He said the Borough received Federal, State and County funds to purchase the property for a reason. If we are serious about bringing the brush site to Ridge Road, we would want a wholehearted memo from the Fair Haven Natural Area to support the site being moved. It is an arduous process to go to Federal, State and County entities in order to move the site; we will need full support from community, Fair Haven Natural Area and Recreation Committee. The Mayor said that Mrs. Spitz is on the Fair Haven Natural Area Committee and can take the charge to move this forward. Councilwoman Neff asked if there could be a financial discussion with regard to hauling the debris out of the area if we are looking to move the brush grind site; it will affect the public and walkers in the fields. The Mayor advised what it entails for us to haul out which includes employees, equipment, needs and the financial impact per year.

Mrs. Spitz advised that several trees were taken out behind William Street and she can see across to the fence. She asked if the Borough would fix the berm, so it is high on the Fair Haven Fields trail side to buffer out the noise. Engineer Gardella would have to look at the area before he could answer.

Marti Egger, Hance Road, asked about the sidewalks on Hance Road and if it is a done deal and asked if residents can give input. Not everyone is happy with sidewalks going all the way down Hance Road because there have been some challenges with the sidewalks installed on the other side of the road. Councilman Rodriguez said the residents were asking for sidewalks around town to make it more walkable and to access the waterfront parks. Mrs. Egger said that she has lived in town for many years and one of the things treasured is the ruralness of the area and the uniqueness. Administrator Casagrande said the Borough receives funding based on connectivity and our Active Transportation Plan and we are encouraged to install sidewalks. Councilman McCue asked Engineer Gardella if this is for the pocket

parks and not for the work to Cooney; Engineer Gardella said we put sidewalk on the east side from River Road to Cooney Terrace; the pocket parks are separate from the 2020 NJDOT funding for Hance and Cooney. It is important to have the sidewalks. The Borough is looking at it and waiting on base maps. Mrs. Egger asked when this will happen. Engineer Gardella said the deadline from the NJDOT is to bid by November with installation next spring or summer. Councilwoman Chrisner-Keefe asked Mrs. Egger what she meant by the east side sidewalks being problematic. She said brush being out narrows an already narrow street, the crossing guard’s vehicle at the corner and large trucks that are tied to resident construction. Two cars cannot get past at the same time. Engineer Gardella explained that cars were parking on the grass which made the street appear wider than it was. The new sidewalks were installed in the lawn area and gave consistency to the cartway. Mrs. Egger requested to meet with Engineer Gardella to review and discuss, in more detail.

Tracy Cole, Grange Avenue, agreed with Mrs. Egger, but also agreed with the Active Transportation Plan. Hance and Grange are unique because of the lack of sidewalk. She offered to meet with Engineer Gardella or Council to discuss this. She asked if the Fair Haven Natural Area Committee has the authority over the Natural Area; they are advisory in nature. Councilman Chrisner-Keefe said the committee is limited to the Natural Area and the trails they are in. Mrs. Cole asked about the Fair Share Housing ordinance and if someone could explain it to her as she could not find it immediately. Administrator Casagrande said it falls within the settlement agreement with M&M and speaks to the overlay zone. We had a settlement and then M&M had some concerns, we renegotiated and there were changes to the original settlement agreement. Mrs. Cole said she hopes they maintain the tall trees at the site and the home directly east of it.

Carolyn Ferguson, Chair of the Fair Haven Natural Area Advisory Committee, asked, “why the focus is on the Natural Area and not the recreation portion for brush site relocation”? Mayor Lucarelli advised that the thought was the Natural Area could be buffered and shielded by the people using it. Councilman Rodriguez said we need to get the large vehicles out of the back neighborhoods. There is 300’ between the power transfer station and community gardens; we can look for other options but being on Ridge Road makes more sense.

There being no further comments or questions, the meeting was closed to the public at 8:57 p.m.

APPROVAL OF MINUTES

Councilwoman Koch made a motion to approve the Regular Meeting minutes of March 22, 2021, second by Councilman Rodriguez.

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

Councilwoman Koch made a motion to approve the Executive Session minutes of March 22, 2021, second by Councilman Rodriguez.

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

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2020-03, Amend Chapter 30 to update Stormwater Management Ordinance

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING CHAPTER 30: “LAND USE AND DEVELOPMENT REGULATIONS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO DELETE AND REPLACE SECTION 30-14: “STORMWATER MANAGEMENT AND CONTROL” TO COMPLY WITH NEWLY UPDATED NJDEP STORMWATER MANAGEMENT RULES

On motion of Councilwoman Koch, second by Councilman McCue with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 8:58 p.m.

There being no comments or questions, the Hearing was closed to the public at 8:58 p.m. on motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None
Abstain: None
Absent: Councilman Banahan

2. Ordinance No. 2021-05, Amend Salary Ordinance No. 2021-04

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE
COUNTY OF MONMOUTH SETTING THE SALARY RANGES OF OFFICERS,
EMPLOYEES AND ADMINISTRATIVE AND EXEMPT MEMBER OF THE BOROUGH OF
FAIR HAVEN**

On motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 8:59 p.m.

There being no comments or questions, the Hearing was closed to the public at 8:59 p.m. on motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilwoman Chrisner-Keefe, second by Councilwoman Koch

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

NEW BUSINESS

Council Committee Reports

Finance - Councilman Banahan was absent. Administrator Casagrande gave a budget process update. She completed appropriate reductions and recommendations to the draft that was provided to the governing body at the March 22nd meeting. She forwarded that document to CFO Lapp who is reviewing the information to calculate revenue projections and capital improvement and debt scenarios for the Finance Committee. We are waiting to hear from the State regarding the impact from the recent stimulus bill and the impact on our 2021 budget. There probably will not be any relief in this year's budget; possibly 2022. The Finance Committee will ask our department heads to prepare and present a 5-year capital plan. There could be an updated budget draft for the April 26th meeting.

Personnel - Councilwoman Chrisner-Keefe advised the Borough is in the process of vetting a new Assistant CFO. The former Assistant CFO gave her notice and will be pursuing a new opportunity. She thanked Melissa Abrahamsen for her years of service to the Borough.

Planning & Zoning - Councilwoman Koch said the Zoning Board has been pretty busy and as a result adopted a resolution to implement additional meetings for the rest of the year; the meetings will take place on the third Thursday of the month. The April 15th meeting will not take place because there is no agenda. The next Planning Board meeting will be held on April 20th at which time the plans for the DPW facility will be introduced.

Parks and Recreation and Communications - Councilwoman Koch said spring camps and sports are underway and the summer camp schedule has been released; information is on the Recreation website. The virtual Easter Egg Hunt took place with more than 200 bags of eggs distributed to residents; pictures have been posted to Instagram. The Spring Walk Challenge was a success raising \$500 for a local charity. Another walking challenge will be announced in another month or two.

Police, Fire & OEM - Councilman McCue reviewed the calls that the police have answered in the month of March. The Fire Department answered 15 calls and held drills. They are demoing a new i-Phone app for responses. He congratulated the Ladies Auxiliary who are celebrating their 100th year of service and thanked them; they do a lot for the Fire Department. Our COVID numbers are starting to dwindle (58 active). Chief McGovern is working with the VNA to do some vaccinations once opened to everyone. He thanked the Chief for always being so proactive.

Engineering, DPW and Borough Facilities - Councilman Rodriguez reported the Facilities Committee has been meeting. They took many of the recommendations of the Planning Board regarding the Police Department and tried to factor in as many things as they could. The next Planning Board meeting will have a capital review of the DPW facility.

INTRODUCTION OF ORDINANCES

1. Ordinance No. 2021-06, Amend Chapter 30, Section 5-5, Affordable Housing Zone Ordinance

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE
COUNTY OF MONMOUTH AMENDING CHAPTER 30, LAND USE AND DEVELOPMENT
REGULATIONS, BY AMENDING THE AFFORDABLE HOUSING ZONE**

See full copy of ordinance attached to these minutes.

Offered for introduction by Councilwoman Koch, second by Councilman Rodriguez

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

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2021-85, Award Contract to Garden Mark for Turf Field at McCarter Park

WHEREAS, the Director of Parks and Recreation requested and received proposals for the installation of a 30X100 turf field at McCarter Park; and

WHEREAS, three proposals were received from the following vendors:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>AMOUNT BID</u>
1. Garden Mark	Hoboken, NJ	\$21,808.60
2. Ryser’s Lawn & Tree Service	Little Silver, NJ	\$24,500.00
3. Down to Earth Landscaping, Inc.	Jackson, NJ	\$29,800.00

WHEREAS, DJ Breckenridge, Director of Parks and Recreation, the Recreation Committee and Theresa Casagrande, Borough Administrator reviewed the submitted proposals and hereby recommend that a contract award be made to Garden Mark, Hoboken, NJ, in the amount of \$21,808.60; and

WHEREAS, the Borough of Fair Haven has entered into a Shared Service Agreement with the Fair Haven Board of Education who have agreed to contribute \$6,500.00 toward the cost of this project; and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for the low bid are available in Capital Fund Appropriations, as attached; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for a 30X100 turf field at McCarter Park to Garden Mark, 1060 Monroe Street, Hoboken, New Jersey 07030 in the amount of \$21,808.60.

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute an agreement with Garden Mark.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

2. Resolution No. 2021-99, Authorize Execution of Settlement Agreement for Fair Share Housing

WHEREAS, pursuant to N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on March 7, 2019, the Borough of Fair Haven (hereinafter “Fair Haven Borough” or the “Borough”) filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, the Borough sought, and ultimately secured, a protective order providing Fair Haven Borough immunity from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, the trial judge appointed Francis Banisch, P.P., A.I.C.P. as the Special Court Master (hereinafter the “Court Master”), as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS, M&M Realty Partners at Fair Haven, LLC (“M&M”) engaged in good faith negotiations which resulted in a Settlement Agreement entered by M&M on January 24, 2020 and by the Borough on February 12, 2020.

WHEREAS, M&M and the Borough continued good faith negotiations and agreed on the

various substantive terms and conditions as set forth in the First Amendment to the Settlement Agreement attached hereto as **Exhibit A**, which revises and supersedes any prior agreements between M&M and the Borough relative to this site; and

WHEREAS, in light of the above, the Borough Council finds that it is in the best interest of Fair Haven Borough to execute the attached First Amendment to the Settlement Agreement with M&M.

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of March by the Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, as follows:

1. The Borough Council hereby authorizes and directs the Mayor of Fair Haven Borough to execute the First Amendment to the Settlement Agreement with M&M, as attached hereto as **Exhibit A**.
2. The Borough hereby directs its Affordable Housing Counsel to take all actions reasonable and necessary to utilize the First Amendment to the Settlement Agreement, if necessary as it works towards ultimately securing judicial approval of the Borough's Fair Share Plan, after it is drafted, adopted by the Borough's Planning Board and endorsed by the Borough Council.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

3. Resolution No. 2021-101, Executive Session – Personnel 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. Assistant CFO
2. Part-time Non-Aligned Salaries

Contract Negotiations

1. Middletown ILSA: QPA

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 Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

4. Resolution No. 2021-102, Authorize Mayor to Execute Agreement with Catherine Ricker for Human Resource Consulting Services

BE IT RESOLVED by the Council of the Borough of Fair Haven, that Mayor Lucarelli is hereby authorized to execute a contract with Catherine Ricker for Human Resource Consulting Services at an hourly rate of \$150 (not to exceed an amount of \$3,375).

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

5. Resolution No. 2021-103, Amend Non-Aligned Borough Employee Salary Resolution No. 2021-69

WHEREAS, Resolution No. 2021-69 established the 2021 salaries for the Non-Aligned Borough Employees and was adopted by the Mayor and Council at their February 22, 2021 meeting; and

WHEREAS, there is a need to amend the resolution as follows:

1. The Municipal Prosecutor position needs to be removed from the resolution as the position is now paid as a vendor.
2. DJ Breckenridge, Jr. will be given a **\$10,000** stipend as the Assistant to the Administrator for Special Projects.
3. Nicolas Poruchynsky will receive a salary of **\$6,898** for his Flood Plain Manager position (per Resolution No. 2021-97).

WHEREAS, DJ Breckenridge is approved to take two Masters of Administration classes per year, not to exceed \$2,000 per course.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the salaries for the employees/positions referenced above be adjusted accordingly.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

6. Resolution No. 2021-104, Approve Adoption of Commercial Driver's License Policy

WHEREAS, the Borough of Fair Haven, in accordance with Federal regulations, test employees required to have a Commercial Driver's License (CDL) for the use of controlled substances that violate law or Federal regulation and the misuse of alcohol; and

WHEREAS, as Fair Haven participates in the Municipal Excess Liability Insurance Fund (MEL); and

WHEREAS, the MEL and Title 49 CFR Part 40 Regulations of the U.S. Department of Transportation Procedures for Transportation Workplace Drug and Alcohol Testing Programs and Urine Specimen Collection Guidelines, Office of Drug and Alcohol Policy and Compliance, U.S. Department of Transportation, are integral parts of this Policy and apply to all covered Employees; and

WHEREAS, the regulations may be viewed at on the U.S. Department of Transportation webpage at <http://www.dot.gov/odapc> for collection procedures, laboratory procedures, M.R.O. review, alcohol testing, record keeping and all other procedural requirements in adherence to Title 49, CFR Part 40, and

WHEREAS, the purpose of this resolution is to distribute and establish a program designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by employees; and

WHEREAS, the Borough's Procedures and Controlled Substances and Alcohol Use and Testing Policies of the Borough of Fair Haven (Appendix 1) and Receipt of Policies Form (Appendix 2) are included as part of this program.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Fair Haven does hereby adopt the Borough's Procedures as described in Appendix 1 and Appendix 2; and

BE IT FURTHER RESOLVED the Borough shall distribute Appendix 1 and 2 to all employees by May 1, 2021.

BE IT FINALLY RESOLVED a copy of this resolution and all Appendices shall be attached to the Borough Personnel Manual and placed on file in the Municipal Clerk Office, the Office of the Borough Administrator and the Director of Public Works.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None
Absent: Councilman Banahan

7. Resolution No. 2021-105, Appoint Designated Employer Representatives (DER) for CDL Clearinghouse – Richard Gardella and Nick Poruchynsky

WHEREAS, the United States Department of Transportation and the Federal Motor Carrier Safety Administration as mandated in 49 CFR Part 382, require every entity who employs employees with commercial driver’s licenses appoint a Designated Employer Representative who will make formal decisions regarding the approved drug and alcohol testing policy; and

WHEREAS, the Mid-Jersey Municipal Joint Insurance Fund and the Municipal Excess Liability Fund require that the D.E.R. must be an employee of the municipality and must have a complete understanding of the commercial driver’s license drug and alcohol testing procedures outlined by federal law as well as the employers policies and procedures; and

WHEREAS, the D.E.R. must be authorized and empowered to take immediate action to remove employees from safety-sensitive duties if test results warrant such action; and

WHEREAS, the D.E.R. and secondary D.E.R. must be available 24 hours, 7 days a week in order to take immediate action.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven that the Director of Engineering and Public Works, Richard Gardella and Assistant Director of Engineering and Public Works, Nicolas Poruchynsky, have completed the required training as outlined by the Mid-Jersey Municipal Joint Insurance Fund and the Municipal Excess Liability and prescribed by the USDOT, FMCSA, and federal law 49 CFR Part 382.

BE IT FURTHER RESOLVED, that Richard Gardella will serve as the primary D.E.R. and Nicolas Poruchynsky as the secondary D.E.R. as department heads and as part of their current job duties and responsibilities without additional compensation or remuneration.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

8. Resolution No. 2021-106, Approve 2021 Temporary Budget Amendment

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2021 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total temporary emergency resolutions adopted in the year 2021 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total **\$4,809,220.98** for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that not less than two-thirds of all members of the Borough Council of the Borough of Fair Haven, New Jersey affirmatively concurring in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

Account Number	Description	Amount	Reason
Current Account			
1-01-20-100-101	Admin Salaries	\$43000.00	Add to Temp Budget
1-01-20-120-101	Municipal Clerk Salaries	\$20000.00	Add to Temp Budget
1-01-20-130-101	Finance Salaries	\$16000.00	Add to Temp Budget
1-01-20-145-101	Tax Collection Salaries	\$10000.00	Add to Temp Budget
1-01-20-150-101	Tax Assessment Salaries	\$6000.00	Add to Temp Budget
1-01-20-150-211	Tax Assessment Other Expense	\$300.00	Add to Temp Budget
1-01-20-165-101	Engineering Salaries	\$50000.00	Add to Temp Budget
1-01-21-180-101	P.B. Salaries	\$750.00	Add to Temp Budget
1-01-21-185-101	Z.B. Salaries	\$750.00	Add to Temp Budget
1-01-21-185-211	Z.B. Contractual	\$3000.00	Add to Temp Budget
1-01-21-186-101	Zoning Officer Salaries	\$6000.00	Add to Temp Budget
1-01-22-209-101	Code Enforcement Salaries	\$3000.00	Add to Temp Budget

1-01-23-210-228	Insurance General Liability	\$63,432.00	Add to Temp Budget
1-01-23-220-227	Health Insurance	\$20000.00	Add to Temp Budget
1-01-23-222-227	Waiver Other Expense	\$4000.00	Add to Temp Budget
1-01-25-240-101	Police Salaries	\$400000.00	Add to Temp Budget
1-01-25-275-201	Prosecutor Other Expense	\$3300.00	Add to Temp Budget
1-01-26-290-101	Streets & Roads Salaries	\$125000.00	Add to Temp Budget
1-01-26-307-101	Recycling Salaries	\$6000.00	Add to Temp Budget
1-01-26-305-202	Solid Waste Contractual	\$125000.00	Add to Temp Budget
1-01-26-315-101	Vehicle Maintenance Salaries	\$16000.00	Add to Temp Budget
1-01-28-370-101	Recreation Salaries	\$10000.00	Add to Temp Budget
1-01-29-390-101	Library Salaries	\$26000.00	Add to Temp Budget
1-01-31-430-276	Electric Utilities	\$10000.00	Add to Temp Budget
1-01-31-435-276	Street Lighting Utilities	\$10000.00	Add to Temp Budget
1-01-31-440-276	Telephone Utilities	\$20000.00	Add to Temp Budget
1-01-31-446-276	Natural Gas Utilities	\$20000.00	Add to Temp Budget
1-01-31-460-276	Gasoline Utilities	\$12000.00	Add to Temp Budget
1-01-31-447-276	Fuel Oil Utilities	\$8000.00	Add to Temp Budget
1-01-32-465-201	Reclamation Fees	\$115000.00	Add to Temp Budget
1-01-36-472-299	Social Security	\$40000.00	Add to Temp Budget
1-01-41-700-202	Recycling Tonnage Grant	\$11183.00	Add to Temp Budget
1-01-43-485-299	RFH Custodial	\$6000.00	Add to Temp Budget
1-01-43-486-299	ILSA RFH Tech	\$2000.00	Add to Temp Budget
1-01-43-487-299	ILSA Court	\$19000.00	Add to Temp Budget
1-01-43-490-101	Municipal Court Salaries	\$4000.00	Add to Temp Budget
1-01-43-491-202	ILSA Finance	\$5000.00	Add to Temp Budget
1-01-43-494-202	Recycling Tax	\$5000.00	Add to Temp Budget
1-01-43-497-202	ILSA Construction	\$58000.00	Add to Temp Budget
1-01-43-499-202	ILSA Animal	\$2500.00	Add to Temp Budget
TOTAL		\$1,826,215.00	

2. That said emergency temporary appropriations will be provided for in the 2021 budget under the appropriate titles.

3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

9. Resolution No. 2021-107, Temporarily Amend the Sidewalk Café License requirements

WHEREAS, the COVID-19 Global Health Pandemic continues to have a significant negative economic impact on the Borough’s restaurants and eateries; and

WHEREAS, the Borough Council wishes to continue the waiver of the Borough’s Sidewalk Dining License regulations during 2021 in order to help the Borough’s restaurants and eateries.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Fair Haven, in the County of Monmouth, State of New Jersey, that the annual license fee shall be waived for 2021; and

BE IT FURTHER RESOLVED that the Zoning Officer and Emergency Management Coordinator may permit an existing restaurant or food establishment to expand outdoor dining during the 2021 outdoor season subject to the following (as applicable to the business):

1. Outdoor dining may be conducted on any restaurant property; and
2. Any restaurant may create outdoor dining on private property, the public sidewalk in front of their business, parking spaces (where safe) and the public sidewalk next to their establishment with the consent of the property owner and adjoining business, and
3. Outdoor dining may be permitted on premise-owned parking lots in spaces that may have been previously required by zoning or other agreements; and
4. Service of alcoholic beverages shall be permitted in outdoor areas licensed or allowed by temporary ABC or state regulations.

5. All outdoor dining areas must be maintained and clean of litter.
6. During the waiver a small banner, sandwich board sign, etc. will be permitted.
7. All outdoor dining fees for 2021 will be waived.

BE IT FURTHER RESOLVED that any restaurant, newly applying for 2021, must submit an application with a map detailing the location, number of tables and seating capacity of the outdoor dining space, complying with Borough regulations and New Jersey COVID-19 guidelines and regulations prior to commencing outdoor dining operations; and

BE IT FURTHER RESOLVED that any restaurant that was approved for outdoor dining by the Borough during 2020 for outdoor dining shall submit only a letter certifying that there is no change or deviation to the plan on file with the Borough Clerk for 2021; and

BE IT FURTHER RESOLVED that the Zoning Officer and Emergency Management Coordinator, with the advice and consent of the Borough Attorney, may waive other sections of Chapter 4, Section 2.1 and may enact other regulations as appropriate to maintain order, enhance public safety and to help Borough restaurants and eateries that are economically impacted by the COVID-19 Global Health Pandemic.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

10. Resolution No. 2021-108, Authorize Businesses to hold Sidewalk Sales through 2021

WHEREAS, Resolution No. 2020-178 extended a waiver with regard to retail businesses being permitted to hold sidewalk sales during the COVID-19 pandemic; and

WHEREAS, the Fair Haven governing body would like to continue the ease of regulations for sidewalk sales to allow businesses the ability to provide their goods and services with the continuation of social distancing and limiting the contact between customers and retail business staff in enclosed spaces; and

WHEREAS, this resolution grants permission to the Fair Haven Business District to set up tables and merchandise in order to provide their goods.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that retail businesses are hereby authorized to set up tables and merchandise for sidewalk sale activity and that the sidewalk ordinance is hereby waived for this purpose until December 31, 2021.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

11. Resolution No. 2021-109, Authorize Use of Fair Haven Parks by Local Exercise and Fitness Businesses

WHEREAS, the COVID-19 Global Health Pandemic continues to have a significant negative economic impact on the Borough's exercise and fitness businesses; and

WHEREAS, the Borough Council wishes to continue the authorization for the use of public parks and fields in order to support the Borough's local exercise and fitness businesses, in accordance with Fair Haven's Emergency Declaration signed by Mayor Lucarelli on March 18, 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven, in the County of Monmouth, State of New Jersey, that use of the Borough's parks and fields for exercise and fitness instruction by local businesses is authorized following CDC and New Jersey COVID-19 guidelines for safety and social distancing; and

BE IT FURTHER RESOLVED that each business must submit a current insurance certificate, naming the Borough as an additional insured for the activity planned, in accordance with Borough regulations and New Jersey COVID-19 guidelines and regulations. Scheduling of the Borough facilities should be coordinated in advance with the Director of Parks and Recreation for the 2021 season; and

BE IT FURTHER RESOLVED that any business newly applying for 2021 is subject to the approval of the Director of Parks and Recreation; and

BE IT FURTHER RESOLVED that any business approved by the Borough during 2020 shall submit only a letter certifying that there is no change or deviation to the plan on file with the Director of Parks and Recreation.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

12. Resolution No. 2021-110, Approve Fire Department Membership Application - Barry Chubrik

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Barry Chubrik, 9 Gentry Drive, 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 Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

13. Resolution No. 2021-111, Approve Fire Department Affiliate Membership Application – Megan O'Hare (First Aid)

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Megan O'Hare, 8 Blossom Road, Rumson, 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, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

14. Resolution No. 2021-112, Re-approve Fire Department Membership Application - Richard Andres

WHEREAS, Resolution No. 2018-149 adopted on July 16, 2018 approved the Fire Department Application of Richard Andres as a regular member of the Fair Haven Volunteer Fire Company #1; and

WHEREAS, there was an amendment to the guidelines that pertain to fire department membership (age limits and requirements) which requires the reapproval of Mr. Andres membership application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the membership of Richard Andres approved in 2018 is reapproved/confirmed

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: Councilman Banahan

15. Resolution No. 2021-113, Authorize Settlement Agreement and Execution of Agreement with J&M

Holdings, LLC and Yacht Works

BE IT RESOLVED by the Council of the Borough of Fair Haven that the Settlement Agreement reached with J&M DeNormandie Holding LLC (“J&M”) and Fair Haven Yacht Works, Inc. is hereby approved, and Mayor Lucarelli is authorized to execute same, attached as Exhibit “A”.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

16. Resolution No. 2021-114, Authorize Contract Renewal with Dell for Microsoft 365

WHEREAS, on January 29, 2015, the Borough of Fair Haven entered into an Enterprise Enrollment Agreement with Microsoft for Exchange and/or Office 365; and

WHEREAS, Dell is the NJ State Contract vendor for Microsoft Enterprise Enrollment; and

WHEREAS, the current contract expired on March 31, 2021 and a renewal quote in the amount of \$22,457.91 for three years (\$7,485.97 per year) was received under Dell’s NJ State Contract No. M0003 89850; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the 2021 budget and the succeeding 2022 and 2023 budgets, in an amount not to exceed \$7,485.97 annually.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Borough Administrator is authorized to execute any documentation required for a three-year renewal contract based on the unit pricing listed in NJ State Contract No. M0003 89850.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

17. Resolution No. 2021-115, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the April 12, 2021 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 16,291.07
2021 CURRENT ACCOUNT	\$1,887,093.50
GENERAL CAPITAL	\$ 126,855.95
PAYROLL AGENCY	\$ 13,914.02
OTHER TRUST	\$ 5,043.83
DOG TRUST	\$ 1,982.80
TOTAL	\$2,051,181.17

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Reports of Departments
March 2021

- Municipal Clerk
- Dog License
- Police Department
- Planning Board Police Department Capital Review Report (dated March 23rd)
- Budget Status

The Mayor thanked the Planning Board for their time and efforts on the Police Department Capital Review.

Motion to accept the reports, as submitted, moved by Councilwoman Koch, second by Councilwoman Chrisner-Keefe with Ayes by all present.

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 9:09 p.m. Ruth Blaser, River Road, stated with regard to leaf pick up, the piles at the curb are amazing. Landscapers are piling leaves in marked parking spaces on River Road which is a problem and they put it out whenever, despite the schedule. Administrator Casagrande advised we do an education campaign every year. We will remind people again. Mrs. Blaser asked if the landscapers are given information regarding the pick-ups. The Borough Clerk explained that Betty Ann Berube, Administrative Assistant, provides the municipal calendar, leaf and brush dates, and a color-coded map (with the zones showing when streets can put out their brush or leaves) to the landscapers that register with us.

Peter Neczesny, Park Lane, advised that landscapers said they are aware of the schedule, but will not follow it because it does not work for them and the homeowner only receives a warning. Mr. Neczesny said education is great, but we need stricter enforcement. Administrator Casagrande said legally the enforcement/warnings have to go to the homeowner. For those that do not comply, at the request of the Code Enforcement Officer, a second warning will be given with a summons, as needed, unless there are extenuating circumstances. Mayor Lucarelli said if a landscaper is not complying, we can pull their license so they cannot do business in the Borough.

There being no further comments or questions, the meeting was closed to the public at 9:13 p.m.

Council went into executive session at 9:16 p.m. and this meeting was reconvened at 9:59 p.m.

ADJOURNMENT

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

Time of Adjournment: 10:00 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk