

FAIR HAVEN BOROUGH COUNCIL
JUNE 8, 2020

Due to the Coronavirus Pandemic and the need for social distancing, this meeting was broadcasted through the Zoom Webinar Program to allow for the public to access and participate in this meeting.

The meeting was called to order by Mayor Lucarelli at 7:02 p.m. The Flag Salute was led by Chief McGovern and followed by a Moment of Silent Meditation. Mayor Lucarelli said that while we pause, everyone should keep in mind the words of the Pledge we just spoke “One Nation Under God with liberty and justice for all”. Liberty and Justice was denied to George Floyd. We condemn the brutality in Minneapolis. We stand for the love of justice and humanity and we support those who protect us....our local law enforcement.

Councilwoman Chrisner-Keefe echoed what the Mayor said as we are all mourning George Floyd’s death which represents and stands for the death of not just one black American, but many. We have been mourning the systemic racism that is alive today and this mourning is an opportunity for us to listen, learn, reflect, lead by example, engage in meaningful dialogue with our neighbors, friends and children. Our silence is complicity and it is hoped that we can support our officers in blue who abide by their oath and speak out against racism; these things are not mutually exclusive. We cannot continue to accept that America is unequal and unjust.

Councilman Rodriguez said he is not sure how many people know his history....he was born in Elizabeth and attended school in Roselle and Newark; this is something that is near and dear to him, first hand. It is not a problem that he has witnessed on a regular basis in Fair Haven but does know it exists in this world. Chief McGovern knows how he feels about him and his officers; they do a fantastic job in our community with our students, our residents and visitors. He commended the Chief and the men and women on the force. Elsewhere in the world, they can raise their standards. In Fair Haven, we do Kindness Day which happens throughout the year. It warms his heart that it is important here, but there is progress to be made in our county, state, region and country. We should continue our vigilance in Fair Haven and continue to stand against racism.

Councilman Banahan said that we are fortunate to have incredible community policing in Fair Haven going from National Night Out to the programs held through our police department. They really meet the definition of “less crime with law and order”, but it goes much further than that. The standard can be raised in this nation to look more like we do in Fair Haven. We are not blind to the fact that it is not this way everywhere.

Councilwoman Koch echoed the sentiments of her Council peers. Fair Haven has a great police department who cares for everyone. She unequivocally supports our citizens who are protesting police brutality and marching for justice and racial equality. No one should be judged by the color of their skin, race or creed; we need to be judged by the person we are. At the same time, she voiced her support for the Fair Haven Police Department; they are well trained, very active in the community and truly care about everyone as they protect and serve our residents.

Councilman McCue said that it is important to mention our history, as a town, and why we are called Fair Haven with the history of General Fisk and how this community was initially started which was a community of color. It is not as diverse as it had once been, but we do know that free African Americans set the foundation for this town calling it Fair Haven. We give much gratitude to those who came before us and we need to continue to speak up against racism, stand up for George Floyd and condemn acts of racism.

Councilwoman Sorensen this is emotional for her as she was raised by civil activists. She thanked the Mayor for allowing the time for Council to express their feelings as everyone has feelings on what has taken place across our great nation. These are emotional times and she expressed her condolences to George Floyd’s family as well as to anyone who has been wrongly treated. Everyone has been asked to say his name...GEORGE FLOYD. Racism in any form should not be tolerated...ever. We are fortunate in Fair Haven and New Jersey that we have one of the strictest policies in the nation regarding use of police force. What happened to George Floyd should not happen to anyone...anytime, anywhere. Our accredited Fair Haven Police are continuously being trained and our Chief of Police is beyond mindful of maintaining safe and respectful police force that adheres to these strict guidelines that are even more astringent than the ones being requested and proposed across our nation. She is all for peaceful, even loud and forceful protesting to call for change; silence is complacency. She does not condone violence or riots like what she experienced during the L.A. riots which was traumatic. Freedom of speech is a very powerful thing, but the message can get lost amongst all of the noise of the violence. George Floyd’s brother pleaded for change, but he also pleaded for the crowds to keep the protests peaceful; she hopes future protests will remain peaceful. It is difficult to understand how anyone is a racist

due to how she was raised which she is grateful for and hopes that she has continued it with her own children and for the next generation in regard to how we treat our fellow man or woman. We are all equal and should be treated equal, always. What has happened in America has saddened her to her core. While clearly the work is not done, there is hope. Just last week the Governor appointed the first black woman, Fabiana Pierre Louis, for the New Jersey Supreme Court which is a very proud moment for New Jersey and she expects to see more equality and diversity moving forward. In conclusion, racism, in any form should not be tolerated.....not here, not now, now ever. Once again, she said his name GEORGE FLOYD.

Chief McGovern thanked the governing body for their kind words and support of the police department. He said that he had something written, but Councilwoman Sorensen said 70% of it. As a police officer, Police Chief and a human being, he denounced the actions of Minneapolis and what happened to Mr. Floyd. He has complete confidence in the skills and training of the Fair Haven Police Department. Like Councilwoman Sorensen said, New Jersey has one of the strictest Use of Force policies in the country and he has complete confidence in it.

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 JUNE 8, 2020 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 SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 9, 2020 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

ROLL CALL

On Roll Call the following were present via Zoom remote access: Mayor Lucarelli, Councilmembers Banahan, Chrisner-Keefe, Koch, McCue, Rodriguez and Sorensen. Others present: Administrator Casagrande, Chief McGovern, Engineer Gardella, Attorney Alfieri, Borough Planner Susan Gruel, Fair Share Housing Committee members Todd Lehder, Michael Borneo and Andrew Sobel .

WORKSHOP SESSION

Mayor Lucarelli said the agenda had been changed around to allow for discussion on the M&M Realty Ordinance (Fair Share Housing) first. Susan Gruel, Borough Planner, was in attendance. Administrator Casagrande said everyone knows the Borough had a settlement hearing with the court several weeks ago and one of the stipulations of the court was that the Borough expedite the passing of the ordinance for the M&M property a/k/a "the Sunoco site". The governing body did discuss this briefly at the May 26th meeting with Susan Gruel and the members of the Fair Share Housing Committee; those members are Todd Lehder, Michael Borneo and Andrew Sobel participating in this evening's meeting as well. It is on this workshop for further input because we have to introduce the ordinance at our next meeting (June 23rd). Since it is a land use ordinance, it will go to the Planning Board for their review and recommendation (consistency with the Master Plan) and be adopted at our August meeting. Susan Gruel and Engineer Gardella were present to answer any questions that the governing body had. Mrs. Gruel said Administrator Casagrande summed up this matter concisely. She attended the last Council meeting to provide the framework of the ordinance and this evening the standards that were presented to the court for M&M Realty have been placed in ordinance form. She said it is important to acknowledge the settlement plan with M&M and balance the housing needs for fair share housing and that it be sensitive with context.

She said that she did her best to include many of the design standards with elevations (similar to Rumson which is a good example of a higher end building). Any comments on the draft are welcome. A schedule of standards and permitted uses for zones was included as well as uses and area to include yard and building requirements. At the last meeting there was comparison of what the affordable housing zone is with the standards in the B1 zone (current zoning). For purposes of height, there is an intent to set back the third floor ten-feet in order to mitigate the height (38') for fourteen residential units. There are some uses that were not recommended or included for some of the residential. There will be payment in lieu to be paid when permits are received by the developer which then goes into a housing fund (Habitat Project). Parking conditions were created and spelled out for residential (tandem with no more than two cars) and commercial. The circulation standard is currently in the zoning ordinance. A freestanding sign will not be permitted, but a wall sign will be. There should not be internally lit signs or window signs. Awnings will be permitted but no sign on it. There are lighting standards included with regard to lumens. Engineers Gardella and Poruchynsky are looking at the plan and will respond as it pertains to stormwater management. Facades were explained. There will be no outside good sales and certain vehicles will not be allowed to be stored. There are fencing/wall guidelines and vegetation/plantings established. Guidance will be given to utilities for meters and generators, as required. Pedestrian pathways and sidewalks have been created.

Engineer Gardella said the question is whether stormwater regulations belong in our zoning ordinance or design guidelines (it would probably be best in the design guidelines). Best Management practices will be enforced and reviewed. Interconnectivity of the site is important too. Todd Lehder, Fair Share Housing Committee member, said that he has looked at the draft ordinance, but the committee has not met to discuss it and asked if there would be a meeting. He had some questions that he wanted to talk about prior to June 23rd. He was advised that there is not an opportunity to meet prior to June 23rd so he should ask his questions now. He went through his list of concerns (elevations and height). Fair Haven permits six feet over the existing height for decorative elements (there is a decorative element in the corner). We may need to clarify elevations. Mr. Lehder asked if the elevations could be tied in further. Mrs. Gruel said that she spoke with Mike Edwards, Esq., Fair Share Housing Counsel, and he felt the language could be put into the design standards. The concept plan from the settlement agreement will be part of the ordinance. There was discussion on height and where it starts i.e. crown of the road. Mr. Lehder asked about the third story set back and where it starts. The HFAR and HFA are not referenced and needs to be looked at; (it will not be looked at, at this time). Administrator Casagrande said that she will set up a meeting between Engineer Gardella, Susan Gruel, the Subcommittee and Mike Edwards, Esq. There was discussion on the size of center standards, generators and roof tops to include the condenser and identifying where they would go. Signage also needs to be addressed using Acme Center as a sample and curtailing it since this building will be right on the street. There was discussion regarding a mixed-use building (residential with commercial on the first floor) and interfacing a restaurant with a residential unit. Those are more code than zoning. Mayor Lucarelli said the language regarding lighting in our ordinance is dated (incandescent and gas) and should be LED; Mrs. Gruel will make the change. Mr. Lehder asked why outdoor dining is being encouraged as there is no room for this location. Mrs. Gruel said it was thought to be at the corner of Cedar Street and River Road where the entrance to the building is. Mr. Lehder asked that this be looked at or addressed when the process begins as he does not think it would be safe (it could be delineated at a later date). He asked about the trees that should be preserved. Mrs. Gruel said the trees are not in the best shape and the intent is to have landscape buffering and a fence. It was asked that the Borough's arborist look at the trees and determine what is healthy and unhealthy. Administrator Casagrande said that the trees or their roots could be compromised/impacted by the construction. Mr. Lehder asked Engineer Gardella if there were issues with contamination and what would be done with the catch detention basins. Engineer Gardella said that we would have to see the design and layout and he would review it at that time; there would No Further Action Letters from the DEP. Mayor Lucarelli said that it is self-site intensifying and it is close to the end per the DEP. Mr. Lehder said that we should think about the awnings since the building is close to the road. Councilman Rodriguez said that we were in receipt of the elevations and they are in line with what was requested. He echoed some of what Mr. Lehder said and asked if the ordinance was as expected in terms of design; we should stay on track with what the court has ordered. Councilwoman Sorensen said that the Borough should be cognizant of signage. Mrs. Gruel said that in looking at the ordinance and the site, it may be a good idea to reevaluate the signage ordinance because it is quite liberal. Councilwoman Chrisner-Keefe said that corner area dining is a concern especially with visibility; we need to control the corner. She also questioned the language for a childcare center at the location; it would be chaotic with pick up and drop off. Mrs. Gruel said that it is a state requirement in a commercial district (MLUL standard). Councilwoman Chrisner-Keefe asked if the changes can be redlined before it goes to the Planning Board. Councilman McCue asked about the third floor set back applying to the Cedar Avenue side of the building, not just the River Road side; yes. He asked if a basement will be permitted? It will be looked at. He read from the

ordinance regarding awnings which includes a canvass terrace. That section of the ordinance will be reviewed and she will remove the canvas terrace awnings language. It was asked if the Council wanted rooftop access; there was a concern for the rooftop area and the consensus was no rooftop access for the tenants. Councilwoman Koch suggested the volume be reduced and incorporated into the 38'. There was further discussion on roof pitch, bulk, livable space, and hiding the mechanicals into the facade.

Councilwoman Chrisner-Keefe asked Mrs. Gruel about outside space and if the ordinance addresses the utilization for a third story or if it is expressed or silent. The consensus of Council was not to have balconies. Mike Borneo, Fair Share Housing Committee member, asked if all signs could look the same or match so there is uniformity; Mrs. Gruel said the signs should be compatible with each other. Councilwoman Koch requested that no outdoor living be included in the standards as well as no basements permitted. Height should be measured from the point in the road for consistency. Councilman Rodriguez said that basements should be allowed so the utilities can be placed there vs. them being on the roof. Mr. Lehder agreed to not banning basements and that first-floor elevation be 12" from the ground. The Council was asked to give their input on some of the language and policies regarding commercial space; no home occupation operations or commercial vehicles to be parked overnight. Todd Lehder said that the units proposed are not very big; they can be compared to a hotel room (1 bedroom) or a hotel suite (two-bedroom) so the parking would be limited with stacked parking. Councilman McCue suggested allowing personal commercial vehicles (plumbing, construction, HVAC) be permitted because the housing portion is to be an appeal for tenants. There could be a limit to vehicle size. Administrator Casagrande said that the Workshop portion of the agenda is lengthy and asked if there were any further questions for the Planner or could the meeting be opened to the public for questions and comments.

Motion to open to meeting to the public for input for the Planner at 8:27 p.m. moved by Councilwoman Chrisner-Keefe, second by Councilwoman Sorensen with Ayes by all present. Councilwoman Sorensen asked if there was a concept plan for the public to see; a concept plan has not yet been finalized. Tracy Cole, Grange Avenue, said that she would like to see the concept plan. Mrs. Gruel said that it is in draft form. Administrator Casagrande advised Mrs. Cole to submit an OPRA request and we will ask Mike Edwards, Esq. if it can be shared and get back to her. Mrs. Cole said that she appreciates the thoughtfulness on this plan and thanked them for the bicycle plan for this matter. Mike Reddy, Fair Haven Fire Department, asked if the building is going to be sprinklered; yes. His concern was the weight of a generator or air conditioning unit on the roof and a possible collapse. There being no further comments or questions, the meeting was closed to the public at 8:30 p.m.

Mrs. Gruel left the meeting at 8:31 p.m.

Engineer's Update/Report

Administrator Casagrande said that an e-mail was sent to the governing body on June 4th outlining the topics to be discussed. A spreadsheet was also sent with numbers for the differential between the engineer's estimate and grant funding. Engineer Gardella put together an outline via e-mail. Fair Haven has been successful in grant applications. He reviewed the three street projects that the Borough could apply for through the 2021 NJDOT grant funding cycle; the first being Fair Haven Road from River Road to Ridge Road (both streets are county road) which would address school safety. NJ American Water is doing an extensive road project on Fair Haven Road which is why he made this a priority and suggested a mill and overlay of the road, sidewalks from the pond to the park on the east side and opportunity to add sidewalks because there are no sidewalks up towards Ridge Road, drainage and ADA considerations. The estimate is \$850,000, but the grant could offset it. Councilwoman Sorensen asked if there is a way to reduce the cost by cutting some of the work to be done. Engineer Gardella said the Borough does have a Sidewalk Trust Fund that could offset some of the cost for sidewalks. We collect, by ordinance, from the developers and homeowners for single family construction. This project would incorporate the Safe Streets to School project that was done on Third Street. There is a Bike Safety Subcommittee that is looking at the River Road Streetscape to include bike lanes. Councilwoman Sorensen asked if the Fair Haven Road project is from River Road to Ridge; yes. She asked if New Jersey American Water would share the costs of the project since they are doing their own project (a portion of the street opening on tonight's agenda is for approval of the work they are doing from Third Street to the Navesink River). Engineer Gardella said that NJ American Water does not do that anymore. Their restoration will be milling and paving and we can try to coordinate to get credit since the water company's contractor will pave from the centerline of the road to the curb. We should apply for the worse case scenario and scale back once we hear if we receive grant money. Councilwoman Sorensen said that there have been micro-projects done in the past and asked if some work could be done to address safety issues. Councilman Rodriguez said that he is a fan of bike lanes which narrow the driving lanes forcing cars to drive slower.

The second project to be considered for a grant would be Third Street, Phase II, to help create a uniform width of the road. This was bid as an alternate for Phase I; it would be milling and paving from Maple Avenue to Hance Road. The cost would be approximately \$430,000. It would also provide a smooth surface and consistent curb line along the north side of Third.

The third project would be Forman Street. It has had utility upgrades in recent year and there are cost estimates \$460,000 from Cedar to Hance to move and replace existing road and sidewalk, driveway aprons, curbs, milling and paving.

A resolution would be needed at the next Council meeting to approve a project for submittal and the grant application is due by the end of June. Councilwoman Sorensen said that we might need a separate workshop meeting before the June 23rd meeting since there is a lot to be considered. Councilwoman Koch asked Engineer Gardella about bike lanes on Fair Haven Road and if it would be on both sides of the street or just one side; yes, both sides and we would look at the affects to the neighbors and the public. Engineer Gardella said there may be a need to have a “Share a Road” plan. Councilwoman Sorensen asked if there would be a stone dust trail from Brookside Farm Road to Ridge Road; the Recreation Committee would like this as it would be a nice enhancement for Fair Haven Fields. Engineer Gardella said that there is substantial drainage that runs off into the area with no curb so stormwater management control will need to be looked at. Councilwoman Chrisner-Keefe asked if the stone dust trail would be adjacent to the road; it would be on the east side of the split rail fence. He was asked to speak with the Fair Haven Natural Area Committee so they are active in that discussion. Councilman Rodriguez said there is no safe way to get to the side streets and this would increase pedestrian safety and it would tie into the Master Plan and Bike Safety Plan. Councilwoman Chrisner-Keefe said that she reviewed all three recommendations and Third Street has a lot that needs to be done. Administrator Casagrande said the goal is to give Engineer Gardella an idea so that we can move forward. Once we apply for the grant and receive it, we will create a more extensive plan. Councilman Rodriguez said the projects proposed have a lot that needs to be done and the roads are past their useful life. Mayor Lucarelli suggested that an application be submitted for Third Street since it is “shovel ready” and will complete our Safe Streets to Schools project. Motion to apply for Third Street, Phase II, moved by Councilman Rodriguez, second by Councilwoman Sorensen. Roll Call Vote was taken:

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

A resolution will be listed on the June 23rd agenda for action.

The next order of business were the street opening requests from NJ American Water for Fair Haven Road. Engineer Gardella, Assistant Engineer Poruchynsky and Chief McGovern met with representatives of NJ American Water and their contractor regarding their project for new service and upgrade of the water main from the dock to River Road and then River Road to Third Street. It was made clear that the crosswalks at River Road and repaving at Third and Laurel were just done so they are aware that they will need to restore them equal to or better than they were. They applied for this awhile ago and then COVID came. This work will be done with some disturbance. Administrator Casagrande said that this project will impact a lot of the Borough which is why it has been listed for Council approval. Councilwoman Sorensen confirmed that this work will take four months to complete; yes, they need to allow a window for restoration. Motion to approve moved by Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

The next project discussed was Battin Road (NJDOT award of \$350,000) which was awarded to Black Rock (they just finished a project in Red Bank on Broad Street) in February and then COVID came so there was no preconstruction meeting held; one will take place in a week. The bid we received was less so we will see other work that can be done. With regard to Harrison Avenue, (this is a full road reconstruction) it is similar to the Lake Avenue project that was done. We received a \$250,000 grant and just received the base mapping for the project. Engineer Gardella will work on the design and prepare the project within the next 60 days and work with the contractor to get this done by December 31, 2020; only Fair Haven’s portion of the road as Red Bank owns the other half of the road. The Borough received a grant award for Hance Road, Phase II which will take the project to Cooney Terrace. We also received money for Cooney Terrace and that project was funded in the amount of \$350,000 (FY2020); surveyors will go out to do the base mapping for a design in 6 months for construction in Spring 2021. Councilwoman Chrisner-Keefe said it is not good to delay a project but is it advisable to hold off on Battin Road until boating season is over since it is the main corridor to the ramp. She asked about safety precautions being in place. Engineer Gardella said that any project is done in a square area in stages; the entire length is not done at the

same time. Construction usually ends around 3:00 p.m. and the area is cleaned up from any hazards, so it is safe for pedestrian and vehicular traffic. The police patrol the project as well. Councilman Rodriguez asked Engineer Gardella to touch on the limitations of paving season since we do not pave all year round. Nothing is done between November and March per DOT regulation, but it is weather dependent in the fall season. Administrator Casagrande asked the governing body to refer to her Excel Spreadsheet and memo with regard to Harrison Avenue and Hance/Cooney; they have not been funded except for what was approved in a bond ordinance.

The River Road Streetscape came from the County Engineering Department for their milling and paving project of River Road in the entire Borough. We have already done River Road East and West); this plan would complete the entire run of River Road (Smith Street to Lake Avenue) with curbs and sidewalks which is over ½ mile (one mile of curbs and sidewalks); cost of \$1.2 and \$1.35 million for the scope of work. Administrator Casagrande said that Ordinance No. 2019-11 authorized \$1.4 million; we have not borrowed funds until we are sure we are moving forward with the work plus the county was trying to figure out their funds and timeline for paving. The county has been cooperative in waiting on Fair Haven and whether we wanted to move forward. We have a survey and base mapping done, we are overlaying the design and working with the Bike Lane and Pedestrian Safety Committee on the features of the design. It is a sizable project and there was a conference call with the County last week; they plan to put out a bid package in four weeks. They are willing to hold Fair Haven off for an October/November mill and pave so we can have our work done. Councilwoman Sorensen said that she is all for safety and having bike lanes but was concerned about bike lanes in the business district and losing parking spaces. He said that a discussion has taken place and he has looked at the corridor with the Mayor over the past couple of weeks and there will be a combination of both. Parking is not prevalent as you approach Red Bank and it could tie into the Harrison Avenue project. We can also look at a Share The Road program with sharrows and the speed limit being lowered to 25 mph; a lot goes into this because we would be telling the bicyclist that the road is safe. Councilman Rodriguez asked about reducing the speed limit to 25 mph since it is in our town and if we can make a recommendation to the County. Councilwoman Chrisner-Keefe asked if the River Road curbs and sidewalks would be done in conjunction with the county paving the road and if it would be cheaper. Engineer Gardella said that it is easier and smoother to do together; he explained the process and concerns. It was asked if there would be an increased cost to do our portion later. There would be savings to do it from a Streetscape Project while the county is doing a full restoration of the road and it could assist with residents who have issues with back pitching in their driveways. Alternate options for bidding was given so we can see what numbers come in. Councilman Banahan confirmed with Engineer Gardella that curbs can happen where there is a utility strip; yes, it could be regraded back. There is a quality of work product that need to be considered because issues can occur if done out of sync. Mayor Lucarelli thanked Engineer Gardella and the Bike and Pedestrian Safety Committee for their assistance with planning out bike lanes, etc. The Mayor said that he has John McCormack (a resident who works for the County) and Gail O'Reilly working on the Committee; this is what they do for a living and advocate for. There will be a quick turn-around. He thanked everyone for their hard work.

As far as Park Lane, the road would be finished from Linden Drive to Laurel Drive plus two drywells installed on Park Lane. There will be a full mill and pave which would complete the Buttonwood Drive area (Buttonwood, Laurel, Park Lane, Linden) and tie into the Fair Haven Road and Third Street Project. The cost would be \$225,000. This has already been designed; the timeframe would depend on funding. Bond Ordinance No. 2018-21 has \$100,000 for drainage in it of which \$15,000 has been used. Councilwoman Sorensen asked if this can wait until next year; yes. Councilwoman Chrisner-Keefe agreed with waiting on this; we need to prioritize the roads and what needs to be addressed first. Hunting Lane is another project from Hance Road to Dartmouth Avenue as part of the micro-projects, we did a change order to address the drainage and sinkholes; the contractor came and addressed the issues, but the trench was never milled and paved. Hunting Lane has a wide right-of-way and we could install sidewalks; this is "shovel ready" and would cost approximately \$74,000. Councilwoman Koch asked if could be done in conjunction with the Third Street, Phase II Project. Engineer Gardella said, if we received NJDOT money, we cannot tie this into it. Administrator Casagrande said the cost for Hunting Lane would exceed the bid threshold so it would need to be bid.

The next project would be the microprojects that Councilwoman Sorensen had mentioned to include repairing the brick sidewalks in the Gentry and on Fair Haven Road (from River Road to the dock). Clay Street (historic district) and DeNormandie Avenue were supposed to have brick. Administrator Casagrande said that \$150,000 was budgeted for repairs. Councilwoman Sorensen reported issues with tripping hazards, especially near Flair Cleaners and River Road Books where they have spray painted the area where the sidewalk has lifted (even though they are businesses, we installed the sidewalks). It was asked if the sidewalks could be shaved down. It would be \$125,000

to pull up and replace brick in these two areas (Fair Haven Road and the Gentry). Shaving down sidewalks would be general maintenance, not capital.

Waterfront improvements need to be considered which are the pocket parks at the end of Hance, Grange and the boat ramp. Maser consulting has done the base mapping and provided an updated cost estimate. We have our DEP permits in order for the bulkheading and waterfront development. At the end of Grange Avenue, it is consistent with the design committee (Maser and the subcommittee) and would cost \$415,000. The end of Hance would cost \$258,000 and the boat ramp would be \$133,000. Administrator Casagrande said that her spreadsheet shows authorized and funded projects at \$800,000 of which \$250,000 is an Open Space grant and \$350,000 inclusive of soft costs in Ordinance 2018-21. This project is bid ready and finalization of the specification and bid documents needs to be done; it would be brought back to the governing body for authorization to bid within the next two meetings. This is funded. Administrator Casagrande said the waterfront projects are tied to a Monmouth County Open Space Grant, but a good deal of this work is to be tied into drainage improvements that are failing in this area; the overlay work needs to be done for the parks. Engineer Gardella said the pipes and outfall have failed and the erosion at the beach worsens every day.

Battin Road received an NJDOT grant and that will tie into the boat ramp work to be done. Hance Road and Cooney Terrace were applied for and it will tie in Grange and Hance which will complete that whole area and tying it to an element of a larger plan. Councilwoman Sorensen encouraged the public to go to the end of Grange and Hance to see the condition of these areas that if not fixed now, will be more costly in the future.

The Living Shoreline is part of a plan with the Littoral Society where the shoreline/slope stabilization will be addressed as well as the beach replenishment. There is some money set aside for this and the Littoral Society is also involved. The numbers will have to be looked at again when the design is finalized. Engineer Gardella said the Littoral Society was looking into volunteers to help plant dune grass and the like. This project is being finalized for submission to the DEP.

The LAX wall was presented to the governing body last year. Engineering and Recreation worked with the school volunteers and their consultant to come up with a design. Through much discussion, the project would need to be bid. The engineer estimate was \$100,000 so this project has been put in a holding pattern by the school volunteers who raised the money as the amount was more than they anticipated, and they have not raised enough money. The estimate was provided by Spieziele Architectural.

Engineer Gardella said that this is a pretty extensive list of capital projects and costs. He also included some small ticket/large ticket capital (three year plan) for the Department of Public Works such as a street sweeper (\$300,000) to bring this service back to town (our sweeper was purchased in 1997), a bucket truck (estimated \$75,000) which will assist with tree trimming in the Natural Area, Fair Haven Fields and the hanging of decorations (these costs could be shared with a neighboring town) and/or possibly another dump trucks with a salter and plow (our current one was purchased in 2006) and a pick-up truck. Administrator Casagrande said that small ticket is usually “pay as you go” and large ticket is funded by debt taken on. Councilwoman Chrisner-Keefe asked Engineer Gardella for a timeline for when the granted projects will be put out to bid. The grants bind us to certain time periods to spend the money so we know what is involved and what decisions can be made as we may lose some of the grants. She asked him what few things he thinks are priority to move forward with. Administrator Casagrande said that the Harrison Avenue Project must be awarded by March 25, 2021 and Hance Road and Cooney Terrace must be awarded by November 2021. The NJDOT sets the deadline at 24 months from grant award. Councilman McCue liked the idea of a spreadsheet with a recap and timelines because prioritization is key. Administrator Casagrande said that a spreadsheet was circulated to the governing body and provided again this afternoon.

The next order of business to be discussed was pond maintenance (McCarter and Schwenker). Two quotes were included in the Council’s packets for each of the ponds from Monmouth BioProducts and Aquatic Analysis. Monmouth Bio suggested two doses at \$2,109 per dose for Schwenker’s pond and \$2,207 per dose for McCarter, provided we don’t have excessive rain. Aquatic Analysis has treated McCarter Pond in the past and they quoted \$750 per treatment. We usually start treatment in June prior to it getting hot. Councilwoman Sorensen clarified the treatments that were going to be used and that Formula 95 is different that past treatments. The pellets worked really well with the first treatment; the ponds now look bad. She asked about aerators at Schwenker’s Pond as they were not that expensive for McCarter Pond. Engineer Gardella said they were not that expensive, but an electric source is required for them. We had to put a meter with a panel at McCarter. Councilman Rodriguez asked if the treatments were safe for wildlife; yes, it

was stated in the letters. Engineer Gardella said that both companies are reputable vendors and suggested that the Borough speak with a few of their customers who have used the Formula 95 product to see what the success rate has been with the treatment Monmouth Bio is recommending vs. what Aquatic Analysis has been doing. Administrator Casagrande said that \$10,000 has been budgeted for treatment. Engineer Gardella said that he could research the Formula 95 product and a vendor could be chosen based on the information. Administrator Casagrande said that she can cut a purchase order and asked if this matter should be relisted on the June 23rd agenda. Mayor Lucarelli suggested keeping the budget amount and he and Engineer Gardella will review and give a recommendation to move forward with a purchase order as these treatments are weather dependent.

Councilwomen Sorensen and Koch were appointed to a committee for Business Revitalization and to meet with the Fair Haven Business Association. There are three resolutions listed on the agenda pertaining to their meeting. Councilwoman Sorensen said that she, the Mayor and Councilwoman Koch met with the Business Association and discussed open dining which would allow food establishments to extend their footprint (even when they are permitted, in the future, to have indoor dining), adding additional signage at the business and fees being waived. Sidewalk sales would be permitted, and fitness/exercise businesses would be permitted to use the parks to hold classes. No fees associated with these permissions. This will be permitted for 120 days and they have to provide a Certificate of Insurance naming the Borough of Fair Haven as additional insured and a drawing of what they expect to do for their business. There is a possibility in the future to also close River Road to allow for a street fair, walk about, open shopping; the County is open to this. The Borough is providing signage that is red, white and blue (designed by Forefront) showing that they are open for business, reminding everyone to wear masks, etc. Councilwoman Sorensen said she hopes that everyone will approve and help our businesses get back on their feet. Councilwoman Koch said with regard to permitting that there are restrictions with sign offs from the Fire Marshal, Office of Emergency Management, etc. It is a simple form to submit. Mayor Lucarelli said that Governor Murphy is expected to make further announcements tomorrow for pools and other matters.

Engineer Gardella left the meeting at 10:10 pm.

Mayor Lucarelli said that Councilwoman Chrisner-Keefe had requested that the budget be listed on the agenda and she provided a memo for discussion. Councilwoman Chrisner-Keefe said that the Mayor requested that she put her concerns in writing which she had done. The first meeting that the budget was discussed was on May 11th with introduction on May 26th; this is the third meeting that we are discussing the budget. The budget hearing and adoption has been scheduled for June 23rd. The 2020 budget was created by the Finance Committee and various professionals which has a 10.4% taxation increase. The number one comment she heard while campaigning was about taxes and its continual increase. Her memo addressed her concerns (mainly the appropriation for Capital Improvement Fund which has increased \$600,000 from last year). While Engineer Gardella just gave a presentation on the capital projects and our infrastructure; the Borough cannot address all projects, at once, so we need to make decisions. In recession time, this is not the time to increase taxation by 10.4%. The \$600,000 was to support direct funding of capital, capital spending previously budgeted but not expended, down payment for future capital bond ordinances, future large ticket capital expenditures and a placeholder for future debt service of the 2019 bond issue. Councilwoman Chrisner-Keefe's memo along with Administrator Casagrande's comments were reviewed. She explained her concern for contemplated land purchases and unfunded road projects and whether they are needed or wants. We should prioritize the needs of the Borough before planning expenditures that may not be needed. There is also surplus that should be allocated to the current budget. She reviewed her suggestions to reduce budget appropriations which equates to \$300,000. Not comfortable with burdening the taxpayers with additional taxation when some are unemployed, on fixed incomes or have been laid off due to the pandemic.

Mayor Lucarelli thanked Councilwoman Chrisner-Keefe for her time in going through the budget, taking time to learn the budget and meeting with the Administrator, CFO, Councilmembers Banahan and Rodriguez and former Finance Chairman, Jon Peters. He appreciated the memo and Councilwoman Chrisner-Keefe taking the time to prepare it; it takes a while to understand the budget and, unfortunately, she has fallen short based on her memo. Administrator Casagrande was asked to review her responses. Councilwoman Chrisner-Keefe said she appreciates Administrator Casagrande's responses and has spoken with her numerous times. She said that if she misunderstood anything it is because it has not been conveyed properly. She asked to hear from her fellow Councilmembers since they vote on the budget; she asked for dialog as this is the most important document and all of our decisions are based on it.

Administrator Casagrande said she did her best to add commentary to Councilwoman Chrisner-Keefe's memo and it took a while for her to do it, today, so she was not sure if Council was able to read the memo with commentary; it is not up to her to ultimately make a decision when it

comes to budget or advocate for anything but pointed out things that are relevant as decisions are made. The Capital Improvement Fund is not just for capital; it is holding the line on what was spent in debt service last year and what is to be spent in the Capital Improvement Fund this year vs last year. The plan formulated a few years ago, was not to have a big increase in debt service as capital projects are approved. Administrator Casagrande reviewed her responses. The Mayor said a 10% increase is a few hundred dollars a year for an \$800,000 home. This is a “bare bones” budget, post COVID. He appreciated the effort Councilwoman Chrisner-Keefe made to get some relief, but it will cripple us in the future. She replied that she is being asked to vote on something that no one can explain to her. The Mayor said the budget is not just capital, it is operating and spending costs. The increase is due to operating expenses, not capital. Prior Councils have held the municipal portion of the budget flat for the last 8 years; mismanagement in Trenton has “caused our water balloon, which has a lot pumped into it, to leak”. It is not a good idea to take from surplus. CFO Lapp, Administrator Casagrande and the Finance Committee have done a tremendous job in cutting line items and presenting this budget. There seems to be confusion of operating costs on one side and capital being on the other side; no one wants a 10% increase, but the future will be affected if more cuts are made and adversely impacted. Councilwoman Chrisner-Keefe said that the Borough seems to be stockpiling money with no plan or explanation for the public. She requested that her memo be made part of the minutes that are published as she did not see how she mixed any of the issues (she synthesized the information provided to her and expressed why she thought there was no demonstrated need for such an increase this year). She asked what the other governing body members have to say as they will be voting.

Councilman Banahan addressed Councilwoman Chrisner-Keefe saying that she still seemed confused after asking many questions and they have met many times; the same questions have been answered, several times, by various people. It is dangerous to spend down the surplus; surplus is a “rescue fund” not to be used to reduce finance or the budget. We need to always be running at a run rate that recharges surplus. The large budget increase is due to operating expenses which is trash/recycling services. Councilman Banahan said that what she has presented will have a very ugly rebound effect in the subsequent budget cycles. Councilwoman Chrisner-Keefe said that she is concerned about a 10% increase in a recession year and she simply presented/suggested options to the governing body so there would be a less taxation increase. The Mayor said she is not understanding the adverse impact for future year budgets by her recommendations.

Councilman Rodriguez said he had many feelings on this; he was part of striking this budget and has had many discussions. He appreciated Councilwoman Chrisner-Keefe’s time and energy on this. He has been part of a few budgets and understands how we got to the point we are at and he is looking forward, not back. There are a lot of infrastructure projects in the future (roads, brush grinding, facilities). We have a large operating budget which is 90% of the budget, while capital is 10% of the budget. He did acknowledge making nominal improvements to the budget, but we also need to improve the Borough (with the capital stockpile) which costs money. He suggested taking down capital along with operating costs. We do not have an unemployment number by zip code in “real time throughout the State”. He said Councilmembers Chrisner-Keefe and McCue know his position well. He supported modest decreases, but not all out of capital. We have failing facilities that need improvement. Levy reductions were provided by the Borough Administrator on the municipal portion of the budget. Mayor Lucarelli said the constituents have a right to be upset with budget increases from the school budget and the lack of State Aid (we receive less than 6% while most municipalities get 50%) for education; we are a sending school and we pay a majority of the costs for education. There are many that have been and will be affected by COVID, but we have to look at the whole town.

Councilman McCue thanked Councilwoman Chrisner-Keefe for her leg work on this. It is his first year on Council and the most important document is the budget; there is always room for improvement. He said that the Capital Improvement Fund has been increased to \$925,000 from \$350,000 in past years. He shared Councilwoman Chrisner-Keefe’s concern regarding borrowing money and it not being spent and paying on that service (we are raising capital \$500,000). He acknowledged Engineer Gardella reviewing all of our needed projects, however, the budget is high, and we can do better. There has been a huge change with two new members coming onto Council and now a recession. He noted the comments made that if we amend the budget that has been introduced, we will feel the pain very soon. It seems that we are feeling the pain for holding the budget flat for so long. He asked if the projects can be spread out over a few years. Mayor Lucarelli said that we are looking at \$120 per year in a tax increase for an average home. He understands their concern with the process. It is going to be worse for the 2021 budget. There are a lot of County, State and International governments who do capital projects and overreach. We have put capital off which makes the projects more expensive (conditions worsen, and costs escalate). It is dangerous to go to capital to offset the operating expenses. Most municipalities, counties, states and national governments are ascending or descending with no in-between. Best to chip away at capital.

Councilwoman Koch thanked the Mayor and Councilwoman Chrisner-Keefe for all of her hard work in breaking down the budget, debt, etc. which is complicated. She said that she has a different understanding than Councilwoman Chrisner-Keefe had regarding capital. There is a plan with an idea for capital; 2019 was a year of change where solutions and ideas were changed. She is OK with holding on to the capital money, so we have it to address the projects we need. She asked how much Councilwoman Chrisner-Keefe wanted to reduce the budget by or if she had an amount for a compromise, \$50,000 reduction, \$100,000 reduction or is there a specific capital improvement project to be removed? Councilwoman Chrisner-Keefe said her memo stated reducing the levy by 50% or \$300,000 which she understands is difficult. She mentioned \$100,000 from capital and \$100,000 from the operating budget or \$150,000 from operating and \$50,000 from capital. It was important to have this on the agenda as CFO Lapp needed suggestions so she could work up an amendment for the June 23rd meeting.

Councilwoman Sorensen said that Councilwoman Koch said it perfectly. Being on Council for quite some time, there have been thoughts and there need to be decisions for the sustainable and long term. She addressed Councilman McCue's comment about flat budgets and the position we are in now; she said that it is not the reason we are in the position we are in now. The increase is due to the solid waste costs and tipping fees. It is not a budget problem..it is a revenue problem. All of Council are taxpayers in this town and we are always looking to improve. We don't want anyone put at risk and she is willing to look at things although she is not sure where cuts could be made without reducing staff or services. The budget has been reviewed a few times by the Mayor, Finance Committee, CFO and Administrator (finance is what they do for a living). Administrator Casagrande was asked for the timeline on the budget. There are some amendments that need a hearing, publication, etc. The hearing and adoption is scheduled to take place on June 23rd so the CFO needs time to prepare and do an advertisement of change, if needed. The budget, as is, shows an increase will be \$26.23 a month per taxpayer. If the budget was reduced by \$100,000 it would decrease to \$21.91 per month, if the budget is reduced \$200,000 it would decrease to \$18.32 per month and if reduced by \$300,000, it would be \$14.72 per month. Councilwoman Chrisner-Keefe said that we also need to keep in mind that the Fair Haven School Referendum passed at \$15,000,000 which is an increase on the tax bill, and they lost state funding. Councilwoman Sorensen said that the Borough only controls the local portion of the budget. If we reduce the local portion, we need to be mindful of the reduction or we will have to reduce or lay off personnel and create a decrease in services.

Councilman Rodriguez said that we should find \$50,000 from operating costs and \$50,000 from capital. Councilwoman Koch asked if he was recommending \$100,000 be reduced from the budget; yes, we should not leave a barer bones budget. Councilwoman Sorensen suggested \$50,000 be taken from surplus and \$50,000 taken from capital. Councilwoman Koch asked if \$100,000 could be taken from the Capital Improvement Fund instead of operating cost. Mayor Lucarelli said that \$100,000 from capital holds us flat.

Motion to reduce the budget by \$100,000 in capital moved by Councilman McCue, second by Councilwoman Sorensen with the following roll call vote:

Affirmative: Councilmembers Banahan, Chrisner-Keefe, Koch, McCue, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: None

Councilwoman Chrisner-Keefe thanked the Council for listening and authorizing this reduction even though it was not the amount she hoped for.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 11:22 p.m. Tracy Cole, Grange Avenue, said she appreciates how hard the Mayor and Council have been working. She was pleased that Councilwoman Chrisner-Keefe rose to the challenge and was heartened everyone worked together for a compromise. It would have been nice for a more robust reduction.

Liz McNeill, Third Street, asked about the Brush Site Committee and who is going to be on it. The Mayor read the names stating that the list is incomplete and there is room for two more members. She said there was only one person on the committee who lives in the neighborhood where the brush site is; there should be more members from the neighborhood who live and experience the brush grinding operation. Mayor Lucarelli said that it would be a huge disservice to the Borough because whatever is decided or done affects everyone. He chose people from the various districts in the Borough as a diverse group and included one or two people from the area and a person from the Green Team. Mrs. McNeill said she has looked at the numbers and asked what

the cost increase would be to make any changes to the area. There has been a plan which has been explained to the neighborhood and is one of the reasons why there is a resident from the neighborhood on the Committee. The options are to relocate the brush facility to Ridge Road at a cost of \$1.5-\$2 million, the second option is to reroute traffic through the athletic area at approximately \$500,000 and the third options would be to close it down, in its entirety, except for emergencies. In order to pick up brush, it would require two more Borough employees at \$75,000 per year with increases, purchase more equipment to transport the brush from the Borough to an outside facility (45-minute trip one way) and would result in the loss of income from Rumson through the ILSA. Mrs. McNeill said that the people on the committee agreed to have the Rumson ILSA (former Councilmembers Rice and Peters, current Councilmember Rodriguez and the Mayor). If we lose Rumson, we could lose the court services. Mayor Lucarelli explained how the members were chosen (Jon Peters for finance, Jacquie Rice from the Green Team and Recreation, Chris Rodriguez as Council Liaison to DPW, Betsy Koch who is the Land Use Liaison, Mr. Cannon who lives in the neighborhood) and there are a few spots left. Mrs. McNeill asked that Councilman McCue be added since he lives right in the brush area; he cannot be part of the committee as it would create a quorum (the Mayor is a member by default). Councilwoman Chrisner-Keefe echoed Mrs. McNeill's concern that there needs to be objective individuals. She mentioned the resolution that approved the ILSA renewal with Rumson was voted in favor of by Jon Peters and Jacquie Rice and they may not be objective. The Mayor said the Facebook posts, through Fair Haven Moms and Dads page, show a lack of objectivity. He invited anyone who is not part of that Facebook group to reach out to him to be considered for the open spots. He went to the brush grinding site while the grind was happening and there is a substantial buffer to the neighborhood. There was harsh language and unfair statements made during a time of COVID. Mrs. McNeill said there were numerous semi-trucks that came through the neighborhoods nearly hitting children who were on their bicycles and the neighbors have to listen to the noise of these vehicles. Councilwoman Sorensen recommended that someone additional from the area who was not part of the Facebook frenzy be appointed. Mayor Lucarelli said he understood the frustration the residents feel, but the site has always been there and was there when most of the residents moved in; there is an inconvenience two weeks out of fifty-two weeks and the Borough scaled back the ILSA with Rumson as far as months to drop off their brush. He understood that there has been, in recent years, increased usage, but there have been a number of exaggerations. Special Officers have been located in the brush area to direct the trucks and keep the residents and their children safe. Liz McNeill volunteered to be on the Committee.

Jillian Hoagland, Hendrickson Place, said that the Mayor gave partial truths and felt that the neighborhood is doomed with the committee; she asked that he reconsider the names as they are all Republicans and those named would not be objective. Councilwoman Sorensen took exception to the comment made that all Republicans are on the committee and that they don't care for the area or what happens there. She said that she worked hard to have changes made to the brush site i.e. 6 months of Rumson's brush vs. 12 months, having Special Officers there, less grinding events, no more free mulch, etc. Everyone (Republicans, Democrats, Liberals, Conservatives and Unaffiliated voters) cares for this beautiful community. Mrs. Hoagland said that they are impartial. The Mayor said that he has a frustration with what has been posted on Facebook about him and the brush site. Councilwoman Chrisner-Keefe said that what she is hearing from the public is that there is a concern with the people named in the committee and a request for reconsideration. There was debate about the brush site and possible relocation to the Fair Haven Fields. Jennifer Spitz who is on the Natural Area Committee said that some of the comments made by the Mayor about her were never discussed with her; she enjoys being part of the Fair Haven Natural Area Advisory Committee and volunteering her time. The Mayor said conversations took place with Councilwoman Chrisner-Keefe. The Mayor said, if someone has a name, they should please put it forward. Liz McNeill recommended Jen Spitz and Jillian Hoagland for the committee as they live in the brush area.

Councilman McCue thanked Mrs. McNeill for wanting him to be on the committee. He supported Councilwoman Chrisner-Keefe's thoughts with regard to objectivity and former Councilmembers Peter and Rice being on the committee. He is glad they have agreed to serve on the committee, but he suggested and made a motion that Rumson be given notice that we will be cancelling the brush portion of the ILSA. There is a six-month cancellation clause in the contract and by that time, the committee should have some recommendations for Council to consider regarding the brush site. He said \$10 per cubic yard has not changed in 10 years. We bear the cost of shipping it out so maybe Rumson can share in that cost. Councilwoman Sorensen said she agreed with Councilman McCue's comments, but the Council should wait for the Committee to meet and make recommendation. With a six-month notification, there will be the fall grind. Councilman Rodriguez recommended waiting two months before giving notice, so the committee can meet a few times and to see if that is what the committee recommends. Mayor Lucarelli said that the governing body and Borough spent a lot of time in striking a budget for this year and now we could be possibly looking to cut revenue (\$50,000) which would be a big impact. Councilwoman Chrisner-Keefe asked what Mazza is paid for the grinding; \$80,000 and we receive \$50,000 from Rumson.

Administrator Casagrande said that she can bring a report to the next meeting with numbers; this was not an agenda item and she was not prepared. Councilwoman Chrisner-Keefe asked for a point of information from Attorney Alfieri that if the brush ILSA was cancelled, could it affect the other ILSAs we have with Rumson. Administrator Casagrande said that there is a six-month notice of termination clause in the agreement for most ILSAs which is what Councilman McCue was referring to. Councilman McCue read from the ILSA. Councilwoman Sorensen asked if they could terminate all of our services with them. The appointed Brush Committee should be given an opportunity to provide their view/recommendation. Councilwoman Chrisner-Keefe said that Councilman McCue made a motion and she asked if there was a second; there was none. Councilman McCue said that he would like to bring court back to Fair Haven as well. We pay \$50,000 to Rumson for this service. Administrator Casagrande said the Administrative Office of the Courts has precluded part-time court clerks and have mandated the position be full-time with an office. Councilman Rodriguez said that we should button up all of these matters before a decision is made.

There being no further comments or questions, the meeting was closed to the public at 12:00 a.m.

APPROVAL OF MINUTES

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of May 26, 2020, second by Councilwoman Koch

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

Councilwoman Sorensen made a motion to approve the Executive Session minutes of May 26, 2020, second by Councilwoman Koch

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

NEW BUSINESS

Council Committee Reports

Finance - Councilman Banahan did not have a report; the budget was already discussed.

Personnel - Councilwoman Chrisner-Keefe did not have anything to report.

Planning & Zoning - Councilwoman Koch said the first Zoning Board meeting that handled new business was held on June 4th and an appeal has been carried until their July meeting. The Planning Board will have a meeting on June 16th (there is a draft agenda with one application pending).

Police, Fire & OEM - Councilman McCue reported that the residents are doing an awesome job; we have five COVID cases in town. The police department has been doing great community policing. The Chief lives in town as well as most of the officers; those who do not are still active and connect with our residents. Fair Haven’s department was the first to purchase dash cameras (2002) and we are the first to purchase body cameras in our area; we are leading the way.

Engineering, DPW and Borough Facilities - Councilman Rodriguez thanked Engineer Gardella for his time, effort and explanation of the projects in town. Bulk pick up has taken place this month and brush is now being picked up starting this week. He is looking forward to the brush committee meeting and working with everyone (the public and the committee to come up with some solutions/recommendations); a meeting schedule will be set. The DPW is now open for recycling. The public must wear masks and gloves when bringing their recyclables to the yard which is open from 8:00 a.m. until dusk during the week and 9:00 a.m. to dusk on Saturdays, closed on Sunday.

Parks and Recreation and Communications - Councilwoman Sorensen said that Constant Contact is being sent out weekly on Monday and there is a Mayor’s letter on Friday. The FAQs will be brought back (it was paused during COVID); the first will be on Recreation programs and sign ups. Recreation will be reintroducing seminars with the Environmental Commission; there will be two Green Summits (recycling, composting, protecting the waterways, rain gardens). The first Recreation Committee meeting will be via Zoom next week. The next Council meeting will be held on Tuesday, June 23rd.

The tennis courts being open has been a “big hit”; the registration process will be amended for the courts to reserving four days in advance with 1 ½ hour slots with a max of five hours for the week and reserved by name. If you reserve a court and have decided not to use it, you should cancel to open that time slot for another user. An e-mail will be sent to those who have already reserved the court to advise of the new process. With regard to summer camps, we have to follow the State guidelines. On June 22nd, organized sports are allowable, but we are waiting for guidelines. July 6th is when summer camps are going to be permitted, but there are no guidelines from Governor Murphy.

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2020-105, Executive Session – Pending Litigation 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:

Pending Litigation

- 1. Yacht Works

Contract Negotiations

- 1 Habitat for Humanity – Memorandum of Agreement

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

Affirmative: Councilmembers Banahan, Chrisner-Keefe, Koch, McCue, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2020-106, Temporarily Amend the Sidewalk Café License requirements

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

WHEREAS, the Borough Council wishes to temporarily ease the Borough’s Sidewalk Dining License regulations for 120 days 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 2020, 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 2020 outdoor season based on Governor Murphy’s Executive Order 20-014 authorizing said activity, 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. All temporary permits are subject to the successful approval of the Temporary Use Permit Application.
- 7. During the 120 days, temporary signage (small banner, sandwich board sign, etc) will be permitted.
- 8. Based on the Emergency Declaration signed by Mayor Lucarelli on March 18, 2020, all outdoor dining fees during this temporary period will be waived.

BE IT FURTHER RESOLVED that the restaurant 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; 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 Sorensen, second by Councilwoman Koch

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

3. Resolution No. 2020-107, Authorize Businesses to hold Sidewalk Sales

WHEREAS, the extensive interactions that would happen from in-store retail operations continues to present a significant risk, and the restrictions on in-store operations for non-essential retail businesses cannot be lifted at this time; and

WHEREAS, Executive Order 142, signed by Governor Murphy on May 13, 2020, permits curbside pickup at non-essential retail businesses to avoid unnecessary contact between customers and staff in enclosed spaces, and instead allows for limited contact while allowing business to provide goods, while following CDC guidelines, including wearing face masks and gloves and providing for proper social distancing; and

WHEREAS, Fair Haven’s Business District has requested permission to set up tables and merchandise in order to provide non-essential goods; and

WHEREAS, Mayor and Council wishes to ease regulations for 120 days; and

WHEREAS, all temporary permits are subject to the successful approval of the Temporary Use Permit Application.

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 to authorize said activity and that the sidewalk ordinance is hereby waived for this purpose based on the Borough’s Emergency Declaration signed by Mayor Lucarelli on March 18, 2020.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

4. Resolution No. 2020-108, Authorize Use of Fair Haven Parks by Local Exercise and Fitness Businesses

WHEREAS, the COVID-19 Global Health Pandemic has had a significant negative economic impact on the Borough’s exercise and fitness businesses; and

WHEREAS, the Borough Council wishes to temporarily authorize (for 120 days) the use of public parks and fields in order to support the Borough’s local exercise and fitness businesses, upon the issuance based on 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 an 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.

BE IT FURTHER RESOLVED that all temporary permits are subject to the successful approval of the Temporary Use Permit Application.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

5. Resolution No. 2020-109, Authorize Refund to Lupo Pizzeria for Sidewalk Café License Fee

WHEREAS, on March 18, 2020, Lupo Pizzeria submitted the annual Sidewalk Café Permit Application including the \$50.00 application fee; and

WHEREAS, due to the Coronavirus Pandemic and shelter in place order, the application has been held until Governor Murphy amended Executive Order 103 to allow for outdoor dining; and

WHEREAS, Executive Order No. 150 was signed by Governor Murphy on June 3rd providing protocols for food or beverage establishments to offer service in outdoor areas; and

WHEREAS, the Mayor and Council of the Borough of Fair Haven have passed resolutions to temporarily ease the Sidewalk Dining regulations and waive the fees associated.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Finance Department be authorized to refund Lupo Pizzeria, 757 River Road, their Sidewalk Dining application fee amount of \$50.00.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

6. Resolution No. 2020-110, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the June 8, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$	115,530.57
2019 CURRENT ACCOUNT	\$	5,477.67
GENERAL CAPITAL	\$	13,866.28
PAYROLL AGENCY	\$	13,029.42
OTHER TRUST	\$	22,140.56
TOTAL	\$	170,044.55

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

7. Resolution No. 2020-111, Appoint Brush Site Review Committee

WHEREAS, there is a need to appoint members to the Brush Site Review Committee for the Borough of Fair Haven.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the following persons be appointed to the Brush Site Review Committee:

- Mayor Lucarelli
- Councilman Christopher Rodriguez
- Councilwoman Elizabeth Koch
- Jonathan Peters
- Michael Cannon
- Jacquie Rice
- James Newell
- Allison Morrison

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Reports of Departments

May 2020

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

Motion to accept the reports, as submitted, moved by Councilwoman Sorensen, 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 12:12 a.m. Jennifer Spitz, William Street, asked Councilman Rodriguez if the contractor is going to pick up bulk tomorrow? Yes, there was quite a bit put out so they will return tomorrow.

Susan O'Brien, River Road, asked about bulk pick up; she was advised that they will be returning tomorrow to finish town. She asked who set up this agenda; she was advised that it was revised several times. She asked when the Parks and Recreation meeting will be; June 16th is the proposed date.

Mike Reddy, Fair Haven Fire Company, asked if what Councilman McCue reported on be turned into a proclamation and presented to Chief McGovern and the police department for all of their hard work during COVID-19; they should be commended.

There being no further comments or questions, the meeting was closed to the public at 12:16 a.m.

It was announced that the executive session portion would take place via telephone conference and no formal action would be taken.

Council went into executive session at 12:17 a.m. and this meeting was reconvened at 12:40 a.m.

ADJOURNMENT

Motion to adjourn moved by Councilwoman Chrisner-Keefe, second by Councilwoman Sorensen with Ayes by all present.

Time of Adjournment: Tuesday, June 9, 2020 at 12:41 a.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk