

**FAIR HAVEN BOROUGH COUNCIL
JUNE 13, 2022 VIA ZOOM PLATFORM**

The meeting was called to order by Mayor Halpern at 7:21 p.m. The Flag Salute was followed by a Moment of Silent Reflection. 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)).

THIS MEETING IS BEING THROUGH THE ZOOM MEETING PLATFORM ONLY, BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS REGULAR COUNCIL MEETING OF JUNE 13, 2022 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL IT IS TIME FOR QUESTIONS/COMMENTS, 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. 2022-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 6, 2022 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, Cole, Koch, McCue, Neff and Rodriguez. Others present: Administrator Casagrande, Chief McGovern, Engineer Gardella and Attorney Cannon.

The Mayor apologized to anyone who was waiting for this meeting to start as the Special Meeting ran a little over. He advised that the facilities discussion is going to continue right now, and asked that Eli Goldstein, Architect, give the presentation on DPW.

Councilwoman Chrisner-Keefe asked to amend the agenda. The Mayor asked that the request be made under New Business.

Architect Goldstein advised, at the last facilities meeting, there was discussion regarding significant savings by renovating the current DPW building vs. a new building. He shared his screen and explained the renovation advising that parking and the yard would stay where it is. There would be a need to move the fueling station and upgrade the salt shed. The parking lot would need to be milled and paved vs. starting from scratch. His staff met with Engineer Gardella, and they took photos to see the conditions and what would be required in order to keep the building in the same footprint and just renovating. A feasibility study would be required to put together an estimate of costs for the renovation of the site work; the original site plan would be required to work from.

Councilwoman Cole was not aware Architect Goldstein was asked to create a new site plan and plan so she could not comment on what was presented (she did not have a copy). She requested as little impact to the neighborhood and cost as possible.

Councilman McCue asked if Architect Goldstein should go back to the drawing board and speak with our new Engineering Consultants to see if they had any suggestions on the site work; we could combine their suggestions with the Architect's plan. He asked if there was an estimate on the changes. Architect Goldstein said that his firm would need to do their homework first i.e. new roof, roof deck replacement, code upgrades triggered by the process, rehabilitation code analysis (energy conservation) in order to provide a detailed analysis. Councilman McCue asked what the cost would be to mill, pave and install sidewalk; \$300,000. He noted the cost would be the same as the new community center. Rick Adelsohn sent a proposal to Administrator Casagrande some time ago with a cost estimate. The proposal showed the buildings costs, combined as one, and Mr. Adelsohn was asked to give a breakdown which he did. Architect Goldstein shared his screen to show the breakdown in costs for Police Department, DPW, Bicentennial Hall and the Multipurpose Room.

Councilwoman Koch was not prepared to comment or ask questions because it was the first time seeing the information. She liked the idea of renovating vs. rebuilding and was in favor of anything that reduces the impact on the environment and neighborhood.

Councilman Rodriguez echoed what Councilwoman Koch said. He had not spent a lot of time focusing on cost savings for DPW as he was concentrating on the police building and storage area costs. There had not been any dialogue on the DPW, so he reserved comment. The Borough needs to quickly remediate the structural issues for this building.

Councilwoman Neff agreed with her fellow Councilmembers to renovate the building. She was concerned on timeframes; it is important to move forward with the police department construction. Council has a lot on its plate (Police Department, DPW, 21 Fair Haven Road) and the Architect advised it will take time to figure out what is needed to renovate so Council should consider this for the beginning of the year. It is best to take on one site as a project to see how it goes. Decisions should be broken out into what should be done this year and what should be done next year.

Councilwoman Chrisner-Keefe said this was the first time seeing this plan and it was hard to see the detail. She asked if there is a significantly more cost-effective way to achieve a marrying of the existing DPW site plan with some of the most recent proposals. She asked about cost savings with renovating i.e., \$2 million or \$3 million. There could be \$1 million - \$2 million savings. Councilwoman Neff was concerned with this figure as it is not enough. Architect Goldstein explained why the costs would remain similar (removing the old roof and installing a new roof, removing old siding and installing new siding, etc.); the plans are done in detail to show what is involved (used vs. new and system by system).

Councilwoman Cole agreed with Councilwoman Neff about not having two building projects happening at the same time. There is an urgency for the buildings. Our professionals need good/specific direction from the governing body because the more analyzing done, drives more costs.

Councilman Rodriguez said at the May 23rd meeting, Council requested for an alternative to repair the building which is what the Facilities Committee was charged with. Councilwoman Cole felt repair is the correct direction. Architect Goldstein said he was told to find a way to get 20 more years of useful life for the building. Mayor Halpern said the building, as presented, did not have support and the governing body wanted to considerably cut the cost of the building. Councilwoman Cole felt an analysis was needed; a repair may get us 10 more years vs. 20 years. Architect Goldstein showed the professional fees and reimbursable expenses that he had for the revised DPW plan.

Councilwoman Neff asked if an immediate fix could be done so it stops raining in the building. Engineer Gardella looked back at some of his files and in 2014 the Mayor and Council authorized a new roof for the building (it was beyond its useful life expectancy). A roof was designed, then the topic of the feasibility study came in to play (new vs. renovate) and in 2016 plans were started. The roof has been patched and small repairs made (thousands of dollars), and it is beyond fixing now; the roof substructure is now getting damaged. He and his employees work in a building with buckets and sump pumps, etc. If there is heavy wet snow, it is a concern for safety; the building can't be band aided anymore. Renovation has always been a possibility, however, in 2016, the feasibility of a new site was discussed and the benefits of a new building and shared parking plus off-site improvements for the Borough and community. Engineer Gardella has looked and thought of plans for renovation, however, it is the same site, same four walls of fence and everything else that is on the site. There were reasons why studies and plans for a new building were considered. There was an issue with the fuel pump today (the tanks have structural issues). There was funding allocated and has been held because the band aids were going to hold us over for the new building. Decisions need to be made on what will be done. Storage is a big issue at DPW; there are temporary storage containers there that need to be replaced or we can keep and paint them.

Councilwoman Cole said there is a dilemma on Council's hands. There is a budget with many facilities in need of attention. It was noted that DPW does need attention. She appreciated Engineer Gardella's comments and will read Architect Goldstein's recommendations. She asked Mayor and Council to back into the design solutions we can afford to do by looking at the budget first and what we can afford. Councilwoman Neff felt this sounded subjective and said the Borough is not sure what we can afford (matter of opinion); we can set a target. It was asked how much the Borough wants the residents to bear? Councilman Rodriguez said his fear was that we end up trying to do short term solutions and end up where we are now with no maintenance for another 15-20 years. We need something for the Borough, today, and not the Borough 46-years ago when there were less demands on it. Administrator Casagrande advised this is a public building that is way below code (HVAC, ventilation) and once you start upgrading a building, you have to meet a percentage of work; Architect Goldstein said it depends on the type of work done and what type of work would be triggered; not so much the percentage of work.

Sonia Trombino asked if the Borough is looking at renovating, would extra parking and the

rain garden be needed; no, if you stick with the existing building and site plan, that would be the cost savings. The Borough could save more money in cost avoidance at the site level if staying with the existing building.

Bob Gasperini understood everyone's concern regarding the expense and wanting to renovate. He asked how much money the Borough is willing to expend in renovation to only be thrown out for a new building in the near future. What is spent now, will go away in a short period of time, eventually. The cost is concerning to him, as a taxpayer, but he was not following the logic on renovating vs. a new building. As you remove things, there will be added expenses because it opens up more issues with problems that cannot be seen. The current DPW building is 50 years old used for an industrial purpose and used beyond its useful life; not worth putting money into what it is now. Environmental remediation is also an issue. Proper steps would be taken to put proper controls in place with a new building.

Councilwoman Koch asked Eli Goldstein if he ever considered a prefabricated building for DPW; yes, it was considered 2-3 years ago, and the direction was to create something that blends in with the neighborhood vs. looking industrial. The outfitting is the same with partitions, HVAC, lighting, flooring, electric, etc. There is savings with prefab, but there are costs involved to make it what it needs to be as far as compliance with regulation.

Councilwoman Chrisner-Keefe asked if there is a clear path forward one way or another? Councilman Rodriguez said there are other Facilities Committee meetings set, but it seemed that that Council is being turned into the Facilities Committee with some Councilmembers wanting to handle it on their own. Councilwoman Cole felt the police department and community centerpiece is almost there and by following through with Council, the Architect has an idea on how to follow through. The DPW decision is the burden on the governing body who should give clear direction to the Facilities Committee. Mayor Halpern advised time is of the essence to give direction for DPW whether it is from the Facilities Committee or Mayor and Council; we need to act on this quickly because of the hole in the roof. The Mayor requested the rest of the agenda move forward.

Councilwoman Neff requested a straw poll on who is willing to separate the projects or do as one project. She will not be able to attend the June 27th Council meeting; she felt the project should be split. Mayor Halpern understood there was support for one building and not the other. He agreed that the police department needs to move forward as quickly as possible because costs are increasing each day. Councilwoman Chrisner-Keefe didn't want to try and achieve a new goal if we are close with the initial plan.

The Mayor thanked Eli Goldstein and the Facilities Committee for their time and Council for their questions; progress is being made.

WORKSHOP SESSION

Mayor Halpern advised the matter of Police Department Equipment Purchase was listed for discussion. Administrator Casagrande said Chief McGovern recently contacted her to buy equipment that was unanticipated when doing the budget; it is related to school safety. The Chief asked for \$20,000-25,000 in equipment which cannot be considered capital because of the costs for the various items. The equipment needed is essential. We can fund through the current fund budget with the Chief holding off on all police expenditures and transferring money in November or we can do an emergency appropriation which will need to be raised in the 2023 budget. There is no action needed by the Mayor and Council.

Chief McGovern spoke with Administrator Casagrande last week about these essential purchases and she was helpful with suggestions on how to obtain the equipment. He said you learn from your mistakes and other's mistakes. Some police cars have the equipment needed and others do not. He did not want to provide specific information since this was being discussed in public. The equipment is for active situations; we want to be equipped as much as possible with bulletproof shields, weapons, trunk vaults, ballistic helmets, extra ballistic vests. With supply chain issues, it is going to take a while to receive these items. Councilwoman Cole asked Administrator Casagrande if the purchases could be funded through surplus; no, we cannot fund directly from surplus, but can do an emergency appropriation. Councilwoman Cole asked if we were required to have a certain amount of surplus; we need a positive surplus for the facilities bond (use of surplus can affect our bond rating). It was asked if ARPA money could be used; no, it is not a capital purchase and would not qualify (you cannot look at the aggregate).

Councilman McCue spoke with Chief McGovern and would like to give him and the department the tools they need to do their job; this equipment is for emergency purposes. We can do this in yearly installments, but we need our vehicles equipped to respond to any type of situation with no worries. Councilman McCue fully supported this request because the Chief is always forward thinking and ahead of everything.

Councilwoman Koch did not have any questions. She was in favor of these purchases. If the Chief feels it is needed, she supports him 100%

Mayor Halpern was 100% in favor of this as our youth coming home at the end of the day is most important. He hopes it is money wasted and we never have to use it.

Councilman Rodriguez echoed the Mayor and Councilwoman Koch’s statements; he had no questions. We need to be smart about the funds and allocating it quickly so our kids are safe. Fair Haven prides itself as a family environment and these purchases hit all of the marks: our police department, Borough and kids.

Councilwoman Neff thanked Chief McGovern for determining what he needs; she fully supported this. There is no price for the safety of our children.

Councilwoman Chrisner-Keefe said she supports this 100%.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 8:28 p.m. Rebecca Lomba, Allen Street, lives across from the DPW facility. She e-mailed some Councilmembers about the site based on the last meeting when the facility was discussed, however, this may be a non-issue because of the proposed changes to the DPW plan. She was against the driveway moving north and now the plans seem to be on hold for a bit. Mayor Halpern said this is not something that she needed to worry about until a final decision is made. Ms. Lomba and her neighbors realized the plans change from one meeting to the next, so they have not attended meetings. She was surprised by the proposed changes and the movement of the driveway. The Mayor said the plan for DPW construction is on hold for now. Ms. Lomba, who has been a neighbor of the DPW for a very long time, said they are terrific. She has been inside the facility and there is a severe need for it to be redone as it is in shambles and the employees deserve better.

Claudia Brady, Fair Haven Road, agreed with Councilman McCue about the bathrooms for the multipurpose building. She asked if there are state requirements for the number of bathrooms? Yes. Regarding the Floodplain Ordinance, Fair Haven has a master flood plan and she asked if this ordinance affects the flood plan as it exists for sections of town or the entire Borough. Councilwoman Cole said there are 32 properties noted in the ordinance. Attorney Cannon advised the ordinance applies to the entire Borough, but the various requirements of the ordinance depend upon the area you are in and if you are prone to flooding. Mrs. Brady asked if it is only areas that are required to have flood insurance? Administrator Casagrande advised the ordinance is written for the entire town, but where you are in town would be affected if doing home construction (building or renovating). Attorney Cannon advised if you are in a flood area or are prone to flooding, you are going to have to build higher. Mrs. Brady asked if the plans for the pocket parks at the end of Hance Road and Grange Avenue need to be redone based on these regulations. Administrator Casagrande said we have DEP permits for the parks.

There being no further comments or questions, the meeting was closed to the public at 8:38 p.m.

APPROVAL OF MINUTES

Councilwoman Chrisner-Keefe made a motion to approve the Special Meeting minutes of May 23, 2022, second by Councilwoman Koch

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

Councilwoman Chrisner-Keefe made a motion to approve the Regular Meeting minutes of May 23, 2022, second by Councilwoman Koch

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

Councilwoman Chrisner-Keefe made a motion to approve the Executive Session minutes of May 23, 2022, second by Councilwoman Koch

Affirmative: Councilmembers Chrisner-Keefe, Cole, Koch, McCue, Neff and Rodriguez
Negative: None

Abstain: None
Absent: None

Councilman Rodriguez made a motion to approve the Special Meeting minutes of June 1, 2022, second by Councilwoman Koch

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

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCES

- 1. Ordinance No. 2022-05, Generic Bond Ordinance (\$215,000)

AN ORDINANCE OF THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE, IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

On motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present, Mayor Halpern opened the meeting for comments or questions at 8:39 p.m.

There being none, the Hearing was closed to the public at 8:40 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, Cole, Koch, McCue, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

- 2. Ordinance No. 2022-06, Replacing Chapter 22 (Flood Damage Prevention) with new Flood Damage Prevention Regulations.

AN ORDINANCE BY THE MAYOR AND BOROUGH COUNCIL AMENDING THE BOROUGH OF FAIR HAVEN REVISED GENERAL ORDINANCES TO REPLACE CHAPTER 22: “FLOOD DAMAGE PREVENTION REGULATIONS”; TO ADOPT FLOOD HAZARD MAPS; TO CREATE THE POSITION OF FLOODPLAIN ADMINISTRATOR AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

On motion of Councilman Rodriguez, second by Councilwoman Chrisner-Keefe with Ayes by all present, Mayor Halpern opened the meeting for comments or questions at 8:40 p.m.

There being none, the Hearing was closed to the public at 8:40 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, Cole, Koch, McCue, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

- 3. Ordinance No. 2022-07, Amend Salary Ordinance No. 2022-07 to correct Floodplain Administrator Title

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 Halpern opened the meeting for comments or questions at 8:41p.m.

There being none, the Hearing was closed to the public at 8:41p.m. on motion of Councilman Rodriguez, second by Councilwoman Cole with Ayes by all present.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Neff

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

Negative: None

Abstain: None

Absent: None

NEW BUSINESS

Mayor Halpern had new business and made the following statement:

“As you know, we held a Moment of Silence for the victims of senseless gun violence at our most recent Memorial Day ceremony. The killing of kids in school ten-years after Sandy Hook is disheartening, devastating and unimaginable. From intimate conversations I have had with members of the governing body, I am aware that a motion will likely be made tonight to add a resolution on common sense gun control to the agenda to be put to a vote. I admire the passion to address what is a very important national issue, however, I am constantly taking feedback from the residents of our Borough, and they are not interested in national politics making its way into our local government, nor am I. No matter the topics weighted, my policy in setting the agenda has been to focus on things that are Fair Haven centric or things we can specifically control. Otherwise, they are just words on a piece of paper that do not provoke meaningful action and will not result in any interventions to the problem at hand. Thoughts and prayers do not stop bullets or mentally unstable people. There are seven people who sit on the dais and 6,000 residents of Fair Haven so there is not a single person who is unaware of this issue and not a single person that does not want this to stop immediately. For any impact to be made, actual action must be taken. A resolution of a governing body that does not have the authority to govern this issue to achieve what we all want it to achieve.” The Mayor suggested the public reach out to state and federal legislators (letters, e-mails, calls and vote) as a U.S. citizen with thoughts and asking for action to address this matter. “A local resolution is not going to make an impact on a national issue, however, additional police personnel, bulletproof bookcases in schools, or additional tools for our police department, including protective equipment being purchased, until our representatives in Washington roll up their sleeves and address the problem, will help.” The Mayor stated that he does respect what members of Council are trying to achieve, which is what we all want, but we need to stay out of national issues and not try to govern things we can’t actually govern without progress.

Councilwoman Chrisner-Keefe said she would like to amend the agenda to add a resolution recognizing Buffalo, NY; Uvalde, Texas; and Tulsa, Oklahoma, reaffirming the strict assault weapons laws in the State of New Jersey and urging Congress to adopt common sense gun safety legislation for all Americans, second by Councilman Rodriguez with Ayes by all present. There was no opposition. Councilwoman Cole asked if Councilwoman Chrisner-Keefe was requesting to add a resolution to the agenda. Yes, Councilwoman Chrisner-Keefe read the title and then proceeded to read the resolution, in full, to the governing body and public. She stated there are also important action items such as the addition of equipment for the police department (as approved tonight). She asked that the public reach out to legislators, not just in NJ, but across the country. We need to educate ourselves on gun laws. This is an extremely important topic not just for Fair Haven, but across the country.

Councilman Rodriguez said he cowrote the resolution with Councilwoman Chrisner-Keefe and commended her for spearheading the resolution; it is emotional. He joined Council in 2017 and the shooting in Parkland occurred in February 2018 and the synagogue shooting occurred in October 2018. Both sides of the aisle “locked arms” for a resolution as it is not a party issue, but a humanitarian issue that involves everyone. Councilman Rodriguez agreed with the Mayor’s statement but did not believe that the resolution is just words on paper. This is a local issue not just a national issue. He received an e-mail from Sandy Hook Promise, during the meeting, and read it aloud. Councilman Rodriguez said, “our voices matter and I will not stand down.” It is critical to voice these opinions and the Borough needs to support our police and schools; he supported this resolution and prays this does not happen in our community.

Councilwoman Neff wholeheartedly supported the resolution. It is a local issue, not just a national issue. We hope it does not happen here, but it could. We need to support our police and need to decide what makes our schools safer. This resolution speaks to many thoughts. This is not a political issue; it is a local issue. Assault weapons do not belong in anyone’s hands. Shootings are random and can happen anywhere.

Mayor Halpern asked what the proposed resolution would achieve. We have put forward resolutions in the past and nothing has changed. Councilman Rodriguez said legislation does not

come overnight, it comes from grass roots, the people, communities, and local leaders. It is a voice of support that can be sent out to hundreds of legislative representatives. There are thousands and thousands of Councils around the country speaking out against all types of matters (human rights, slavery, women's rights); there is progress being made. It does not happen overnight, and it is important to voice opinions. Councilman Rodriguez supported Mayor Lucarelli's resolutions when he had them listed. This is an emotional issue and all need to hear about it regardless of political affiliation. Mayor Halpern stated letters can be written at any time; he applauded legislative changes that were made yesterday, but it is a small step to make an impact. Councilman Rodriguez felt it is important to get this on record.

There was intense discussion on matters being blocked from the agenda by the Mayor that has had Council support.

Councilwoman Cole stated she was thinking about who she was elected to represent in Fair Haven; not in the State House in Trenton, Congress or Washington and asked if it is her place to represent her constituents on this type of issue. She agreed with what is in the resolution but was not sure it was her place to represent her views on Fair Haven's behalf.

Councilwoman Neff used the plastic bag ban ordinance process as an example that we started and is now in place. A local resolution does count to have action done. With little actions, these matters become bigger actions.

Councilwoman Chrisner-Keefe advised the Mayor that a resolution is a formal expression of will and intent that addresses matters like this. We have the ability to have an indirect impact on it and Council's obligation to use its collective voice. We need to share our thoughts with this type of significance. Shootings are happening in grocery stores, hospitals, schools and everywhere we go. She quoted from the resolution and appreciated the Mayor's position, but Council needs to move forward with this. Mayor Halpern said he and Councilman McCue met with the school prior to this last incident to see what we can do. Councilwoman Cole asked to put action into Fair Haven matters as Council does not have jurisdiction over federal issues.

Councilman McCue said that he and Councilwoman Koch had not spoken yet and both are teachers. Councilwoman Koch found this to be disturbing and saw both sides; the importance of standing up and saying "enough is enough" even as a small community and she agreed with the Mayor's comments. Schools are all about safety. Superintendent McNeil has done an excellent job with his staff and school safety and Chief McGovern has requested equipment to help be prepared. She thanked Councilmembers Chrisner-Keefe and Councilman Rodriguez for their time in creating the resolution.

Councilman McCue said he is a Marine Veteran, 9/11 advocate, teacher, Police Commissioner and this is always on his mind. At every available opportunity, he will bring a voice and awareness to all types of situations. This resolution says something that is on everyone's mind. He has worked with the police department and the Board of Education to be sure that both governing bodies agree. He applauded the Council for taking the Chief's recommendation for what can be done right now. Councilman McCue hoped there was support for the resolution so we can explore this with the schools to be united. He agreed the resolution is about thoughts and prayers, but expressed frustration that there is no action, federally. He supported thanked Councilmembers Rodriguez and Chrisner-Keefe for bringing the resolution to the table.

The resolution was added to the Consent Agenda for consideration.

Council Committee Reports

Finance - Councilwoman Neff did not have anything to report; finance was discussed earlier. There is a Finance Committee meeting next month. Councilwoman Cole stated small items come up for budgets and asked if the Finance Committee keeps track of budget wants and requests? Councilwoman Neff asked for clarification of the wants and requests being referenced. The Environmental Commission and Shade Tree Commission budgets are being reviewed by the members as well as there being a brainstorm regarding movie equipment. Councilwoman Cole asked, from a management process, how these requests are passed on to be captured and considered. Councilwoman Neff said this year the Finance Committee met and spoke with each department head about their budget requests and asked for a multi-year capital plan. She agreed it would be a good idea to have Boards and Commissions do the same on a more consolidated basis by reviewing their budget line items and if they feel line items need to be increased, they need to present and justify why.

Personnel - Councilwoman Chrisner-Keefe reported that Personnel is busy and there are items to be discussed during Executive Session. The Borough currently has three (3) open positions that need to be filled (full-time DPW Laborer, part-time Seasonal DPW Laborer and full-time Tax and Finance

Office Assistant). She asked that anyone interested be referred to the Borough's website.

Planning & Zoning - Councilwoman Koch reported the Zoning Board is meeting July 7th, in person. The Planning Board is meeting next week via Zoom. The Borough Clerk advised of the June 21st Planning Board meeting possibly being cancelled.

Parks and Recreation - Councilwoman Koch, on behalf of Parks and Recreation Director, DJ Breckenridge, thanked all volunteers who assisted with the June 4th Fishing Derby. The Rec N Crew Camp starts on Monday, June 27th and is fully staffed.

Police, Fire & OEM - Councilman McCue commended the Fire Department for their heroic actions on May 25th with the house fire on Fair Haven Road; they did an amazing job and we are so fortunate to have the trained professionals we have who are volunteers. He expressed thanks to the mutual aid communities for their assistance. Two structures were saved and there was no loss of life.

Police Department matters were discussed earlier in the meeting. He appreciated the support for the Chief's equipment request.

Engineering and DPW - Councilman McCue thanked those who assisted with the Fair Haven Fireworks (including DPW, the Police Department, Fire Department and First Aid); everyone had a great time enjoying the evening with family and friends in a safe environment.

With regard to projects in cue, tonight is the last night of the overnight road closure on River Road until the County awards their mill and pave bid. Engineer Gardella advised that the County bid the project and will have a pre-construction meeting. Stavola is the apparent low bidder. We need to finish our River Road Streetscape and hope to find out where we are on the County's schedule (there are 17 municipalities with county roads that will be paved). Administrator Casagrande advised June 20th is the pre-construction meeting date.

Borough Facilities - Councilman Rodriguez thanked everyone for leading the charge on this topic. It was nice to see all come out for the fireworks this past Saturday; it was a big step while coming out of COVID. There was a lot of planning before the event as well as cleaning after the event. It was great to see people come out and enjoy what we have. He thanked the volunteers and Borough departments that were involved in such a successful event.

Borough Communications and Community Outreach - Councilwoman Cole hopes to circulate the organization chart for Council's July meeting and get feedback and comments. We hope to have an annual calendar of events. Proposals for AV meeting equipment have been received; there is no recommendation yet. The Environmental Commission is delighted that the McCarter Pond ordinance is on tonight's agenda. Peter Avakian gave a report some time ago and the Environmental Commission will build on it so we can go out to bid. The Environmental Commission is taking steps to implement a pilot project using Stormex netting which would sit at the outfall at the end of Fair Haven Road to monitor and understand the waste and trash that comes through the storm drain into the outfall to avoid it going into the river. The cost is \$4,200 which has been explored with Administrator Casagrande and DPW; they has been no request for funding. She commended the Green Team for having pulled off Love Where You Live Day and earning Bronze Certification through Sustainable Jersey; they would like to earn Silver by August. They are working on recycling stickers with the Environmental Commission. There is a recycled art project displayed at Borough Hall. A video is being edited with regard to what the public and residents love about Fair Haven.

Shade Tree has an important document for planning called the "Community Forestry Plan"; due to COVID, our plan was extended to remain valid until 2024 (it does need to be updated). There is a grant and Fair Haven Shade Tree was encouraged to apply for the grant (\$50,000) for a tree inventory which is important and will help with our Community Forestry Plan. We meet the criteria for the application; there is a 25% match which can be met with in-kind types of actions (trainings, ride alongs with professionals, conducting inventories, education programs). We have already done some of these things. Councilwoman Cole said Council would need to direct staff to assist with the application which is due by July 8th. Councilman McCue asked if there is a chance the action items can coincide with Sustainable Jersey. The Invasives and Tree Preservation ordinances will help. Administrator Casagrande advised that the State provided funding for the professionals the last time we updated the Forestry Plan. Administrator Casagrande advised she has not reviewed or evaluated the grant and was not sure what staff would need to be involved or available to assist. Councilwoman Cole advised Fair Haven was encouraged to apply. Councilman Rodriguez offered to share information he had with Councilwoman Cole, offline. Councilwoman Cole will send the information to Administrator Casagrande to review.

INTRODUCTION OF ORDINANCES

1. Ordinance No. 2022-08, Capital Improvement Fund (\$200,000) - McCarter Pond and Natural Area

AN ORDINANCE OF THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR CAPITAL IMPROVEMENTS TO PUBLIC GROUNDS AND APPROPRIATING THE SUM OF \$200,000.00 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Fair Haven, in the County of Monmouth, New Jersey (the “Borough”), has determined to make various improvements to infrastructure and public grounds; and

WHEREAS, the Borough has \$200,000.00 in the Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED and enacted by the Borough Council (the “Governing Body”) of the Borough, AS FOLLOWS:

SECTION 1. The sum of \$200,000.00 is hereby appropriated from the Borough’s Capital Improvement Fund for capital improvements described in Section 2 of this ordinance and such improvements are hereby authorized as a General Capital authorization to be undertaken in and by the Borough.

SECTION 2. The improvements hereby authorized to be undertaken consist of:

- a. The hydro-raking and related upgrades to McCarter Pond, so determined as to be necessary by the Governing Body;
- b. Invasive removal and related public land restoration in Fair Haven Fields Natural Area, so determined necessary by the Governing Body;

SECTION 3. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same hereby are repealed to the extent of their inconsistency.

SECTION 5. This ordinance shall take effect as provided by law.

Offered for introduction by Councilwoman Cole, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

2. Ordinance No. 2022-09, Amend Chapter 14, Property Maintenance, to regulate Running Bamboo

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 14: “PROPERTY MAINTENANCE” WITH NEW SECTION 14-11: “BAMBOO PROHIBITED/REGULATED” TO PROHIBIT THE FUTURE PLANTING AND REGULATE THE EXISTING PLANTINGS OF INVASIVE RUNNING BAMBOO WITHIN THE BOROUGH OF FAIR HAVEN

WHEREAS, the Borough of Fair Haven (the “Borough”) is a relatively densely populated municipality, with most properties within the Borough lacking substantial acreage; and

WHEREAS, because of the proximity of structures to each other within the Borough, the planting of running bamboo by one property owner can have adverse effects upon many others, and in some cases, can be deleterious to native plants and wildlife throughout the Borough; and

WHEREAS, the Borough seeks to prohibit any new plantings of invasive running bamboo, and to establish standards to govern existing plantings of invasive running bamboo, as may be herein permitted, to better protect native species and surrounding property owners;

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

SECTION 1. Chapter 14 entitled “Property Maintenance” of the Revised General Ordinances of the Borough of Fair Haven is hereby supplemented with *new* Section 14-11 entitled “Bamboo Prohibited/Regulated” as follows:

CHAPTER 14: “PROPERTY MAINTENANCE”

* * *

§ 14-11 BAMBOO PROHIBITED/REGULATED

§ 14-11.1 Purpose and Intent.

The purpose of this Section is to preserve and protect private and public property from the damaging spread of invasive running bamboo and to protect native plants and the wildlife they support from the spread of invasive running bamboo from any neighboring property line.

§ 14-11.2 Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

Running Bamboo – Any monopodial (running) woody grass from the genera of bamboos including, but not limited to, *Bambusa*, *Phyllostachys* and *Pseudosasa*, as well as common bamboo, golden bamboo and arrow bamboo.

Property Owner(s) – Any property owner(s) or tenant(s) who, or which, have Running Bamboo or Invasive Plants on their property, even if the Bamboo or Invasive Plant has spread onto their property from an adjoining property.

Buffer Zone – A distance of at least five (5) feet from any lane, street or road, whether public or private, or from any neighboring property, whichever is more restrictive for the property owner.

Borough – The Borough of Fair Haven, Monmouth County, New Jersey.

Enforcement Officer – The Code Enforcement Officer or the Tree Conservation Officer or any other Borough official as may be designated by Resolution of the Mayor & Council of the Borough of Fair Haven, Monmouth County, New Jersey.

Notice – Any written notice by, from or on behalf of the Borough, notifying the Property Owner(s) that they are in violation of this Section and directing them to cure or fix the violation. Such Notice shall be sent by certified mail, return receipt requested, addressed to the owner(s) listed on the current tax record on file with the Borough. If such certified mail is returned, then service may be effected by posting such notice upon the property in question.

Receipt of Notice – Receipt of the Notice required herein shall be the date of mailing said Notice, or, if applicable, posting of the Notice on the property in question, whichever is later.

§ 14-11.3 Bamboo.

a. *No Planting of Running Bamboo.*

1. The planting of Running Bamboo is prohibited within the Borough.
2. Any existing Running Bamboo may not be replanted or replaced after any such existing Running Bamboo has died or been removed.
3. Any person who plants or replants Running Bamboo within the Borough limits after the effective date of this Section shall be in violation of this Section and shall be subject to the penalties set forth herein, subject to the following exceptions:
 - (a) The root system of such Running Bamboo is entirely contained within an above ground planter and located so as to entirely prevent the spread or growth of the plants’ root system beyond the container in which it is planted; or
 - (b) The root system is contained within a barrier, constructed in accordance with the following specifications:

- i. The barrier itself shall be composed of a high density polypropylene or polyethylene, with a minimum thickness of 60 mil (or 1/16 of an inch);
 - ii. Each portion of the barrier shall be joined together by the use of stainless steel strips or clamps;
 - iii. The barrier shall be a minimum of 30 inches deep, with 2-3 inches of the barrier protruding above ground level around the entire perimeter of the bamboo;
 - iv. When installed, the barrier shall slant outward from the bottom to top.
 - (c) Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than five (5) feet from any property line.
- b. *Regulation of Existing Running Bamboo.*
 1. Any Running Bamboo already in existence on any property within the Borough limits as of the effective date of this Section, may remain on such property, provided that Running Bamboo shall not be permitted within any Buffer Zone.
 2. Property Owner(s) shall take all necessary measures to ensure that any Running Bamboo on their property does not exist within any Buffer Zone. Such measure shall include, but are not limited to, cutting down Running Bamboo existing in the Buffer Zone and physically removing or poisoning the rhizomes or spraying any regrowth for several years until the Running Bamboo is dead and, if Running Bamboo is permitted to remain outside the Buffer Zone, installing sheathing comprised of high density polypropylene or polyethylene and placed no less than five (5) feet from the property line at a sufficient depth to prevent any growth of Running Bamboo within any Buffer Zone.
 3. This Section shall not be deemed to alter any rights at common law or otherwise that any property owner may have to recover the cost of removal of Running Bamboo on their own property from another property owner from whose property the Running Bamboo has spread.
- c. *Removal of Running Bamboo.*

If Running Bamboo on any property grows in or into any Buffer Zone, the Borough shall give Notice to the Property Owner(s), as required by this Section, that the said Property Owner(s) are responsible for the extermination or removal of such Running Bamboo from the Buffer Zone.
- d. *Inspection.*

All properties within the Borough shall be subject to inspection by the Enforcement Officer to determine compliance with this Section as provided by law.
- e. *Enforcement, Violations and Penalties.*
 1. Whenever Running Bamboo is found planted in the ground on any plot of land, lot or any other premises or place in contravention of the provisions of this Section, a Notice shall be given to the Property Owner(s), providing thirty (30) days to remove or abate the same.
 2. The cost of the removal or abatement shall be borne by the Property Owner(s).
 3. If the Property Owner(s) fail(s) to comply with such notice, the Enforcement Officer may remove or otherwise control the Running Bamboo and the Borough may thereafter recover the cost of such removal from the Property Owner(s) and place a lien upon the property to recover the cost of the removal according to law.
 4. Any person violating this Section who fails to abate the violation after notice shall be subject to a fine, not to exceed \$500.00, plus costs, for each day on which a violation has occurred, and for which the property owner has been found guilty. Each day on which the violation occurs shall constitute a separate offense under this Section.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance

and any prior ordinance of the Borough of Fair Haven, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Fair Haven are ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

Councilwoman Chrisner-Keefe said a prior ordinance was discussed at the Council meeting held at Bicentennial Hall which addressed running bamboo and invasive species. It was requested the invasive species portion be withdrawn from the running bamboo. The invasive species is being reviewed and refined to see how best to proceed. Councilwoman Cole said it is very clean to have the bamboo ordinance introduced on its own. Shade Tree and an invasive group are discussing and determining the invasive species for future actions.

Councilwoman Chrisner-Keefe asked Attorney Cannon for a clarification of a section of the ordinance. Running bamboo will no longer be permitted unless it was already planted. Administrator Casagrande advised that there is no one in the Borough who is qualified to enforce this except our tree expert (CME Associates).

Councilwoman Neff asked if there is a property with bamboo that is invading the neighbor's property, who would they call; Borough Hall. Attorney Cannon advised a person would be appointed to the position, by resolution, to act on the enforcement of this ordinance (i.e. Tree Expert, Code Enforcer).

Offered for introduction by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

The Borough Clerk advised both ordinance introduced tonight will be listed for hearing and adoption on the June 27th agenda.

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2022-135, 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. DPW Full-time Laborer
2. Engineering and DPW Administrative Assistant
3. Central Office Administrative Assistant
4. Alternate Public Defender

Contract Negotiations

1. Teamster Negotiations
2. PBA Negotiations
3. Habitat for Humanity Lot
4. Director of Engineering and Public Works
5. Monmouth County Regional Health Commission #1

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 Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2022-136, Authorize Accrued Leave Time Release Payment for Debbie Ozut

WHEREAS, Debbie Ozut resigned her position as Tax and Finance Office Assistant for the Borough of Fair Haven and has executed an Accrued Leave Time Release Agreement, as per the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that a payment release for unused accrued leave time in the amount of \$1,973.55 to Debbie Ozut be authorized.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2022-137, Approve Block Party – Park Avenue, between Smith Street and Cedar Avenue, on September 10th

WHEREAS, a request was received to hold a Block Party on Parker Avenue on Saturday, September 10, 2022 from 5:30 pm to 10:00 pm with a rain date of Saturday, September 17th; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on May 23, 2022; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Parker Avenue on Saturday, September 10, 2022 from 5:30 pm to 10:00 pm with a rain date of Saturday, September 17th.

BE IT FURTHER RESOLVED that Permit No. BP 2022-02 will be issued for said event and that attendees with comply with the Governor’s order regarding social gatherings.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2022-138, Approve 2022/2023 Liquor License Renewal for Shrewsbury River Yacht Club

WHEREAS, an application for renewal of a club license has been made to the Mayor and Council of the Borough of Fair Haven; and

WHEREAS, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

NOW, THEREFORE, BE IT RESOLVED that a club liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2022 and ending June 30, 2023 upon application filed by:

1313-31-006-001 Shrewsbury River Yacht Club

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2022-139, Approve 2022/2023 Liquor License Renewal for Knights of Columbus

WHEREAS, an application for renewal of a club license has been made to the Mayor and Council of the Borough of Fair Haven; and

WHEREAS, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

NOW, THEREFORE, BE IT RESOLVED that a club liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2022 and ending June 30, 2023 upon application filed by:

1313-31-005-001 Columbus Club of Red Bank

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 6. Resolution No. 2022-140, Approve 2022/2023 Liquor License Renewal for Little Silver Liquors (The Cellar)

WHEREAS, an application for renewal of a plenary retail distribution license has been made to the Mayor and Council of the Borough of Fair Haven; and

WHEREAS, the Borough Clerk certifies that the requisite fee has been paid and a tax clearance certificate is on file in her office.

NOW, THEREFORE, BE IT RESOLVED that a plenary retail distribution license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2022 and ending June 30, 2023 upon application filed by:

1313-44-001-007 Little Silver Liquors, Inc.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 7. Resolution No. 2022-141, Approve 2022/2023 Liquor License Renewal for Raven and The Peach

WHEREAS, an application for renewal of a plenary retail consumption license has been made to the Mayor and Council of the Borough of Fair Haven; and

WHEREAS, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

NOW, THEREFORE, BE IT RESOLVED that a plenary retail consumption liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2022 and ending June 30, 2023 upon application filed by:

1313-32-004-014 Raven and The Peach

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 8. Resolution No. 2022-142, Approve 2022/2023 Liquor License Renewal for Nauvoo Grill Club

WHEREAS, an application for renewal of a plenary retail consumption license has been made to the Mayor and Council of the Borough of Fair Haven; and

WHEREAS, the Borough Clerk certifies that the requisite fee has been paid and a Tax

Clearance Certificate is on file in her office.

NOW, THEREFORE, BE IT RESOLVED that a plenary retail consumption liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2022 and ending June 30, 2023 upon application filed by:

1313-33-002-010 Nauvoo Grill Club Corp

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 9. Resolution No. 2022-143, Approve Planning Board Escrow Refund to 804 River Road (Forefront)

WHEREAS, Forefront, 804 River Road, Block 52, Lot 10 submitted an application to the Planning Board for a Preliminary and Final Major Site Plan; and

WHEREAS, escrow money was posted by the applicant; and

WHEREAS, Mr. Michel Berger and Mr. Steven Christian, Forefront, have requested that the unused escrow from the application be refunded; and

WHEREAS, the Assistant CFO and Planning Board Secretary have calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$2,109.44; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Chief Financial Officer will refund the unused Planning Board escrow fees to Forefront, 804 River Road, Fair Haven, New Jersey 07704.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 10. Resolution No. 2022-144, Approve 2nd Quarter Tax Overpayment Refund - 14 Maple Avenue

WHEREAS, the Tax Collector, has provided a request for a tax overpayment refund for 2nd Quarter 2022 due to duplicate payment and advises that the following property owners qualify for a refund as follows:

Owner	Address	Block	Lot	Refund
Jennifer McCaskill	14 Maple Avenue	30	8	\$2,442.11

Payment to: Corelogic Refunds Department
3001 Hackberry Road
Irving, Texas 75063

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Tax Collector and Chief Financial Officer are hereby authorized to pay said refund in the amount listed above.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

- 11. Resolution No. 2022-145, Chapter 159: Clean Communities Grant (\$11,884.51)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Borough of Fair Haven has received a \$11,808.38 grant from State of New Jersey for a Clean Communities Grant and wishes to amend its 2022 budget to include this amount as revenue; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2022 in the amount of \$11,884.51 which items in now available as revenue from:

The State of New Jersey
Clean Communities Grant

BE IT FURTHER RESOLVED that a like sum of \$11,884.51 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey
Clean Communities Grant

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

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

12. Resolution No. 2022-146, 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 13, 2022 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2021 CURRENT ACCOUNT	\$	379.14
2022 CURRENT ACCOUNT	\$	870,734.24
GENERAL CAPITAL	\$	515,573.12
GRANT FUND	\$	40.00
PAYROLL AGENCY	\$	14,354.90
OTHER TRUST	\$	9,161.55
DOG TRUST	\$	7.20
		\$1,410,250.15
LESS VOIDED CHECKS	-	\$ 2,172.32
TOTAL		\$1,408,077.83

CURRENT CHECK NO. 62332 \$ 149.82
CURRENT CHECK NO. 62705 \$2,022.50

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

13. Resolution No. 2022-147, Appoint Floodplain Administrator - Nicolas Poruchynsky

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Borough of Fair Haven (the “Borough”) and such areas

may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Borough was accepted for participation in the National Flood Insurance Program on October 16, 1979 and the Borough desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65, and 70 necessary for such participation; and

WHEREAS, in compliance with the aforesaid state and federal laws, the Borough has adopted new Borough Code Chapter 22: "Flood Damage Prevention Regulations", and has further established, according to law, the position of Floodplain Administrator to perform the duties and

functions set forth in new Borough Code Chapter 22; and

WHEREAS, Nicolas Poruchynsky, the Borough's Assistant Director of Engineering and Public Works, possesses the appropriate qualifications and certifications to serve as the Borough's Floodplain Administrator under new Borough Code Chapter 22, and was previously appointed as the Borough's "Flood Plain Manager" by Resolution No. 2022-19, under the Borough's previous flood damage prevention regulations; and

WHEREAS, the Borough desires to confirm the appointment of Nicolas Poruchynsky, the Borough's Assistant Director of Engineering and Public Works, as the Borough's Floodplain Administrator under new Borough Code Chapter 22 and in accordance with the Borough's Salary Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Fair Haven hereby appoints Nicolas Poruchynsky as the Borough's Floodplain Administrator to administer and implement the provisions of new Borough Code Chapter 22 and all other applicable state and federal laws pertaining to floodplain administration.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

May 2022

-Dog License

-Municipal Clerk

-Tax Collector

-Planning Board and Zoning Board

-Budget Status

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

GOOD OF THE BOROUGH

Mayor Halpern opened the meeting to the public for comments or questions at 9:40 p.m. Councilwoman Neff advised that Zoe Arhanic had an Eagle Scout project to plant numerous trees in the Fair Haven Fields Area by Third Street. She attended the project as an adult member of the troop and was advised that the section is managed by the Recreation Committee. There are invasives there and the area is not getting a lot of care; it is not part of the Natural Area. Councilwoman Chrisner-Keefe was asked if she knew anything about this and if it was for historical reasons that Recreation is managing it. It is a green area that needs to be preserved and should be managed holistically by the same people. Councilwoman Chrisner-Keefe said the Natural Area Committee has discussed adopting the area and taking care of it; there is a lot of work to be done and the invasives have taken over the area. There was some discussion of a coalition to organize a little better to ensure there is cross-collaboration. Councilwoman Cole did not understand why the Recreation Committee manages it solo. There needs to be a policy with the Shade Tree and Environmental Commission to identify the trees and come up with a maintenance plan to sustain and rebuild the canopy. Recreation manages programs in spaces. Administrator Casagrande advised the area is managed, as needed, not by a particular group. There have been past discussions for a dog park or soccer field in that location. The Natural Area is to be left pristine and never developed; the Recreation may expand the trail system that is there. Council needs to make decisions on who would or would not have input.

Councilwoman Cole said education and awareness, seeking funding, providing advice on future invasives all need to be considered.

Councilman McCue added to Councilwoman Neff's comments and stated most people cannot tell the difference between the Natural Area and the Recreation area behind the brush grinding site which feeds our wildlife. There are reports that there is hemlock in the area which is poisonous; we need to look at it all. The DPW staff was directed to go to the area and assist with clearing the invasives out.

There being no further comments or questions, the meeting was closed to the public at 9:49 p.m.

Council went into executive session, held via Google Meets, at 10:00 p.m. and this meeting was reconvened at 11:09 p.m.

ADJOURNMENT

Motion to adjourn moved by Councilman Rodriguez, second by Councilwoman Neff with Ayes by all present.

Time of Adjournment: 11:10 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk