

**FAIR HAVEN BOROUGH COUNCIL**  
**JULY 13, 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 7:06 p.m. He asked that Councilman McCue in honor of former Marine and Borough resident Luis Ortiz, who passed at 99 years of age (almost 100 years old), lead the Flag Salute. The flag salute was followed by a Moment of Silent Meditation. The Mayor asked that Luis and his family as well as Councilwoman Sorensen who lost her father Peter Henry Sorensen last night be kept in everyone's thoughts. 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 JULY 13, 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: Councilmembers Banahan, Chrisner-Keefe, Koch, McCue and Rodriguez. Absent: Councilwoman Sorensen. Others present: Administrator Casagrande, Attorney Alfieri and Engineer Gardella.

**WORKSHOP SESSION**

Mayor Lucarelli advised that Engineer Gardella was in attendance to present the River Road curbs, sidewalks and bike lane concept with a request for bid authorization. Engineer Gardella said that the Borough has been working with Monmouth County Engineering looking at the opportunity to install bike lanes, share the road and design standards through the River Road corridor from Lake Avenue extending to Buena Vista Avenue (Red Bank border to the Rumson border) in conjunction with the County's paving project. The County will be going out to bid and will include Fair Haven's work in the coming weeks. Fair Haven has put together the concept and a few of the sheets were sent to the governing body. The design is made up of two types of treatments; the bike lane beginning from Lake Avenue to Hance Road (traffic light) and then carrying the sharrows (Share the Road) from Hance Road to the Rumson border (consistent to what was done on Ridge and Harding Roads). This project is based on pavement width and we have enough that will allow us to create the lanes needed. There are no marked parking spaces from Lake Avenue to Hance Road so from that point we are looking to create a Share the Road program by working with the County on signage, markings, etc. The drawings are complete, and he is assembling quantities and looking at the option to include our design in the County's bid packet (July 22<sup>nd</sup> or 23<sup>rd</sup>). Mayor Lucarelli said that we need to thank John McCormack, who lives in town and is one of the nationally recognized engineers for Complete Streets plans for doing a bulk of the design work for bike facilities along River Road (in accordance with the Borough's Active Transportation Plan also part of our Master Plan). He thanked Gail O'Reilly for her assistance by advocating for the bike lanes on Ridge Road and has shared in the work for River Road; they both did an excellent job.

Engineer Gardella shared his screen to present his drawings for the proposed project. Councilman Rodriguez asked about the striping and lane ending at the intersection; that is normal as there is appropriate signage for cars coming out of those streets. Councilwoman Koch asked if there was signage advising that the lane was ending; there is some signage being installed (at the beginning of Lake Avenue it states the bike lane begins), there are pavement markings, but the signage is placed appropriately to avoid any confusion for the motorist and the cyclist. The public will then see where the sharrows begin (a pavement marking in the

centerline of the travel lane with Share the Road signage). Councilwoman Koch asked how many parking spaces are anticipated to be eliminated from Hance to Buena Vista on the north side; they are not marked or striped as marked parking stalls so there is no count at this time. There have been a few site visits and there have only been a few cars parked; Engineer Gardella has looked at Google mapping and there are limited cars there. Parking stalls will remain from Fair Haven Road toward Hance as they are now; we are going to box those stalls as a way of traffic calming to allow motorists to see the travel lane and continue it all the way. She was seriously concerned for bicyclists on River Road and felt that the southside would be better to have the bike lane because there is no parking on that side and motorists will not be opening their car doors into the lane. Adding cyclists could become hazardous for everyone. Engineer Gardella said that he had a conference call with the County last week because River Road is their roadway and any type of road treatment needs to be reviewed and approved by them. The parking stalls are 8 feet in width and will be reduced to 7; the sharrows will be in the middle of the road. This is consistent with the Active Transportation Plan and Federal standards. The subcommittee reviewed this, as well, and this is the most viable design. Councilman Rodriguez asked if there was a traffic count for this; no, but the plan defined the corridor as a priority. He said that there are children who ride their bikes on sidewalks and are all over the roads and they should be following the rules of the road as well. He asked if the bike lanes will encourage more public to bike on River Road which is a tight roadway. The bike lanes will help provide more awareness to drivers and that they need to share the road. Mayor Lucarelli asked, if the sharrows are installed, will it lower the speed limit? It will not unless we request it be lowered. Councilwoman Koch said that she looked on Ridge Road where there are sharrows and also near the Red Bank Armory near the train station and she understands what they do, but is concerned about this same concept in the downtown area especially near the Acme Shopping Center. There will be a new breakfast place and Dunkin Donuts so we are unsure of the traffic effects in that area; she has not found any research/studies about sharrows in a commercial district which concerns her. She thought the reason for the sharrows on Ridge Road was to discourage bike traffic on River Road. Mayor Lucarelli said there is an Active Transportation Plan in effect and prior to him joining Council, the Borough, County, State and Federal governments all had a Complete Streets programs that dictates when you maintain a road, you include a bike lane to increase safety for the cyclists and pedestrians; this is an extension of the policy and we are simply implementing it. Councilwoman Chrisner-Keefe asked if adding signs, lanes and sharrows reduces injuries/fatalities to cyclists; yes, they have a traffic calming effect slowing vehicular traffic down because they bring awareness to everyone. The evolution of traffic was pedestrians, horses, bicycles and vehicles. Vehicles yield to the previous three, the bicycles yield to the horse and pedestrian, the horse yields to the pedestrian. Sharrows bring an awareness to bikers and informs the cyclists that they have an obligation to stay to the right as far as they deem safe, but have the ability and right to take the road, if needed until they can get to the curb line. Councilman Rodriguez said bike lanes narrow the driving lane which slows traffic which is what has happened on Ridge and Rumson Roads. This project should slow traffic on the west side of town and he would like the east end of town to slow to 25 mph. He is also in favor of narrowing the lanes on Fair Haven Road and Hance Road with stripes to slow down traffic. Councilwoman Chrisner-Keefe asked if there was any discussion or appetite to approach the County to lower the speed limit; Councilman Rodriguez said when he first came on Council there was discussion with positive feedback from the public that we do have appropriate speed limits in town; we fell short of making a request to the County. The survival rate of 25 mph is significantly higher than 30 mph. The Mayor said there is a process to lower the speed limit where we make a request to the County and they have a traffic count done to measure the traffic which makes the determination of the speed limit. We cannot set our own speed limits. Fair Haven is a "cycling town" and this is a good program to go through. Councilwoman Koch suggested Chief McGovern be asked for his thoughts in terms of traffic safety. Chief McGovern said that he met with Engineer Gardella and does not see any downside to it. It will make everyone more aware of the bicyclists. As far as the speed limit, it would need to be looked at, but there is not a lot of speeding during the day because of the number of vehicles on the road and there are not many vehicles in the early morning hours. He did not agree with striping on Hance Road because it is a narrow road as it is. Councilman McCue asked the Mayor if this plan would help the Green Team Certification; the Mayor was not familiar with the Green Team and what level they are at. Administrator Casagrande said the Borough gets points for bike lanes, but we would not get extra points for more bike lanes. Councilman McCue asked Engineer Gardella, "if we have a Share The Road Program, would it require more street sweepings"? Not that he is aware of, but there are Stormwater Management regulations for business districts to be swept once a month. It was requested that the County be asked to sweep River Road after brush and leaves are collected to keep the shoulders clean. Councilwoman Chrisner-Keefe asked if there would be an increased cost associated with the bike lanes as far as signage and striping. The County would include streets signs and the posts and striping for the shoulder, center line and the sharrows. Engineer Gardella said that there would be an agreement drawn up between the Borough and County for a 50/50 cost share. An Engineer's Estimate was prepared for final quantities for the bid package which was shared to screen and will cost \$39,275 of which half would be paid by the Borough. These are just estimates prepared and could come in lower. Councilman Rodriguez asked if this is a Capital cost; yes. Councilman Banahan said that he was just in Lennox, Massachusetts which has areas similar to our

eastern business district and they ask the bikers to dismount when in the business district or to detour. He was doubtful that the County would lower the speed limit. Councilman Banahan said that he cycles himself and there is too much going on in our area and this is a bad idea; he has had some close calls near his street. Councilman Rodriguez said that after the Third Street Project is completed (Hance Road to Fair Haven Road), he would be in favor of sharrows for the children to help them understand the rules of the road and bike safety. Councilman Banahan agreed stating that he has always been in favor of a bike lane on Third Street. Administrator Casagrande said before the River Road curbs and sidewalks are discussed, Engineer Gardella needs Council to make a decision this evening so that he can get plans to the County; there could be a change order, but we need to authorize this for the County's bid (it would not be an alternate, but part of their base bid). The same is needed for curbs and sidewalks so that Engineer Gardella can prepare the specifications; he would need to be authorized by resolution at our next meeting to go to bid with an award of contract at our August 17<sup>th</sup> meeting. Councilwoman Chrisner-Keefe asked about the bike lane concept plan and if there is an increased cost if it is revisited at another date/time. He replied, "not so much cost, but the bike lane will dictate the placement of the double yellow line so if it is not anticipated, the County will place what is currently there". This plan was designed to incorporate the bike lanes and parking on River Road. Councilman Rodriguez asked if it would affect the crown of the road; no, it is laid out to be uniform. The center line will be shifted with the bike lane installation. There was further discussion regarding bike lanes eliminating parking spaces for businesses. Council reviewed the plans that Engineer Gardella shared and that parking can be directed to the side streets vs. River Road. Mayor Lucarelli noted that there is no curblin at all in the west side of town so we can construct the 4" curbs needed.

Engineer Gardella showed the governing body a Bing photo of River Road and explained that the curbs and sidewalk project would have acorn style streetlights and the red crosswalks (both alternates in the bid similar to the River Road East project). The condition of River Road was shown to the Councilmembers. The cost of the Streetscape West project would be about \$1.3 million. Administrator Casagrande asked how hard it would be to put alternates in the River Road bid for repair of some of the areas from the older project to repair the worn sections; he said it would be fine if and where directed as part of the bids especially since there is no grant attached to it so we can spend the money, where needed, to fix the more egregious areas. Councilwoman Koch said that she spoke with Administrator Casagrande about the eastern business district where the concrete has failed and she was hoping, if materials were available, it would be an easy fix; Engineer Gardella agreed.

Mayor Lucarelli asked for a motion to authorize the curbs and sidewalks for bid at the July 27<sup>th</sup> meeting. Councilwoman Koch made a motion for a resolution on the July 27<sup>th</sup> agenda approving a bid authorization for curbs and sidewalks, second by Councilman Rodriguez with Ayes by all present.

Mayor Lucarelli asked for a motion to include the bike lanes with the County bid. Councilman Rodriguez made the motion. There was no second.

The Mayor said that Council is going against the Borough's approved Master Plan and Active Transportation Plan if it does not move forward.

Councilwoman Chrisner-Keefe said this is the first time seeing the plan for bike lanes and asked if it is included in the bid authorization, could it be withdrawn? Administrator Casagrande said this is the County's bid authorization, not ours. Engineer Gardella said the only things shown in the County bid are the state of detail and quantities which is what he is providing to them. Once the job is awarded, the successful bidder as well as the striping contractor are given the actual drawings to work with. Engineer Gardella and Assistant Engineer Poruchynsky will handle all of that. The County is handling the cost of the River Road reconstruction and paving, they will share in the signage for bicyclists and we would handle the costs of the striping of the parking stalls in our streetscape bid. Administrator Casagrande said that the County wants the Borough to adopt an ordinance eliminating the parking in the western part of town and to share the cost; she was not sure about the timing of it. Engineer Gardella said that the most important part is the quantities and details for the bid which the County is supposed to advertise next week. Councilwoman Koch asked for the costs associated with eliminating the parking spaces. The parking that is being eliminated is not currently striped (Hance to Lake). Administrator Casagrande said the ordinance that is needed is to change the ordinance from allowable parking to not allowing parking. Engineer Gardella said that we can always do a change order to eliminate the bike lanes if there is not a firm decision on the project by the governing body.

Councilman Rodriguez said that his motion will be amended to the bike lanes will be considered, with the possibility of pulling them from the project, second by Councilman McCue.

Affirmative: Councilmembers McCue and Rodriguez

Negative: Councilmembers Banahan and Koch  
 Abstain: Councilwoman Chrisner-Keefe  
 Absent: Councilwoman Sorensen

Since there was a tie vote, the Mayor broke the tie by voting in favor of the bike lanes. He said that he will be reaching out to Councilmembers Banahan and Koch to discuss further because not having the bike lanes will unravel what has been planned over the last 10 years.

### **PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 8:08 p.m. Susan O'Brien, River Road, asked that the Council pay attention to Councilwoman Koch's concerns and the residents who live on River Road. Councilwoman Koch lived on River Road for 10 years and she has lived there for 45 years and since Jerome Koch's accident, she has had nightmares. Mrs. O'Brien said that she has a copy of the Active Transportation Plan and it stated that the road should be 25 mph (see page 103 of the plan for the 25 mph recommendation) so we should follow the recommendation. She said that she was almost run over by a bike being ridden on the sidewalk and has spoken with the police. Having bike lanes in the business district is not a smart idea. She requested that bicyclists be sent down Third Street which is part of the Active Transportation Plan. Bicyclists are supposed to yield to pedestrians, and they do not.

Ruth Blaser, River Road, agreed with Councilwoman Koch and suggested the governing body talk with River Road residents who live between Hance Road and Borough Hall. She asked why children would want to bicycle down River Road. The road is not wide enough especially with the tractor trailers who enter the Acme lot and the tankers that deliver gas to the Valero station. Trucks park partially in the road and partially on the sidewalk. She suggested the bicyclists go from Chestnut Street over to Third Street; there is no reason for a child to ride a bike along River Road. Mrs. Blaser said in the photo shown of River Road, there was a garbage can in the roadway and asked where the River Road residents are supposed to put their trash/recycling cans and brush if there is going to be a bike lane. There is too much going on for a bike lane and it is dangerous. Customers need a place to park to visit the businesses. She requested that the utility strip remain when the new curbs and sidewalks are installed so it looks less commercial. Mayor Lucarelli said that there are no bike lanes east of Hance Road; there will be sharrows and there are many recreational cyclists in the area who cycle early in the morning. We are bringing order and awareness to the bicyclists. Mrs. Blaser liked that the police department put an article regarding biking in public areas in the latest Focus newsletter.

Richard Fuller, Elmwood Lane, asked that the governing body speak more about the pedestrians who have been ignored for River Road vs. Ridge Road and asked if anyone knew the number of crossings on Ridge Road and River Road. He said there are two schools in town that have people crossing River Road, so we are more of a pedestrian town than a biking town. There is a conflict with pedestrians vs. bikes from Hance to the east on River Road (people are walking in the road). Mayor Lucarelli said there are sidewalks for the pedestrians on both sides of the road and there are crosswalks as well with the exception of Smith Street. Mr. Fuller said that bicyclists are aggressive people and the conflict needs to be addressed. There is no pedestrian acknowledgement for cars and bicyclists. Mayor Lucarelli said there is no Federal standard for this. Mr. Fuller suggested to the Mayor that pedestrians be encouraged to walk on the south side of River Road and biking be done on the north side to preserve the best for each.

There being no further comments or questions from the public, the meeting was closed to the public at 8:25 p.m.

### **APPROVAL OF MINUTES**

With regard to the June 8, 2020 Regular Meeting minutes pulled from the June 23<sup>rd</sup> meeting, the following discussion took place:

Mayor Lucarelli said there are two sets of minutes for this meeting (Version #1 and Version #2). Version #1 is the original set of minutes which included a budget memo from Councilwoman Chrisner-Keefe and Version #2 is the same set of minutes minus the memo. The memo will be removed as it was deemed inappropriate since it was written in fairly short order to discuss the budget; it had a quick response by Administrator Casagrande and it did not show the body of work, numerous documents, e-mails and other correspondence that went into the budget process. It is just one person's perspective of the budget provided at the last minute. He said that it was also brought to his attention that attaching memos to minutes is inappropriate because if everyone was to attach a memo to the minutes going forward, it would defeat the purpose; minutes are to reflect what took place at the meeting. He asked Councilwoman Chrisner-Keefe if she would like to discuss this further. She said Version #1 includes the memo and additional commentary that was made in which Version #2 removed it entirely. If it is decided to remove the memo that was requested by the Mayor, then she would like a summary and recitation included in Version #2.

It, currently, just shows each Councilpersons response to her memo and does not include the concerns raised on the budget and does not summarize the memo and what the entire conversation was based upon. If everyone recalls, the memo was publicly streamed with the Administrator's comments infiltrated in the memo which was included in Version #1. For completeness and purposes of transparency for anyone who looks at the meeting minutes to understand the basis of the conversation, she advocated that the memo remain in the June 8<sup>th</sup> minutes. Councilwoman Chrisner-Keefe said that when she asked that the discussion of the budget be included on the agenda, when it was initially not part of the agenda, she was asked to submit a memo which she did and it should be left in the minutes for completeness, transparency and to appropriately reflect what occurred at the meeting. If the governing body does not agree, then there should be a Version #3 to include her concerns and information she shared.

Councilman Rodriguez asked Councilwoman Chrisner-Keefe if there was common ground. If she was asking for additional summary to be put in the minutes to include what she said, could we refer to the memo like we refer to schematics and maps rather than starting a precedent of adding memos. He asked if she would be satisfied if more language was added and more of the memo included since it was not included in the Council packet for the meeting. She said it was not included in the packet, but it was circulated to the full governing body prior to the meeting, as an addition. The Mayor said that it was included in the Zoom recording and is part of the recorded history and is a public document that can be requested via OPRA. The Borough Clerk can be asked to go back to the recording to see what she missed and create a Version #3. He requested the memo to see what her concerns were with the budget; there was some disagreement with her conclusion. The Mayor said that he can ask that this matter be tabled again for a third version.

Councilwoman Koch asked the Mayor if, historically, we have included memos; no. She asked if the memo can be appended to the minutes or refer to the memo. It has been referenced in Version #2. Administrator Casagrande said one of the things that you have to look at, is the detail of the budget process which took place over a course of five months. There were numerous memos and documents presented to the governing body. When looking historically at these minutes, it only shows one memo which was an exchange from a Councilmember to her fellow governing body members and some counter points by the Administrator for consideration. If someone looks at the minutes five years from now and only sees one memo and not the other correspondence for the budget presentation, it does not tell the complete story of what took place in the process. Council needs to consider memos being full in the minutes and the length of the minutes that will be created from memo inclusion.

Councilman Rodriguez said that the memo was presented and both sides were discussed and addressed point by point that evening. Because it was not part of the package, it should be memorialized properly as part of the record as opposed to including past memos. It is important that there is fairly easy access for those who read the minutes 10-20 years from now because it was something discussed at length.

The Borough Clerk stated that, in the past, there have been letters and/or memos from residents included in the minutes as per request. If it is not to be included, then some sort of policy needs to be set. When the request was made to include the memo in the minutes, no one from Council objected to the request or asked that the memo just be referenced so the memo was spread in full in the minutes. She asked, "if the response to the memo did not reflect true or full answers or what was discussed at prior meetings to budget adoption, why it would be appended to the minutes?"

Councilman Banahan asked Councilwoman Chrisner-Keefe where she feels there is a lack of transparency. She said that she read the minutes and it is not a lack of transparency, but Version #2 is incomplete (there are missing pieces to the puzzle) as it states there was a memo submitted and has all of the commentary of the governing body, but nowhere does it state the substance of her memo or the presentation she gave. She said that she requested the entire memo be included, at the meeting, in the minutes and she stands by that request. If that is not the will of the governing body, she asked that a more detailed version and some of the points made be included for a more complete record. She said that transparency is not what is presented, it is what is not included in the presentation. As Borough Clerk Cinquegrana stated, sometimes there are requests to include documents and that was what was requested here. Councilman Rodriguez mentioned the need for easy access and completeness for someone reading minutes 5-10 years from now, that person will not know what we are referencing and speaking to. Councilman Banahan said the meeting minutes are a synopsis so we cannot include the full memo in detail which is reflected in Version #2. He said the synopsis would be that Councilwoman Chrisner-Keefe, desired cutting of the taxes, Councilman Rodriguez suggested cutting \$100,000 (\$50,000 from surplus and \$50,000 from capital improvement); after that meeting and through circumstances of happenstance, the CFO advised that only \$10,000 could be taken from surplus and \$90,000 from capital improvement. He was in favor of Version #2. Councilwoman Chrisner-Keefe said that would be Version #3 because what he stated would cut out about 1 ½ pages of the two pages of comments from the Mayor, Administrator

Casagrande, Councilmembers Banahan, Koch, McCue, Rodriguez and Sorensen. Mayor Lucarelli said that Councilman Banahan was advocating for Version #2. Attorney Alfieri said someone could make a motion for any of the versions and where the votes fall may lead to a Version #3 or a decision on what minutes will be approved.

Councilwoman Koch made a motion to approve the Regular Meeting minutes of June 8, 2020 (version #2), second by Councilman Rodriguez

Affirmative: Councilmembers Banahan, Koch, McCue and Rodriguez

Negative: Councilwoman Chrisner-Keefe

Abstain: None

Absent: Councilwoman Sorensen

Councilwoman Koch made a motion to approve the Executive Session minutes of June 9, 2020, second by Councilman Banahan

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

Councilwoman Koch made a motion to approve the Regular Meeting minutes of June 23, 2020, second by Councilman Banahan

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

Councilwoman Koch made a motion to approve the Executive Session minutes of June 23, 2020, second by Councilman Banahan

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

#### **OLD BUSINESS**

1. Ordinance No. 2020-02, Authorize Purchase of 623 River Road

**ORDINANCE AUTHORIZING THE BOROUGH OF FAIR HAVEN TO ACQUIRE THE PREMISES KNOWN AS 623 RIVER ROAD, BLOCK 25, LOT 10, IN THE BOROUGH OF FAIR HAVEN, MONMOUTH COUNTY, NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1 ET SEQ.**

Mayor Lucarelli said that there needs to be a motion to not adopt this ordinance.

Attorney Alfieri advised that procedurally, this had to be listed for a hearing. Since it has been decided that the ordinance will not proceed, there would not be a hearing on this ordinance. There needs to be a motion and second that the ordinance be withdrawn with a vote.

Motion to withdraw the ordinance moved by Councilwoman Koch, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

Engineer Gardella left the meeting at 8:40 p.m.

#### **NEW BUSINESS**

##### **Committee Reports**

**Councilman Banahan** reported about the amendment to the budget before adoption and how it was restructured by the CFO. There is a Chapter 159 resolution on this agenda to include the Clean Communities grant in the budget as well as the withdrawal of the ordinance for 623 River Road.

**Councilwoman Chrisner-Keefe** did not have any personnel updates.

**Councilwoman Koch** reported that the next Planning Board meeting is July 21<sup>st</sup>; it is a light agenda with an approving resolution and the approval of minutes. The Zoning Board met last week and approved two variance applications. With regard to Fair Share Housing, the final details are being worked on by our professionals. On behalf of Councilwoman Sorensen, she wanted to advise the residents that Rec Camp starts next Monday and the Third-Party Camps started today. There was a Boy Scout scavenger hunt this past weekend. Many residents and families were down at Robards Park which was great to see. Administrator Casagrande said there is the appointment of camp counselors on this evening's agenda which includes a \$400 stipend for each of the two counselors (Community Center and McCarter Park) to act as Medical Directors which is a requirement of the State; they must take temperatures and keep records of all campers each day. We tried to get a nurse or a member of First Aid to take the position, but there was no response. The additional cost will be charged to the Borough's Storm Trust where all COVID expenses are being charged and will be reimbursed by the State. She thanked DJ Breckenridge for going through the process to make summer camp a reality this year. The Mayor thanked DJ as well since we are one of the few municipalities willing to go through the process to make sure we have camp, in compliance with CDC guidelines, and he hopes all of the children are safe and enjoy the summer.

**Councilman McCue** stated that in keeping with the COVID reimbursement talks, Chief McGovern has been proactive with PPE, cleaning supplies and keeping of records which allowed the Borough to recover all expenditures related to COVID. Chief McGovern stated that in June, the Borough submitted a detail of what we paid out up until June 15<sup>th</sup> for COVID and we received a check from FEMA, through the County, in the amount of \$36,000. Governor Murphy announced that our young people in New Jersey are the fastest growing population testing positive for COVID. Half of Fair Haven's numbers are young people for a few reasons. A lot of college age students have to be tested in order to go to college which is creating the increase in cases. Fair Haven currently has five active cases. We are still doing a great job and are well below the State and County averages.

With regard to the Environmental Commission, Administrator Casagrande has worked hard to upgrade the environmental and recycling portion of the Borough's website. Councilman McCue shared his screen to show the recycling information and the various tabs. The information is very informative and helpful to the residents as we love to recycle and are environmentally friendly. Administrator Casagrande said Betty Ann Berube did a lion share of the website upgrades that came from discussions with the Environmental Commission; the page is a work in progress. Once it has been finalized, it will be shared through the Borough's various media platforms.

Chief McGovern thanked Administrator Casagrande and Debbie Ozut for their assistance with the COVID reimbursement; there were a lot of purchases (over 100) and Debbie copied all of the invoices/purchase orders for submission. The Chief clarified the spike in COVID numbers was not kids, but more college age residents.

**Councilman Rodriguez** stated that the Brush Grinding Site Committee has met a few times now and members are contending with the reopening of activities so the dates of meetings many vary week to week. He thanked the Committee for all of their participation. At the last meeting, there were nine scenarios evaluated that range from do nothing to shutting the entire facility down and everything in between including new designs, reducing the intensity in the community, etc. There is a lot of work to do on the financing front. There is no recommendation for the governing body, at this point in time. He said that they may reflect what the Restaurant Committee did by sending out a survey to the public to get their feeling on brush, the collection schedule, how to run the facility, different options on what to do with brush once it is collected, who collects it, where should it go, etc.

He and Councilman McCue met with Chief McGovern and walked the current police facility to discuss various layouts, current issues and usage of the facility. A meeting has been established for this Friday to further discuss the issues with our Architect; we hope to have pulled forward some of the ideas to look at the property and present ideas.

There was walk through at DPW with Engineer Gardella two weeks ago to consider a third layout (Third Street, current location and the wooded area near the recycling containers). No money has been spent yet. There is \$20,000 capped for a new design. Engineer Gardella provided a layout and if Council agrees, there will be official drawings created. We are looking to tighten up DPW, to a certain degree, to keep it on the same piece of property so we do not have as much "dead space" on it.

There has been progress in all areas, but no official decisions have been made. There is nothing proposed and the Committee is open to requests and recommendations.

Councilwoman Sorensen was absent.

**INTRODUCTION OF ORDINANCES**

- 1. Ordinance No. 2020-03, General Capital Ordinance

**AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE IMPROVEMENTS AND IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFORE, 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 has determined to acquire various equipment, make improvements to infrastructure and public buildings and grounds; and

**WHEREAS**, the Borough of Fair Haven has \$215,000.00 in the Capital Improvement Fund.

**NOW THEREFORE, BE IT ORDAINED** and enacted by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, New Jersey, that:

**SECTION 1.** The purchase and/or procurement of services described in Section 2 of this ordinance is hereby authorized as a General Capital authorization to be undertaken in and by the Borough of Fair Haven, County of Monmouth, New Jersey.

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

- a. Any capital equipment, so determined as to be necessary
- b. Roadway and Infrastructure Improvements, so determined as to be necessary
- c. Buildings and Grounds Improvements, so determined as to be necessary
- d. Information technology hardware and software, so determined to be necessary

together with all items necessary, incidental or appurtenant thereto.

**SECTION 3.** The 2020 General Capital Budget of the Borough of Fair Haven is hereby amended to conform to the provisions of this ordinance.

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

**SECTION 5.** This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

**CONSENT AGENDA**  
**RESOLUTIONS**

- 1. Resolution No. 2020-120, Amendment to Bid Threshold Amount Per Public Bid Requirements and Grant Authorization to QPA

**WHEREAS**, the Borough of Fair Haven is subject to the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as to the procedure by which it may enter contracts and make purchases, and

**WHEREAS**, the Law under N.J.S.A. 40A:11-3 (c) establishes a threshold amount for a contract or purchase below which the Borough’s Qualified Purchasing Agent is not required to publicly advertise for bids for said contract or purchase; and

**WHEREAS**, pursuant to this authority, the Governor has raised the bid threshold to \$44,000.00 and formal quotation requirements to 15% of that amount (\$6,600.00) effective July 1, 2020; and

**WHEREAS**, the Borough Council wishes to amend the Council’s Ordinance to conform to this amended threshold and to grant to its Qualified Purchasing Agent continuing authority to contract in



accordance with the threshold requirements as it may be adjusted in the future under N.J.S.A. 40A: 11-3 (c).

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey that in accordance with 40A:11-3 (c ) the bid threshold amount below which the Township’s Qualified Purchasing Agent is not required to publicly advertise for bids for said contract or purchase is hereby adjusted and established to \$44,000.00; and

**BE IT FURTHER RESOLVED**, that formal quotes will not be required for purchases of less than \$6,600.00, and

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40A:11-3 (c) the Borough’s Qualified Purchasing Agent is hereby granted a general authorization to negotiate, make and award contracts and purchases for amounts which do not exceed the threshold amount of \$44,000.00.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

2. Resolution No. 2020-121, Approve Refund of Boat Ramp Pass to Gregg Wramage

**WHEREAS**, on June 12, 2020, Gregg Wramage, purchased a Boat Ramp Pass for the Year 2020 in the amount of \$85.00; and

**WHEREAS**, on June 29, 2020, Mr. Wramage advised that he was unable to use Fair Haven’s boat ramp to launch his boat as his boat is too large and has requested a refund.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Finance Department be authorized to refund his boat pass in the amount of \$85.00 to Gregg Wramage, 102 Main Street, Port Monmouth, New Jersey.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

3. Resolution No. 2020-122, Approve Chapter 159 - Clean Communities Grant

**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 \$11,096.24 grant from State of New Jersey for a Clean Communities Grant and wishes to amend its 2020 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 2020 in the amount of \$11,096.24 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 \$11,096.24 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 Councilwoman Koch, second by Councilwoman Chrisner-Keefe

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

4. Resolution No. 2020-123, Approve Fire Department Regular Membership - Matthew Lang

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Matthew Lang, 1 Forrest Avenue, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

5. Resolution No. 2020-124, Approve Fire Department Regular Membership - Bryce Wyzykowski

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Bryce Wyzykowski, 80 Cedar Avenue, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

6. Resolution No. 2020-125, Approve Fire Department Affiliate Membership/First Aid - Kirstin Felsmann

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Kirstin Felsmann, 664 River Road, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

7. Resolution No. 2020-126, Hire Summer Camp Counselors for Rec N Crew Camp

**WHEREAS**, the Borough of Fair Haven will be offering a Rec-N-Crew Summer Camp Program through the Parks and Recreation Department for the 2020 summer season; and

**WHEREAS**, DJ Breckenridge, Parks and Recreation Director has recommended the following individuals be appointed as part time Counselors for the 2020 program:

<b>Camp Employee</b>	<b>Hourly Salary</b>	<b>Title/Notes</b>	<b>Term</b>
Alex Componile	\$19.00	Head Counselor	July 20 – August 14
Edward Messigner	\$19.00	Head Counselor	July 20 – August 14
Jacob Black	\$12.00	Assistant Head Counselor	July 20 – August 14
Cam Lewis	\$12.00	Assistant Head Counselor	July 20 – August 14
Jack Benedetto	\$10.00	Counselor	July 20 – August 14
Christian Danielczyk	\$10.00	Counselor	July 20 – August 14
Giavonna Darcy	\$10.00	Counselor	July 20 – August 14
Francesca Darcy	\$10.00	Counselor	July 20 – August 14

Thomas Friedman	\$10.00	Counselor	July 20 – August 14
Jason Hall	\$10.00	Counselor	July 20 – August 14
Brody McGowan	\$10.00	Counselor	July 20 – August 14
Christopher Pozzuto	\$10.00	Counselor	July 20 – August 14
Emily Pozzuto	\$10.00	Counselor	July 20 – August 14
Chris Ryan	\$10.00	Counselor	July 20 – August 14
Luke Alex Turoczi	\$10.00	Counselor	July 20 – August 14

**WHEREAS**, due to COVID-19 and the State’s Regulation, the Head Counselors (Alex Camponile and Edward Messinger) will serve as the Camp’s Medical Director and receive a stipend in the total amount of \$400.00 each to be paid from the Storm Recovery Trust Account (COVID line item); and

**WHEREAS**, the Summer Playground Program is offset through the fees paid by participants of the programs by way of the Recreation Trust Fund.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that the above Counselors be appointed for the 2020 Summer Rec-N-Crew Camp Program at the program salaries listed above for the program beginning July 20, 2020 through August 14, 2020.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

8. Resolution No. 2020-127, Authorize Capital Item Expenditure - Ricoh Aficio IM C4500 (Borough Hall)

**WHEREAS**, there is a need to update the Borough’s multifunctional print/scan/copy/fax machine as it is outdated and no longer serviceable; and

**WHEREAS**, funds have been authorized for the purchase of a print/scan/copy/fax machine in the 2020 Capital Budget; and

**WHEREAS**, the Borough Administrator and Qualified Purchasing Agent are jointly recommending a Capital Item purchase authorization, as follows:

**BOROUGH HALL**

Ricoh Aficio IM C4500

**TOTAL NOT TO EXCEED** **\$7,839.68**

**WHEREAS**, the Ricoh Aficio IM C4500 will be purchased through an approved National Contract Vendor (Stratix Systems, 450 Raritan Center Parkway, Suite E, Edison, NJ 08837: National Contract 4400003732) as verified by the Borough’s Qualified Purchasing Agent (QPA).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that this Capital Item Expenditure is hereby approved and will be charged to Capital Account C-04-55-706-001 where funds have been certified by the Chief Financial Officer.

**BE IT FURTHER RESOLVED** that since there is no resale or trade-in value for the Borough’s current print/scan/copy/fax machine, Stratix Systems has agreed to remove and recycle the Xerox WorkCenter 5150, at no additional cost.

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

9. Resolution No. 2020-128, Executive Session – Personnel, 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:

**Personnel**

- 1. Police Department – Social Security

**Pending Litigation**

- 1. Yacht Works

**Contract Negotiations**

- 1. Interlocal Service Agreement with Fair Haven Board of Education
- 2. Interlocal Service Agreement with Middletown

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

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

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

- 10. Resolution No. 2020-129, Payment of Vouchers

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the July 13, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 181,752.39
2019 CURRENT ACCOUNT	\$ 11,488.00
GENERAL CAPITAL	\$ 5,340.00
PAYROLL AGENCY	\$ 12,859.32
OTHER TRUST	\$ 3,297.41
DOG TRUST	\$ 11.40
<b>TOTAL</b>	<b>\$ 214,748.52</b>

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

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

Negative: None

Abstain: None

Absent: Councilwoman Sorensen

**Reports of Departments**

**February 2020**

-Chief Financial Officer

**March 2020**

-Chief Financial Officer

**April 2020**

-Chief Financial Officer

**May 2020**

-Chief Financial Officer

**June 2020**

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Police Department

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

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 9:01 p.m. Jill Butler Evarts, Willow Street, said that she has e-mails to the Borough Engineer, Building Department and Zoning Department since June with no response/answers regarding 19 Katherine Street's construction and grading of the property. There are concerns with water issues and pictures have been submitted. There has been no response, explanation or answers provided to the questions, so she decided to address it with the governing body, virtually. Mrs. Evarts asked when will an explanation be given or when will someone come to her home (as per an e-mail received from Administrator Casagrande on July 6<sup>th</sup>)? She said that she wants someone to review the proposed grading of 19 Katherine Street with her and wants assurances that the standing water issues that are currently being experienced will be eliminated. Administrator Casagrande said that she had spoken with the Borough Engineer and he did send a member of his staff to the property. As a matter of course, the Borough Engineer does not meet with the public and take them through all of the plans as it is extremely time consuming. He is aware of the considerations and drainage plan submitted by the professionals for the property and they will have to satisfy the drainage plan as acceptable. Mrs. Evarts questioned the statement that someone came to the property; no one has shown up or spoken with them. It was asked what the recourse is if the situation is not corrected to their satisfaction. Attorney Alfieri said he cannot give legal advice and was not sure if it was a plot plan or subdivision. Mayor Lucarelli said that it is a plot plan for a single-family home currently under construction (he lives down the street). There is no drainage system and there is water that does sheet toward the Evarts' home. The construction is not in its final state. Prior to receiving a Certificate of Occupancy, an "as built" survey must be submitted to assure the approved grading plan has been complied with. As long as the engineers did the job properly, the grading plan will not cause any water to sheet onto the Evarts property (that is why there is a grading plan and an as built survey). We should wait until the project is finished and if there are still concerns, we will have to work through the issues. Attorney Alfieri said that Freehold Soil Conservation can handle any run-off issues during construction, if there is a permit. He suggested the Evarts reach out to Freehold Soil to see if there is a permit and confirm it is being complied with.

There being no further comments or questions, the meeting was closed to the public at 9:09 p.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 9:14 p.m. and this meeting was reconvened at 10:58 p.m.

**ADJOURNMENT**

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

Time of Adjournment: 10:58 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk