

**FAIR HAVEN BOROUGH COUNCIL
JULY 27, 2020**

The meeting was called to order by Mayor Lucarelli at 7:03 p.m. The Flag Salute was led by Police Chief McGovern followed by a Moment of Silent Meditation; the Mayor asked that Dorothy Breckenridge's family 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 27, 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, Rodriguez and Sorensen. Others present: Administrator Casagrande and Salvatore J. Alfieri, Jr., Esq., Borough Attorney's office, Engineer Gardella and Assistant Engineer Poruchynsky.

Mayor Lucarelli read a proclamation that was prepared for Dorothy Breckenridge and presented to her family at her funeral last week.

WORKSHOP SESSION

A tree removal appeal letter was received from Mr. and Mrs. Crooks, 248 Hance Road. Bill Brooks, Borough Forrester, submitted a memo to the governing body with his review and recommendation. Mrs. Crooks was promoted from attendee to panelist to answer any questions Council had. It was noted that there is a zoning application for an addition to the home and asked if that has been approved. Mrs. Crooks said she spoke with Zoning today and they are in the process of approving the application. There will be three trees removed; two of the trees are in the area where the new construction will take place. There will be three replacements planted, post construction.

Motion to approve the tree appeal moved by Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

Alexander Pane (Troop 67) submitted an Eagle Scout project request (bee hotel near the Fair Haven Fields Community Garden); he was promoted as a panelist. Nick Poruchynsky, Assistant Borough Engineer, said that he and Alex have corresponded regarding this project which was provided to Council in their packets. Alex said that his project would be to build and insert a bee hotel at Fair Haven Fields to provide a home for solitary bees. The project will require maintenance after it has been installed (replacing bamboo and wood, annually, as it wears) which he will do until he goes off to college and then another member will take over. The bees are not honeybees. Assistant Engineer Poruchynsky shared his screen of the Community Gardens area to show the location for where the bee hotel could be located without being a safety issue to the public (isolated but meets the southern exposure requirement). Councilwoman Sorensen asked if the Natural Area Committee is aware of this project. Assistant Engineer said that the Fair Haven Natural Area Advisory Committee and Recreation Committee have been copied on the e-mail dialogue regarding the project over the past 6-9 months. DPW will assist with the maintenance of the bee hotel. Councilwoman Sorensen asked how many bees are expected to live in the bee hotel; anywhere from 25-100 bees. Councilwoman Koch asked if there is a risk to kids or the public; no, not unless they are provoked. Councilman Rodriguez said that he is an Eagle Scout and involved with the Boy Scouts and felt this was a great idea.

Motion to approve moved by Councilman Rodriguez, second by Councilwoman Sorensen

with Ayes by all present.

With regard to the Fair Haven Board of Education and McCarter Park considerations, Administrator Casagrande said that there was a meeting held on July 22nd with School Superintendent Sean McNeill, School Business Administrator David Joye, DJ Breckenridge and Borough Engineer Rich Gardella. Information related to this topic was put in the Council's packet. The Board of Education is seeking permission to place a construction trailer on Borough property during the construction period. A layout of the area was provided for the new addition to the school and the preschool recreation apparatus. The Recreation Committee was briefed today as the Board of Education would like to start the project as soon as possible. Councilwoman Sorensen thanked the Recreation Committee for holding a quick meeting and all were in favor to have the trailer on the grass and agreeable to the equipment. The school would like to repurpose the current playground equipment to the Borough for a park somewhere and would share the maintenance cost of the new equipment (i.e. the Borough maintains it in the summer and the Board of Education would maintain it in the fall). The Recreation Committee is concerned that the preschool recreation apparatus may not be age appropriate and would like to have an ad-hoc meeting to discuss the equipment and the color scheme, etc. Recreation is in favor of the overall project. Administrator Casagrande said that the equipment they would like to repurpose is over 15 years old and would not sustain disassembling and relocation. With the new equipment, there will be a foam landing at the bottom vs. chips. Parking was another discussion that took place at the last meeting and the Mayor and Council were not in favor of the proposed plan. At the meeting held, on site, there was a consensus to have parking between the lots (in the grassy area) on Willow Street; an additional 30 spaces could be provided. The cost of the improvements will be reviewed by the Borough Engineer in conjunction with their Architect. Estimate time of construction is 15 months. Councilman Rodriguez advised Administrator Casagrande that the Board of Education contractors should consider doing a full pave from the beginning of the parking strip to the end because of the wear and tear that is currently there for uniformity. There was discussion about the Board of Education having a traffic engineer look at the intersections around the school to be sure they are as pedestrian friendly as possible and present a recommendation to the Borough. Engineer Gardella said there is a failing catch basin in the area that needs to be addressed to help improve the area and intersection. There is an easement for right of way improvements without an impact on deed restrictions. Administrator Casagrande said the Borough can now close out its Monmouth County Open Space grant. Councilwoman Chrisner-Keefe asked about the project and parking. Engineer Gardella explained there is an existing crosswalk that goes into the park to provide safe crossing to the school; that will stay, and a bump out will be created. Councilwoman Sorensen asked that the Borough makes sure that nothing interferes with the pillars at the entrance to the McCarter Estate; Administrator Casagrande stated that they will be protected. There was discussion regarding diagonal parking, but it has not been determined yet. The Board of Education will provide the Borough with insurance certificates and a Hold Harmless Agreement for the trailers that will be on our property. There is no formal approval required from the Mayor and Council. Councilman Rodriguez said he would like to see the parking plan, when it is available.

On July 22nd, the Borough received a letter from the County regarding the 2020 Monmouth County Open Space Grant application. Administrator Casagrande said that COVID-19 has delayed a lot of things this year. If the Borough decides to submit an application, it is due mid-September. The Borough has a lot going on as far as projects and engineering work, but if the Council would like to submit a grant application, it was suggested that we resubmit our 2017 grant submission that was not awarded (stone dust trail on Fair Haven and Ridge Roads). This project was discussed at the last Environmental Commission meeting. Engineer Gardella shared his screen with the governing body and the public so they could see the proposed project. Grants take a lot of time to create so updating the 2017 project would make the most sense. This is a matching fund grant so Engineer Gardella would need to update the cost estimates. Administrator Casagrande said that she is looking for feedback from the governing body before moving forward. If this project is ago, we would need to hold a public hearing on the grant application at our August 17th meeting since it is due on September 17th (she will review the application with Engineer Gardella and DJ Breckenridge, Parks and Recreation Director). If successful, we can fund our portion through the capital budget. Councilwoman Sorensen said this is also part of the Borough's Active Transportation Plan. The trail will be installed along the beloved Cherry trees on Fair Haven Road and she asked for assurances from the Borough Engineer that they will not be affected by the trail. It was asked if the Natural Area Advisory Committee will be invited to the August 17th meeting. Administrator Casagrande said that she shared the information with the Environmental Commission and can forward the same to the Fair Haven Fields Natural Area Committee. Councilwoman Sorensen confirmed that if the Borough received a grant award, we would not need to move forward if Council decided it did not want to. Administrator Casagrande said that we would need to move forward with the project as it would take away from another municipality. To turn down a grant is not a good practice. Engineer Gardella shared his screen showing the area where the Cherry trees are and where the stone dust trail would be installed. Councilwoman Chrisner-Keefe was concerned about committing to spend future money that is not top priority. Administrator Casagrande said there are always costs associated with

projects, but this grant is a 50/50 match; we would not be committed until a bid is awarded for the project. In 2017, this was a highly supported project by the public, Recreation Committee and Environmental Commission. There is a capital ordinance listed for adoption on tonight's agenda so we would not need to issue debt for this project. Engineer Gardella pulled up his estimate from the past and said that he could update the figures.

At 7:45 p.m., Councilman McCue left the meeting.

It would be an 8-foot-wide low maintenance trail. The land is flatter so the trail would not see much wash out. The Planning Board recently approved a subdivision for property at the corner of Brookside Farm Road and Fair Haven Road which will take away the cost of sidewalks and curbing as the applicant will handle that. Sidewalk would continue from the two additional lots to Ridge Road, past the Natural Area entrance to the church road into our existing trail. Councilman Rodriguez said that this proposed project and DeNormandie Park were discussed with support, at that time, which has changed with the new Council. He is in favor of this project as it will get good use and requested a crosswalk from Buttonwood Drive to the stone dust trail so the neighborhoods in that area can access and use the trail; it will tie the rest of the community together i.e. to the Gentry subdivision. There is a lot of merit in this project and it ties in nicely with our pedestrian and bike plan. Councilman Banahan said there is a trail that runs parallel to the east (it is in the interior of the fence) and he asked if this trail would be abandoned; no, it would create a perimeter type access along the roadway of Fair Haven Road and Ridge Road. There would be a plan for sidewalk to Ridge Road and to the stone dust trail. Motion to submit a Monmouth County Open Space Grant application moved by Councilwoman Koch, second by Councilwoman Sorensen with Ayes by all present. This matter will be listed on the August 17th agenda for a public hearing; the Clerk will advertise the hearing and will include the meeting minutes to be submitted to the County in the grant application packet.

Mayor Lucarelli stated that the next topic discussed was River Road bike lanes which is a continuation from the July 13th Council Meeting. He invited panelists Gail O'Reilly (resident and Bike/Pedestrian Committee member), Deb Kagan and Cyndi Steiner, both from the NJ Bike/Walk Coalition. The Mayor asked Gail O'Reilly to give an overview of the bike/pedestrian plan. In 2017/2018, the Borough did its modal grant; she gave an overview of the Borough's bike trails and the goal of emphasizing River Road as a bike and pedestrian mode. The bike lanes and sharrows are traffic calming devices to help slow down traffic and to have everyone respect the rules of the road. Cyndi Steiner (participated via phone) thanked everyone for the invitation and stated that Fair Haven has been a model around the State and the amount of bike riders in the Borough is exciting. The goal is to redesign the road so there is space for everyone. Bike lanes civilize the Borough streets and neighborhood. She has had many conversations with the Mayor regarding other municipalities and is hopeful that Fair Haven can do something similar with River Road so mothers and kids to get to the business area to patronize the businesses. It is not for the avid bike riders since they go to the roads for speed. Deb Kagan, Executive Director of the Bike and Walk Coalition, said this approach (Complete Streets) is great and speaks to the interconnection between all of the different users. Having bike lanes will create a safer environment for walkers, bikers and drivers. Wayne, NJ narrowed their driving lanes to install bike lanes on Valley Road; after doing a traffic calming study over four years, the bike lanes reduced crashes by 50% and serious crashes by 60%. There is walkability and less traffic creating a different downtown environment where people are most likely to shop and eat which is exciting and a great compliment to off-road trails and gives a network approach. Councilwoman Sorensen said that education on the sharrows is great and Fair Haven will do a good job in putting out the information, but how do we educate drivers from out of town? Mrs. O'Reilly said that Engineer Gardella could speak to design speed and the environmental cues. If the Borough closes in a lane and puts in other aspects, it tells motorists to slow down; it is not just education, but behavior modification. Engineer Gardella said when a motorist enters the environment, they are going to feel a different sense. It is not just for the drivers, but the walkers. The measures being put into place are going to help with the road sense and traffic calming. Ms. Kagan said this has been studied across the country and signage will help with the behavior of people; you can design and highlight the sharrows (there is vibrant green paint that can be used). Councilwoman Koch expressed her concerns: one being that there was no mention of parking this evening. The north corridor has intermittent parking and bicyclists are moving in and out of traffic where the roadway is narrow especially with cars parked. Another topic not mentioned or discussed are the speed limits. Councilman Rodriguez said that he did extensive research on sharrows through National Transportation and Federal Highway Transportation reports and nothing mentioned speed. Having sharrows makes you more aware than not having them. She said that there are some statistics on entrances and exits on River Road (10 pedestrian crossings vs. one on Ridge Road). Councilwoman Koch felt that putting cyclists into the mix is a safety issue. It was suggested that we enter into an Interlocal Service Agreement with our neighbors for a safe passage from Red Bank to Rumson; Councilman Rodriguez supported the idea. The Mayor said that Red Bank has an Active Transportation Plan and Safe Streets/Complete Streets Committee; it would be up to Red Bank to bring it forward. Rumson's Active Transportation Plan is unknown; there is a policy in place, and

they do have a Safe Streets Program.

Council was in support of lowering the speed limit, the training aspect of sharrows and a need for bike helmets. It would be good to work with our neighbors for coordination. There need to be sharrows on Hance Road and Third Street. There is an importance to teach the children the rules of the road since Third Street is closed to traffic during school hours. Since River Road is a county road, they are the lead on the project to reconstruct it. Councilwoman Sorensen said it would be good for the Borough to reintroduce the bike rodeo. Councilwoman Koch was concerned with some of the terms being used such as “influence behavior vs. change behavior”, “slowing traffic down” or that the bicyclists “behave as well as possible”; this is not satisfactory. Councilwoman Chrisner-Keefe thanked the bike and road Safety professionals for their expertise. The discussion being held is to add bike lanes and sharrows to slow things down and the need to reduce the speed limit on River Road to 25 miles per hour. There are hazards on River Road and our Master Plan, Active Transportation Plan and residents want a bike and pedestrian friendly road. It is hard to believe that families will be riding bikes on River Road to access the commercial establishments; the Borough would need to create a vision for this to be possible including significant calming measures because this is for a broader vision. Councilwoman Chrisner-Keefe agreed with Councilwomen Sorensen and Koch’s comments and concerns. Councilman Rodriguez said when the bike lanes are installed, it narrows the motorist lane. Ms. Steiner said that he is correct - the lane will slow the drivers down because creates a narrower roadway. Councilwoman Sorensen agreed with lowering the speed limit to 25 miles per hour as it will be beneficial to the community. Administrator Casagrande said the bike lanes are part of the County’s bid specifications; they will want us to eliminate parking, by ordinance, in one section of the Borough and we will be sharing the cost with the County. The ordinance may have to be done in August and finalized in September or introduced and adopted in September so we can comply with what the County needs. Councilman Rodriguez said this is a broader approach with signage, speed limits, lane painting and education; there is no time crunch (we need to be careful and not rush the approach on this; we should look toward 2021).

Mayor Lucarelli said that he invited the Gail O’Reilly, Deb Kagan and Cyndi Steiner to this meeting to start the education process. Councilwoman Sorensen asked what the cost would be for the paint and the signage; \$39,000. At the July 13th meeting, the Council approved the bike lane plan for the County’s bid specification so they could move forward. Engineer Gardella said that the County will be bidding their project in a week or two; Fair Haven’s work will be toward the end of the County’s project and paving will probably go into Thanksgiving. With regard to the Borough’s River Road Streetscape Project, Councilwoman Sorensen asked for a time frame. The Borough will bid the project in about two weeks and award the contract at the August 17th Council meeting in order to move forward (there is a resolution on this agenda authorizing the bid). Gail O’Reilly concurred with the Council and felt that we should look at land use for the conditions surrounding the study area. The Mayor thanked Gail, Deb and Cyndi for their input and participation; they left the meeting at 8:43 p.m.

Councilman Rodriguez gave an update/synopsis of the Brush Grinding Site Committee. He submitted a memo of the synopsis of where the committee stands as of this date. He thanked the committee members for their near perfect attendance and their time and energy. Every district in Fair Haven is represented on the committee. He highlighted some aspects of his memo including the magnitude of brush collection and impact of brush processing. A number of possible solutions have been articulated, costs and revenue models from the interlocal agreement, discussions on a town wide survey (in the early stages of a draft) and a number of safety issues have been considered ranging from environmental to traffic safety. The impact on the neighbors, visitors and park users have been looked at. He wanted to come to Council with early recommendations, but after the five meetings held, the committee is uncomfortable with near term solutions at this point until they fully understand the impacts of the entire process (from violations to collections). There was a green can concept brought up by Councilwoman Sorensen some time ago; the can would be similar to the trash and recycling cans only they would be green and for brush and leaves. It would change the way we collect brush increasing safety and keeping the streets clean; ideas are being formed. Councilwoman Koch, Co-Chair, said that the committee members are a great group with creative ideas. There will be something to report in the very near future.

Councilman McCue returned to the meeting at 8:45 p.m.

Councilwoman Sorensen asked Councilman Rodriguez if there are any finance recommendations for this program and each aspect. Former Council President Jonathan Peters is on the committee and has some stats and ideas. Depending on what the residents want will drive the finances for decision making. There is a lot to consider and look at before we make decisions on services and best approach. Councilwoman Koch said that we want as many services as possible, but it depends on the requests from the residents; she is in favor of low costs. Councilwoman Sorensen agreed that we need to hold taxes as low as possible and said finances will drive the resident’s decisions/choices as well.

The topic of closing River Road in conjunction with the Business District's Sidewalk Sales (August 28th) was not discussed.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 8:55 p.m. Christopher Hempstead, Willow Street, had some questions regarding the Board of Education's proposal for construction plans and the impact on Willow Street and McCarter Park; he asked why it had to be on the Council agenda and if the Borough has any weight on the decisions. Mayor Lucarelli said there are many conversations that have taken place since the Board of Education's referendum passed; we own the land where they will be storing construction equipment (there are parking concerns for the staff at Sickles and the contractors and surface space for storage of the construction supplies). The conversations also involved getting different playground equipment for the pre-K kids and kindergarteners. The Board of Education needs the Borough's permission to use Borough land. Administrator Casagrande said that two trailers will be stored (the one being located closest to the school requires electric so they can work from it and the other will store supplies for the project). He asked if Fair Haven is allowing the use of the land (easement), what are the requirements to meet the need for additional parking and taking the right of way? It is the Borough's right of way and we have the right to develop it for anything related to transportation. Mr. Hempstead said that there was a comment made about protecting the pillars at the corner of Fair Haven Road and Willow Street and stated that they are well within the land of the town. There is no thought that pillars would be involved in the development at all. He said the Board of Education project is increasing the intensity of the use of Willow Street, significantly, which will affect the residents and young children who are in the area; the children's safety needs to be considered (park, kids riding bikes, etc). Administrator Casagrande said that nothing is being intensified in the residential area; it is the area across from the school. There was discussion on intensity which will be driven by the new pre-K program. Mr. Hempstead suggested splitting Willow Street in half for the Borough and Board of Education and creating a buffer (dead end) for the remainder of the street. Willow Street is a one-way street and the use of the area will be intensifying. Mayor Lucarelli said that the intensity is that there will be pre-K at Sickles School bringing more kids to the area; there are 55 employees with no parking. We hope the 30 spaces will take some of the pressure off of the residential area and localize it away from the residential area. We are in a difficult time with COVID and the need for the school construction to commence which will be taking place when school starts; we are trying to provide as much real estate as we can to minimize the impact and conflicts between the students, residents and contractors. This seems to be the best and readily attainable solution to the problem. Mr. Hempstead wants the pillars moved; they should not be protected, and parking should be allowed in that area since it is not used much. He asked that the project be delayed. Administrator Casagrande said that the project needs to move forward in order for school to start in September. Mr. Hempstead said the residents should not be the victims of the lack of foresight by the Mayor and Council and the Board of Education; he is sensitive to the project and the need to move forward, but it is the first he is hearing of and seeing the project tonight. Mayor Lucarelli invited him to meet at the site and walk through it.

Susan O'Brien, River Road, asked whose insurance is going to cover the playground equipment. Administrator Casagrande said the Borough would be responsible for it like we do with the current playground equipment. She asked if the Board of Education's insurance will come into play; Administrator Casagrande said the Borough Attorney could opine on this, if he chooses. At the last Council meeting, Mrs. O'Brien said there was discussion regarding River Road and biking and she referred to the Active Transportation Plan (page 103) which indicated that River Road should be reduced to 25 miles per hour; she read from the plan.

Tom Broderick, Spruce Drive, moved here a year ago from Oregon and asked to speak on the bike lane. He rides 100 miles per week (about 1,000 miles since moving here) and has two young children. He said the costs for a bike lane project is a lot. Bicyclists being injured on River Road is not big in Fair haven; the bike lane and speed limits will slow traffic. He said his 8-year-old son will not be allowed on River Road with his bike. The quality and surface of the road are a concern as well as all of the cross streets and crosswalks. Fair Haven needs dedicated bike paths, like Oregon, and clearly marked bike lanes on roadways that have been converted to one-way streets to allow for space (both out of consideration). Mr. Broderick said that he is more concerned with car doors being opened than he is with a car driving behind him. Bike lanes and sharrows are not going to solve all of the concerns. Most people will be and feel comfortable when the condition of the road is fixed and there are hard shoulder lines on both sides of the street. Some of Council's discussion on bike lanes and sharrows is going to cause more confusion. The other hazard was brush in the roadway, especially on Ridge Road which has bike lanes. Bike lanes create a false sense of security.

Tracy Cole, Grange Avenue, appreciates the bike lane discussion, traffic calming and the Active Transportation Plan, and understands the concerns and hesitancy of River Road. It is important to acknowledge the vision of the River Road corridor to make it safer for bikers, walkers and driver as far as alertness and awareness. The need for 25 miles per hour is important and she has

tested that speed on River Road. We can use a digital message board to make the public aware and enforce the safety need. She felt River Road should not be abandoned to cars only. She fully supported the pedestrian and bike friendly area of River Road.

There being no further comments or questions, the meeting was closed to the public at 9:23 p.m.

APPROVAL OF MINUTES

Councilman Banahan made a motion to approve the Regular Meeting minutes of July 13, 2020, second by Councilman Rodriguez

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

Councilman Banahan made a motion to approve the Executive Session minutes of July 13, 2020, second by Councilman Rodriguez

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

OLD BUSINESS

HEARING AND ADOPTION 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

On motion of Councilwoman Sorensen, second by Councilwoman Chrisner-Keefe with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 9:25 p.m.

Administrator Casagrande said this is an ordinance that we adopt annually provided the governing body allocates money in the current fund budget as “pay as you go” capital. This program has been successful for the past 10-11 years and allows the governing body to fund capital expenditures without issuing debt. Smaller capital items can be funded without debt being issued vs. a road program or fire truck. It allows the Chief Financial Officer to take the money in the current fund budget and set it up in a capital account to be charged against. She circulated the Borough’s capital balances, in the past. A more recent expenditure was the Third Street Change Order for additional paving. We also approved a copier at the last meeting for the Administration office. This gives access and options going forward and has been a successful program for the governing body. The Council will still have to pass a resolution to expend funds.

Councilwoman Chrisner-Keefe asked Administrator Casagrande about funds left over from 2017 and asked if there are funds available from 2018 and 2019, as well. Administrator Casagrande did not have her spreadsheet in front of her so she could not speak to those years. We charge against the oldest ordinance, forward. Estimates are sometimes done for purchases/projects and may come in less; that difference reverts back to the capital account. Councilwoman Chrisner-Keefe asked if we should adjust the \$215,000 figure or transfer the old funds from an ordinance to general capital in the future. Administrator Casagrande said that it is not necessary to cancel them; it is hard to bring back funds to a line once they have been eliminated. It is best to keep “pay as you go” consistent. Mayor and Council can look at the balances and decide to fund a marginal project such as buying a \$180,000 piece of equipment and decide to fund with budget capital as opposed to issuing additional debt. There was discussion regarding the budget, capital improvement fund and that anything purchased through the capital ordinance is approved by the governing body through a separate resolution with a certification of funds from the CFO as expenditures are made. Councilman Banahan said that they had spoken about once an item is moved to capital it remains in capital and the dollars designated as 2017 stay in place. He said he understood Councilwoman Chrisner-Keefe’s confusion as finance runs under its own glossary.

There being no further comments or questions, the Hearing was closed to the public at 9:32 p.m. on motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilman Banahan, second by Councilwoman Koch

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

NEW BUSINESS

Finance - Councilman Banahan said that everything finance related was discussed earlier in the meeting. Court revenue is way down and tax collection is at 66% as opposed to 99% from this time last year. We are not a community at risk for severe tax delinquencies.

Personnel - Councilwoman Chrisner-Keefe did not have a report or update.

Planning & Zoning - Councilwoman Koch reported that it has been pretty quiet. The next Planning Board meeting is August 18th which will have administrative matters. The Zoning Board will meet on August 6th with one application pending.

Police, Fire & OEM - Councilman McCue reported that we have a slight uptick in COVID cases to 6 active and a total of 39 overall since the pandemic began.

Engineering, DPW and Borough Facilities - Councilman Rodriguez thanked the DPW crew who went out and did a clean-up on Third Street from the microburst storm last Thursday. The crew (Marty Coy, Brian Sapienza, Ross Reed, Rich Stephens and Nick Poruchynsky) were out late; he also thanked Dave Karl and Bryce Leonard as they were cleaning up in the locations of Buena Vista and Third Street. The guys did a fantastic job especially having to work in the driving rain. He thanked Bill Brooks for guiding them in the dark. With regard to the DPW site, there have been additional conversations, but nothing to report about the facility. There was a meeting held two weeks ago to discuss the configuration of the police department. He mentioned that Mrs. Blaser asked that the façade of the police department match the neighborhood. He reported on the brush site earlier in the meeting.

Parks and Recreation and Communications - Councilwoman Sorensen reported that the Recreation Committee met quickly and discussed the Board of Education enhancements. Summer camp started last week and has been going well. With regard to communications, she reminded and made a request of residents and businesses to be mindful of garbage as our downtown is looking shabby. Everyone was asked to help the businesses maintain a nice streetscape for everyone.

CONSENT AGENDA **RESOLUTIONS**

1. Resolution No. 2020-130, Approve 2020/2021 Liquor License Renewal: 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, 2020 and ending June 30, 2021 upon application filed by:

1313-31-006-001 Shrewsbury River Yacht Club

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

2. Resolution No. 2020-131, Approve 2020/2021 Liquor License Renewal - 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, 2020 and ending June 30, 2021 upon application filed by:

1313-44-001-006 The Cellar, Inc.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Councilwoman Sorensen said that most on Council have not been part of the 20 Gillespie Project that has been going on for quite some time and asked if they are 100% compliant for this resolution to be on the agenda. Engineer Gardella said that the developer’s release request has been held back until the drainage issues were resolved; they installed a catch basin and had it mitigated. They are compliant. Councilwoman Koch asked if Engineer Gardella spoke with the residents to be sure they were satisfied that the drainage issue has been rectified. He said that we have been in contact and coordinated it since day one; the residents were aware that the contractor was coming back to fix the issues.

- 3. Resolution No. 2020-132, Release Performance Bond/Accept Maintenance Bond - 20 Gillespie Avenue, LLC

WHEREAS, 20 Gillespie, LLC., is the owner of the real property known as Block 51, Lots 27 and 30; and

WHEREAS, Resolution No. 2017-119 adopted June 12, 2017 authorized a partial escrow refund to Ken Macri for 20 Gillespie, LLC; and

WHEREAS, the Borough Engineer authorized the release of the performance guarantees in exchange for a two-year maintenance bond; and

WHEREAS, the developer has requested, that the Borough release the balance of the cash escrow he posted (\$8,969.02) for the project and has submitted Letter of Credit No. 68104100 in the amount of \$99,562.50 as the two-year maintenance bond.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey that the Borough of Fair Haven release the Performance Guarantee and accept the Letter of Credit as a Maintenance Guarantee in the amount of \$99,562.50 and that Chief Financial Officer be authorized to release \$8,969.02 to the developer.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

- 4. Resolution No. 2020-133, Authorize Receipt of Bids: River Road Streetscape Project

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that authorization is given to the Borough Administrator and Borough Engineer to advertise for receipt of bids for the River Road Streetscape Project in accordance with Bond Ordinance No. 2019-11.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

5. Resolution No. 2020-134, Approve Police Participation in the LESO Program

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Fair Haven Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31, 2021; and

NOW THEREFORE BE IT FURTHER RESOLVED that Fair Haven Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Fair Haven Police Department without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that Fair Haven Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes:

specifically list controlled property items authorized for acquisition, including quantity, e.g., (1) utility truck, (12) 5.56 millimeter rifles, or (1) MRAP, etc.]; and

BE IT FURTHER RESOLVED that Joseph McGovern, Police Chief, shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Fair Haven Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31, 2021.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2020-135, Approve Block Party - Poplar Avenue - September 19, 2020

WHEREAS, a request was received to hold a Block Party on Poplar Avenue on Saturday, September 19, 2020 from 3 pm to 11 pm with a raindate of Sunday, September 20, 2020; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on July 22, 2020; 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 Poplar Avenue on Saturday, September 19, 2020 from 3 pm to 11 pm with a raindate of Sunday, September 20, 2020.

BE IT FURTHER RESOLVED that Permit No. BP 2020-01 will be issued for said event and that attendees with comply with the Governor's order regarding social gatherings.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2020-136, Executive Session - 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:

Contract Negotiations

1. Fair Share Housing Agreement
2. Memorandum of Agreement with Habitat for Humanity
3. 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 Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2020-137, 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 27, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 6,298,800.50
2019 CURRENT ACCOUNT	\$ 5,000.00
GENERAL CAPITAL	\$ 3,072.93
OTHER TRUST	\$ 5,045.42
TOTAL	\$ 6,311,918.85

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2020-138, Authorize Mayor to sign an Indemnification Agreement for a Fire Department Drill at 1 Hance Road

WHEREAS, the main house located at One Hance Road will be demolished and the Fair Haven Fire Department will be holding a training/drill exercises prior to the demolition; and

WHEREAS, Mrs. and Mrs. Aaron Greenblatt have requested that an indemnification agreement be entered into, and appropriate insurance certificates provided in order for the drill to be held which has been reviewed by the Borough Attorney and the Borough's Risk Manager and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Mayor Lucarelli is hereby authorized to execute said agreement on behalf of the Borough of Fair Haven.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

June 2020

-Municipal Court

-Tax Collector

Motion to accept the reports, as submitted, moved by Councilwoman Sorensen, 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 9:42 p.m. Councilwoman Sorensen said that the Borough received an anonymous letter regarding 75 Lake Avenue and the condition of the property which is under construction and asked if Administrator Casagrande received a status from the Construction Code Official. Dennis Peras was working with the owner and fines have been issued. Over the last several weeks, the Building Department has been unable to get into contact via letter, e-mail or phone call; the property is for sale with a buyer (not confirmed by us). The Borough would have to go through the process to repair, fund the repairs and put a lien on the property. Councilwoman Sorensen said that she has gone past the property and it is unsafe and needs to be addressed; Councilman Rodriguez agreed. Administrator Casagrande said we would have to authorize repairs, via resolution, and get quotes. Dennis Peras, Construction Official, was looking for a full fence to be installed (in the short run) but has been unsuccessful in contacting the property owner. Councilman Rodriguez echoed the concerns as there are many hazards rendering it unsafe and a lien needs to be put on the property and a fence installed; some data shows that the property is in foreclosure.

Councilwoman Sorensen said she spoke with Chief McGovern regarding a car accident that occurred over the weekend at Ridge and Fair Haven Roads and asked him to look into having a traffic light installed. Chief McGovern said that the police department has reached out to the County Engineer in the past regarding a traffic light being installed; they felt it was not a safe place to install a light due to the hill and curve. He did reach out to the County, today, and they are going to look at it again. In the meantime, safety measures have been put in place with stop signs, painting of the word "stop" at the intersection. These improvements have helped. The Chief requested a more up to date blinking light.

Councilwoman Koch said that she has been doing some cleaning around her house and has some flags that need to be properly disposed of. The bin for flags to be retired, at the recycling center, is overflowing. Councilman Rodriguez said that there are many Boy Scout Troops in Red Bank, Little Silver and Rumson who offer proper disposal as a service; we can contact them to empty the bin.

Dick Fuller, Elmwood Lane, said that he saw some civilized behavior during the COVID-19 lockdown where everyone was pleasant. He suggested that thought be given to branding Fair Haven as a biking and walking town with signage at the entry points. When people come to Fair Haven they will see that they came to a different sort of town; signage will help with the safety of town.

There being no further comments or questions, the meeting was closed to the public at 9:53 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 10:00 p.m. and this meeting was reconvened at 10:43 p.m.

ADJOURNMENT

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

Time of Adjournment: 10:45 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk