

**FAIR HAVEN BOROUGH COUNCIL
TUESDAY, SEPTEMBER 26, 2023**

The meeting was called to order by Mayor Halpern at 7:01 p.m. The Flag Salute was followed by a Moment of Silent Reflection. The following Sunshine Law Statement was read:

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

THIS MEETING IS BEING HELD IN-PERSON AND THROUGH THE ZOOM MEETING PLATFORM, BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS REGULAR COUNCIL MEETING OF SEPTEMBER 26, 2023 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL IT IS TIME FOR QUESTIONS AND COMMENTS, WHICH WILL BE ANNOUNCED. AT THAT TIME, THE PUBLIC HAS THE OPPORTUNITY TO QUESTION/COMMENT BY PHONE OR THROUGH ZOOM BY THE "RAISE HAND" BUTTON AND WILL BE CALLED ON AT THE APPROPRIATE TIME.

NOTICE OF THIS MEETING WAS INCLUDED IN A SCHEDULE OF MEETINGS WHICH WAS ADOPTED BY RESOLUTION NO. 2023-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 6, 2023 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

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

ROLL CALL

On Roll Call the following were present: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez. Others present: Administrator Casagrande, Engineer Gardella, Attorney Sobel, as well as Heather Litzebauer (Financial Advisor) and Meghan Bennett, Esq. (Bond Counsel) joining via Zoom.

WORKSHOP SESSION

A request was received from Dermer Dreams to place 50 lawn signs and 2 banners during the month of October for their annual food drive. Motion to approve the request moved by Councilmember Hoey, second by Councilmember Koch with Ayes by all present.

-Facilities Financing with Borough Finance Professionals. Administrator Casagrande provided an introduction and briefed the Council on the finances of the Borough. Information was provided to the governing body via email and provided on the dais.

Chief McGovern arrived at 7:06 p.m.

The Borough already has adopted bond ordinances in the amount of \$6,050,650.95 (it does not count a Federal Government grant award of \$1 million for the Community Center as we cannot assume we are going to get that amount until we have cash in hand). Unused amounts in a Bond Ordinance can be cancelled; the amounts approved are higher based on estimates received. A review of the hard and soft costs and the handouts was done. Heather Litzebauer, Financial Advisor, provided projections and comparisons and Meghan Bennett, Esq., Bond Counsel also provided information. Ms. Litzebauer advised that the Borough is looking at approximately \$18.5 million for funding of projects; just shy of \$5 million funding is coming from the 2019 bond issuance that has already been issued and the Borough is already paying debt service on that (\$475,000 a year). A bond ordinance needs to be adopted this year to the tune of \$6 million. She reviewed bond ordinances, debt service and Monmouth County Improvement Authority notes. She reviewed when and how the payoff would take place. Monmouth County is rated AAA by all three rating agencies (3.75% for one year). Permanent funding of 4.5% would begin in 2025 when the project is completed. The 2024, 2025 and 2026 budget would be affected by the increases; she advised how the taxpayers would be impacted. There were additional project costs of \$5.8 million increasing debt service by about \$9.7 million (tax impact of \$702.60 which is a savings of \$214.18 on the average home).

Meghan Bennett, Esq., Bond Counsel advised that the bond ordinance that is needed is an authorization with a Not to Exceed amount of \$6 million; it would not necessarily be used in its entirety. The Mayor reiterated the \$9.7 million number (not guaranteed until the bids come back and contingent costs are calculated). The entire governing body, professionals and staff were thanked by the Mayor, especially Councilman LaBarbera. Councilwoman Cole reviewed the entire list in the bond ordinance and everything seems to be covered. It seems that half of the \$6 million amount can be put toward

contingencies with the hope we don't need to use the entire bond amount. In 2024, residents will experience an adjustment in their tax bills as an aggregate (2024-2026). There will be a \$155.28 tax increase in 2024 (per the \$1.9 ordinance funded in May 2023). There are tax impact projections for the years 2025 and 2026 of \$208 and \$214 respectively with no increases after 2026 when debt service stays level or drops off slightly. Ms. Bennett said that would be the "worst case scenario" if we were issuing everything. Councilwoman Cole had a great question via email regarding debt service and what is appropriate for municipalities. She asked if there were guidelines of any kind around the percentage of debt that seemed reasonable based on our ratable base. Ms. Litzebauer said NJ municipalities are highly regulated by the State more than any other state as far as a borrowing capacity. There is a law where municipalities can only borrow 3.5% of their last three years equalized valuation; this is documented from the Annual Debt Statement (ADS) which is filed by the end of January. When new debt is authorized, a Supplemental Debt Statement needs to be completed and submitted to the State for a bond ordinance which includes in the new debt. The Borough's total net debt was \$20.5 million from 2022; Fair Haven is well below the legal authorization. Net debt includes anything that has been authorized (ordinances authorized, but not issued); the \$6 million (1.254%) would be added to the Borough's debt which would bring the net debt percentage to 1.254% which is a typical percentage. The Borough can also look at 10% of total budget revenues. Ms. Bennett advised that to introduce a bond ordinance, there needs to be a simple majority and when adopting, you need 2/3 super majority (4 votes would be super majority). If permission is given this evening to Bond Counsel, a bond ordinance can be created for introduction and adoption in October so money would be available in mid-November. Interest rate market was discussed; there is a fear of the federal government shutting down. There has been a lot of influx through the weekend. The Monmouth County Improvement Authority (MCIA) will get a better rate than a municipality in the market because they would be pooling a bunch of notes together between various municipalities and school districts; it is 3.75% currently, but we will not be acting on anything until March 2024.

Mitigating Risks were discussed. Bond sales would take place and would avoid any government shutdowns. Councilman Rodriguez asked about the statement regarding interest rates are getting crushed. Ms. Litzebauer explained that when markets calm down, there can be a decrease or investors do not pay attention to yield curves put together. She will be watching the numbers and interest rates. Councilman LaBarbera asked how the federal government grant would affect our financing or the ordinance. Ms. Bennett said it would still be included in the ordinance, but not in the debt authorization. The grant would offset the debt authorization and help with a BAN. Administrator Casagrande asked Ms. Bennett if she could have the bond ordinance ready for the October 10th Council meeting; yes.

Mayor Halpern opened the meeting to the public at 7:33 p.m. Mark Olsen, Cambridge Avenue, asked how the \$1.2 billion valuation and how it is calculated; a published number with the County Tax Board. He asked about the increases from 2024-2026 and that it continues until bond is paid off. There being no other comments or questions, the meeting was closed to the public at 7:34 p.m. Ms. Bennett and Ms. Litzebauer left the meeting at 7:34 p.m.

-Create hours for crabbing from Fair Haven Dock. Mayor Halpern said that there are a lot of public projects coming up along the river and for the quality of life of our residents, it would be best to set hours for use at the dock (i.e. dawn to dusk, 15 minutes before dawn and dusk) or what hours should be established to limit or restrict crabbing on public property. It was noted that fishing should be included when done off any public lands in Fair Haven. It may be best to allow the act of fishing and crabbing from dawn to dusk; we don't have to close the park but restrict the activity. There has been an influx of people crabbing in the very early hours of the morning. Councilwoman Neff asked, "would it apply to just the dock"? No, any public land. We should make the ordinance clearer that there is no cooking, open flames, etc. as they are safety issues. Councilwoman Cole said there are certain conducts and activities we do not want on public land at all (open flame, alcohol). It was asked if having the activity limited from dawn to dusk would be an imposition on our enforcement officials; the police department will enforce it, but dusk is early to prohibit crabbing and fishing. We would need signage at the locations and communicate it, publish it, etc. Councilwoman Cole asked the Chief, "as of now, can the activity go on as long as it is not disruptive? Administrator Casagrande said that there should also be no fishing and crabbing during special events (concerts, weddings). We need signage with regulations posted so that it can be enforced.

-Proposed Riparian Buffer Ordinance. A sample ordinance was provided in the packet which was created by the Borough Attorney from a letter the Zoning Board Attorney sent in 2021 on behalf of the Board. The recommendations from the letter have been turned into the proposed ordinance. Councilman LaBarbera said the current riparian coordinates created confusion in the applicant's process. This ordinance would update the regulations to be in line with the DEP's standard regulations. Ordinance introduction will be listed on the October 10th agenda.

-Collier's Engineering Proposal for additional Scope of Work: Pocket Parks and Boat Ramp. Administrator Casagrande sent out an email earlier today. This was reviewed with Engineering and DPW and was authorized to be placed on the agenda. The proposal is from Colliers for work related to the pocket park contracts. She reviewed the phases in the proposal and costs. It is needed for the required easements so the Borough Attorney can file what is needed. We outsource survey work (not done in-house). The construction scope is limited. Collier's services is needed as Engineer Gardella and Assistant

Engineer Poruchynsky do not have the expertise of structural engineering and permitting. Colliers would be handling 22% of the project and Engineer Gardella and Assistant Engineer Poruchynsky will handle the other 78%. Administrator Casagrande provided the soft cost breakdown and where it will be charged. Councilwoman Hoey asked for clarification on a Certified Structural Engineer. There are engineers that have expertise in certain aspects of engineering. Designing a bulkhead requires a certain specialty and expertise as well as securing the permits from the DEP. There is a resolution on the agenda to approve Colliers proposal.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:48 p.m. Carolyn Ferguson, Colonial Court, asked about issues pertaining to crabbing on the dock and if there have been complaints; yes. She felt that new rules could create more work and expenses (creating and installing signs and then maintaining them, issuing summonses). The Mayor said there are other issues that come along with those items such as the trash that is left on the dock, the mess from the bait and crab parts not being cleaned up. Since COVID the usage and issues have maximized and we need to take action. Attorney Sobel said there are permits that can allow certain activities or we can waive laws, if requested, that are found to be reasonable. Councilwoman Hoey emphasized the need to have signage for clean-up. We do have littering signs throughout the Borough.

Chris Hempstead, Willow Street, said he had a question on the crabbing and fishing matter which was answered. He understood the need for the discussion. The Mayor and Council reiterated the issues that have been experienced by the area residents with noise, car doors slamming at all hours, trash and bait not being cleaned up, etc.

Ruth Blaser, River Road, stated the Lead Paint Ordinance does not have a reference to the year it applies to. Statute says that it applies to any house built before 1978. Attorney Sobel said this Ordinance does not speak specifically to the 1978-time frame, however the New Jersey Administrative Code 5.8A does address 1978 which is noted in the Borough’s ordinance. Councilman LaBarbera asked if there is a need to amend the ordinance to note the 1978 outlaw of lead-based paint.

Stephanie Adams, Oxford Avenue, mentioned the reported public nuisance issues at the dock and stated that the park at the end of Grange Avenue will be opened up to the same type of issues. A concern is the lower portion of the bulkhead at Grange is designed where it will be out of view and the Borough would be opening itself up to a similar situation as Fair Haven Road’s dock. Mayor Halpern said it is currently hard to see below; we are being forward thinking by stating all public lands. If the riverfront parks bring more people to use the area, then there is a need to establish rules and regulations for enforcement.

There being no further comments or questions, the meeting was closed to the public at 7:55 p.m.

APPROVAL OF MINUTES

Councilmember LaBarbera made a motion to approve the Regular Meeting minutes of September 11, 2023, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera and Rodriguez
Negative: None
Abstain: Councilmember Neff
Absent: None

Councilmember LaBarbera made a motion to approve the Executive Session minutes of September 11, 2023, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera and Rodriguez
Negative: None
Abstain: Councilmember Neff
Absent: None

Councilmember LaBarbera made a motion to approve the Special Meeting minutes of September 18, 2023, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera and Rodriguez
Negative: None
Abstain: Councilmember Neff
Absent: None

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2023-12, Amend Ordinance No. 2020-07, Creating a Habitat Rezoning Ordinance

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING CHAPTER 30, LAND USE AND DEVELOPMENT REGULATIONS, AMENDING THE R-5 SINGLE-FAMILY RESIDENTIAL ZONE TO PERMIT AN AFFORDABLE TWO-FAMILY DWELLING ON A PORTION OF BLOCK 45

On motion of Councilmember LaBarbera, second by Councilmember Koch with Ayes by all present, Mayor Halpern opened the meeting for comments or questions at 7:56 p.m.

The Planning Board reviewed the ordinance and provided a letter of support as it meets aspects of the Borough's Master Plan.

There being none, the Hearing was closed to the public at 7:56 p.m. on motion of Councilmember LaBarbera, second by Councilmember Koch with Ayes by all present.

Offered for adoption by Councilmember LaBarbera, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

2. Ordinance No. 2023-13, Amend Salary Ordinance No. 2022-02 to include additional Police positions

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

On motion of Councilmember LaBarbera, second by Councilmember Koch with Ayes by all present, Mayor Halpern opened the meeting for comments or questions at 7:57 p.m.

There being no comments or questions, the Hearing was closed to the public at 7:57 p.m. on motion of Councilmember LaBarbera, second by Councilmember Neff with Ayes by all present.

Offered for adoption by Councilmember LaBarbera, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

With regard to Borough facilities, there was no Power Point Presentation. Councilman LaBarbera advised there was a meeting regarding the Police Department and Community Center Project and the emphasis on safety, communication for the Third Street area. The Notice to Award the contract has been advertised. The Committee met with Fisk Chapel on September 22nd; they will provide a signed short-term parking agreement. The Long-Term Parking agreement ordinance is on this evening's agenda for introduction. If introduced, we will pass along the proposed long-term agreement to Fisk Chapel and they have their process. Once they receive their approvals, the ordinance will move forward with a hearing and adoption. We hope to have a groundbreaking ceremony in the next two weeks; a groundbreaking shovel is needed. He is looking for a mirrored shovel and asked if the Council would be willing to chip in; yes. Earthwork monitoring is on the agenda which is required because of soil moving. Councilwoman Cole noted that this is an extra step to ensure contracted conditions for our footings which ensures no cracks occur during construction; these are important steps for the foundation.

With regard to the DPW Facility, a Notice to Bidders will be in the newspaper tomorrow for bid receipt on November 1st. The Concession Stand is operational and our IT will be in there tomorrow. There is a serious bee issue there which will be taken care of on Thursday with the hope of moving in on Friday. The first auction is on track for October. On May 22nd, the Council discussed the banner for the Police Department/Community Center to provide information from a community and safety perspective. There will be an 8' fence around the construction site to prevent anyone from cutting through. There will be two different vantage points to look at the building (from the front and Community Center fields). The contractor suggested providing a current rendering and the project's contact information on banners that could be attached to the fence so the public can see the site's future. Councilwoman Cole suggested adding the Borough's QR Code as well. There will be finalization of the fuel tank operation, security cameras and Commission and Committee meeting space which is listed on tonight's agenda. Councilman LaBarbera and Councilwoman Hoey are door knocking on Fisk Street between Cedar and Maple

Avenues and a few homes on the side streets that will be directly impacted by the Police Department and Community Center project.

The next project to be focused on is Bicentennial Hall. The Architect will present a rendering at the next Historic Preservation Commission meeting as long as there is a quorum.

NEW BUSINESS

Council Committee Reports

Finance - Councilman Rodriguez thanked the Borough's finance professionals (Meghan Bennett and Heather Litzebauer) for the work they did this past week to provide the bond ordinance and financial information. At the October 10th Council meeting, the bond ordinance will be listed for introduction with a planned hearing and adoption date of October 23rd. The Committee is monitoring the DPW Facility for progress.

Police, Fire & OEM - Councilman Rodriguez said there is no OEM report. The fire department will be looking to update fire and first aid radios with the County Sheriff's Department. Our Police Department has been monitoring the Cambridge Avenue parking situation and it has improved quite a bit. Councilman LaBarbera said "No news is good news"; there was extra enforcement out in the area the first few weeks when the signage, authorized by ordinance, was installed. We will reach out to Little Silver Borough's Council liaison to get a status on traffic and any designs plans for the Red Bank Regional parking lot. Chief McGovern agreed that the Cambridge Avenue matter has improved.

Personnel - Councilwoman Hoey advised that during executive session, under Personnel, there will be discussion on library reorganization and the land use secretary position. Sandi Papa's last day was September 20th.

Parks and Recreation - Councilwoman Hoey advised that the Recreation Committee met two weeks ago and discussed the cracks at the tennis courts and repairs that occurred at Fair Haven Fields #4. The AEDs have been installed. On October 21st, the annual camp out will take place, on October 22nd, the Egg Hunt and Halloween parade will occur, October 23rd will begin the Halloween house decorating contest and November 11th is Veterans Day when the annual ceremony will take place. Tree Lighting and Holiday Stroll will be in early December as well as Santa calls. The Holiday House Decorating contest will be at the end of December.

Planning Board - Councilwoman Koch advised at the September 19th Planning Board meeting, the land use ordinance passed tonight was discussed and found to be consistent with the Master Plan and land use regulations. The next meeting is scheduled for October 17th. The Beautification Committee met last week and would like to wrap the street light poles with white lights and possibly expand next year; our current holiday decorations have outlived their use.

Engineering and DPW - Councilman LaBarbera said the Brush and Leaf Committee is meeting on September 28th and they will have proposed courses of action. We are tracking Hance and Cooney very closely. There is a Stormwater Management meeting this week with the DPW and Engineering Committee to continue with the plan that has been worked on over the last six months.

On September 13th, he and Engineer Gardella knocked on doors and advised the residents in high impact areas of the microprojects; seven out of 17 residents answered the door. On September 19th, he and Councilwoman Hoey followed up with some of the residents. The trees started to come down today. There will be hand-delivered notes provided in the high impact areas as they are identified and the project approaches.

The McCarter Pond Hydro-Rake Project is listed on the Executive Session agenda. The builder is looking to secure permits for the old Sunoco site to make improvements.

Borough Facilities - Councilman LaBarbera reported on this earlier in the meeting.

Zoning Board of Adjustment - Councilman LaBarbera advised the Board's next meeting is October 5th.

Borough Communications and Community Outreach - Councilwoman Cole advised there is a Communications and Public Outreach meeting on September 28th. There will be a new stormwater information page on the website; it is in the works. There is a September 27th Environmental Round Table taking place (Planning Board, Historic Preservation Commission, Shade Tree and Environmental Commission will all be part of it). There is a hot spot near Shrewsbury River Yacht Club which is affecting the DEP's ability to upgrade and has been showing up near the Yacht Club as an issue; it could be coming from a different Borough location (it is animal fecal matter). There will be a Fall Sport Swap overseen by the Green Team. October 4th is Bike and Walk to school day. The Shade Tree Commission anticipates hearing back on a resiliency grant; hopefully in October. The Grant Committee has developed a template for members of the governing body. They met on September 18th and identified a grant application as a good fit for Fair Haven which is due by September 30th; what was provided is the grant application. The Committee is asking for the Mayor and Council to approve the submission. It would be for a historic walking tour to highlight landmarks (B1 zone area). The public could click on a QR code

and it would bring up an address and you could stand before the location as it provides history. She thanked Administrator Casagrande for the template and the Mayor for this idea. It is not a heavy lift for the staff as we have the information and would just need to digitize it. Councilwoman Hoey said it is an opportunity to engage the students to learn more about the Borough’s history. Councilwoman Cole said they have identified partners (Historic Preservation Commission, Historic Association, Fisk Chapel, the schools, the governing body and Fair Haven Business Association) and the Committee would like to apply for this grant to help fund the education piece, etc.; we would ask for \$35,000. Councilman LaBarbera said the content creation is the hardest part and use of use of grad school students would be great. Councilwoman Koch asked what happens if only a portion is awarded. There is no commitment, at this time, the Borough is just applying to see what happens. Councilwoman Koch asked who is validating the content; Pat Drummond, Historian, as she would be grateful to have the information digitized. At the October 10th Council meeting, there will be another grant opportunity presented.

The Fair Haven Business Association has a new member, Dream Catcher. There is a business location at 814 River Road that is for rent. Robbyn O’Neil and Elise Casey were two co-chairs for the Historic Association (fundraising arm of Historic Preservation Commission) and on September 9th the Association relaunched the Garden Party which was held at Councilwoman Cole’s home; the event raised over \$47,000. There are four generations of Fair Haven residents who are committed and involved with a mission to preserve Bicentennial Hall and willing to help preserve the history of Fair Haven. The Association will provide recommendations for fund use.

Councilman LaBarbera advised that the 2022 Municipal Audit was completed and there were no comments or recommendations. He recognized the Borough staff and the good job they have done. The synopsis was published in the Asbury Park Press. The Audit Acceptance will be listed on October 10th agenda.

INTRODUCTION OF ORDINANCES

- 1. Ordinance No. 2023-14, Create Chapter 13, Lead Paint Inspection Ordinance

AN ORDINANCE SUPPLEMENTING THE BOROUGH’S REVISED GENERAL ORDINANCES TO INCLUDE NEW CHAPTER 13: “LEAD-BASED PAINT INSPECTIONS” IN ACCORDANCE WITH STATE LAW

WHEREAS, pursuant to P.L. 2021, c.182 and New Jersey Administrative Code 5:28A, Lead-Based Paint Inspections in Rental Dwellings, all municipalities are required to ensure inspections of every single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards are conducted; and

WHEREAS, it is in the best interests of the residents of the Borough of Fair Haven (the “Borough”) to amend the Borough Code at this time to require inspections for lead-based paint in residential rental dwellings to conform to New Jersey State law; and

WHEREAS, the Borough hereby adopts this Ordinance to establish new Chapter 13: “Lead-Based Paint Inspections” of the Borough Code to serve the best interests of the Borough of Fair Haven and its residents.

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

SECTION 1. The Revised General Ordinances of the Borough of Fair Haven are hereby supplemented to include *new* Chapter 13: “Lead-Based Paint Inspections” as follows:

CHAPTER 13: “LEAD-BASED PAINT INSPECTIONS”

§ 13-1 ADOPTION OF STANDARDS BY REFERENCE.

Unless specifically outlined below, a code defining and authorizing the periodic inspection of premises by an enforcing official concerning lead-based paint, compelling residents to abate identified lead hazards, explaining the relevant procedures, and, prescribing penalties for failure to address violations in a timely matter is hereby established in accordance with Chapter P.L. 2021, c.182 and N.J.A.C. 5:28A et seq.

§ 13-2 TITLE.

Said code established and adopted by this chapter is described and commonly known as N.J.A.C. 5:28A Lead-Based Paint Inspections in Rental Dwellings.

§ 13-3 COPIES ON FILE.

Three copies of said N.J.A.C. 5:28A Lead-Based Paint Inspections in Rental Dwellings, have been placed on file in the office of the Borough Clerk upon the introduction of this Chapter and will remain on file there for use and examination by the public.

§ 13-4 REGISTRATION AND INSPECTION REQUIRED.

A. The dwelling owner, landlord, or agent of a single-family, two-family, and/or multiple rental dwelling property located within the Borough shall register such rental dwelling with the Borough by completing, providing all information called for by, and signing a form prescribed by the Code Enforcement Officer and filing such completed and signed form with the Code Enforcement Officer within two weeks after the effective date of this Chapter or on or before the date that such owner takes title to such rental dwelling. The Code Enforcement Officer shall maintain all such completed and signed forms in his or her office.

B. Subject to Subsection C of this section, the Code Enforcement Officer and/or such individuals or organizations empowered through appointment shall inspect every single-family, two-family, and multiple rental dwelling located within the Borough at tenant turnover for lead-based paint hazards or within two years of the effective date of N.J.S.A. 52: 27D-437.16 et seq., whichever is earlier. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification pursuant to this section.

C. The dwelling owner, landlord, or agent of a rental property may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of Subsection B of this section in lieu of the municipal inspection contemplated by Subsection B of this section. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor to satisfy inspection needs as outlined herein, copies of all subsequential results, reports, and/or certificates must be provided to the Code Enforcement Officer as part of the established registration application.

§ 13-5 INSPECTION FEES.

Fees for a lead-based paint inspection shall be set via rates established by Chapter 10: “Lead-Based Paint Inspections” of the Administrative Code of the Monmouth County Regional Health Commission No. 1.

§ 13-6 COMPLIANCE.

All property owners and/or business of rental dwellings that meet the provision of the aforesaid code of this Chapter and regulations referenced therein must abate their rental dwelling(s) upon identification and notice of lead hazard(s) that were discovered as a result of observations made during a lead-based paint inspection. The abatement of lead hazards must conform to regulations found within N.J.A.C. 5:28A and N.J.A.C. 5:17, which encompasses and/or outlines protocols for lead abatement and clearance.

§ 13-7 ENFORCEMENT.

This Chapter may be enforced by and in the name of the Monmouth County Regional Health Commission No. 1 and/or the Borough with the assistance of the Code Enforcement Officer by proceedings instituted and prosecuted in a court having jurisdiction of such proceedings within the Borough.

§ 13-8 VIOLATIONS AND PENALTIES.

If a dwelling owner fails to comply with any provision of this Chapter or the requirements of P.L. 2021, c. 182 and N.J.A.C. 5:28 et seq., the owner shall be given a period of thirty (30) days to cure any violation by conducting the required inspection or initiating any required remediation efforts.

If the owner of a dwelling has failed to cure the violation within thirty (30) days, the owner shall be subject to a penalty of up to \$1,000.00 per week (every seven days) until the required inspection has been conducted or the remediation efforts have been initiated. Remediation efforts shall be considered to have initiated when the dwelling owner has hired a lead abatement contractor or other qualified party to perform lead-hazard control methods.

§ 13-9 FILING WITH THE STATE.

A true certified copy of this Chapter shall be filed with the State Commissioner of Health.

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

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fair Haven, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Fair Haven are ratified and confirmed, except where inconsistent with the terms hereof.

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

Offered for introduction by Councilmember LaBarbera, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

2. Ordinance No. 2023-15, Long Term Parking Agreement with Fisk Chapel A.M.E. Church

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF A PERMANENT
PARKING ACCESS EASEMENT UPON THE PROPERTY AT 37-38 FISK STREET,
BLOCK 39, LOT 11, FROM FISK CHAPEL A.M.E. CHURCH, INC. FOR
PARKING AND ACCESS TO THE BOROUGH'S NEW POLICE
DEPARTMENT/COMMUNITY CENTER**

WHEREAS, the Borough of Fair Haven (the "Borough") is a municipal corporation of the State of New Jersey and is authorized, pursuant to N.J.S.A. 40A:12-5, to acquire interests in real property by Ordinance for public purposes; and

WHEREAS, Fisk Chapel A.M.E. Church, Inc. ("Grantor") is the owner of property known as 37-38 Fisk Street, Fair Haven, NJ 07704, and identified on the tax map of the Borough of Fair Haven as Block 39, Lot 11 (the "Grantor's Property"); and

WHEREAS, the Borough is the owner of property known as 35 Fisk Street, Fair Haven, NJ 07704, and identified on the tax map of the Borough of Fair Haven as Block 39, Lot 20.01 (the "Borough's Property"); and

WHEREAS, the Borough plans to construct a new Police Department and Community Center upon the Borough's Property, including certain permanent parking lot improvements to be located upon the Grantor's Property and the Borough's Property (the "Project"); and

WHEREAS, as part of the Project, the Borough has agreed to make certain permanent parking lot and landscaping improvements upon Grantor's Property; and

WHEREAS, in addition to making permanent parking lot and landscaping improvements upon Grantor's Property, the Borough has also agreed to pay to Grantor the amount of \$20,000.00 as consideration for the granting a permanent parking access easement upon Grantor's Property; and

WHEREAS, the permanent parking access easement upon Grantor's Property shall encompass and include all permanent parking lot and landscaping improvements made by the Borough upon Grantor's Property;

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

(1) The Borough does hereby approve and accept the Deed of Permanent Parking Access Easement attached hereto as Exhibit A; and

(2) The Mayor is hereby authorized to execute the Deed of Permanent Parking Access Easement attached hereto as Exhibit A; and

(3) The Borough is hereby authorized to make payment in the amount of \$20,000.00 to Fisk Chapel A.M.E. Church, Inc. as additional consideration for the Deed of Permanent Parking Access Easement attached hereto as Exhibit A; and

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are

inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance; and

BE IT FURTHER ORDAINED that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.

Offered for introduction by Councilmember LaBarbera, second by Councilmember Koch

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2023-235, Executive Session – Personnel, Acquisition of Property and Litigation

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. Library Organization
2. Finance Office
3. Planning Board and Zoning Board Secretary

Acquisition of Property

1. 21 Fair Haven Road

Litigation

1. McCarter Pond Hydro Rake Project

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 Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2023-236, Special Meeting - October 3, 2023 - Police Promotion Interviews

WHEREAS, the Mayor and Council have determined that a special meeting is required to be held in order to conduct Police Department Promotion Interviews; and

WHEREAS, the Mayor and Council have selected Tuesday, October 3, 2023 at 4:30 p.m. as the Special Meeting date; and

WHEREAS, the Borough Clerk will notice for and advertise the special meeting in accordance with the requirements of the Open Public Meetings Act.

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 Mayor and Council shall hold a special meeting on Tuesday, October 3, 2023 at 4:30 p.m. to conduct Police Department Promotion Interviews.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2023-237, Approve Block Party on Fairwaters Lane - October 14th

WHEREAS, a request was received to hold a Block Party on Fairwaters Lane on October 14, 2023 from 6 pm to 11 pm with a rain date of Sunday, October 15, 2023; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 11, 2023; 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 Fairwaters Lane on Saturday, October 14, 2023 from 6 pm to 11 pm (rain date: Sunday, October 15th).

BE IT FURTHER RESOLVED that Permit No. BP 2023-08 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2023-238, Approve Block Party on Church Street - October 8th

WHEREAS, a request was received to hold a Block Party on Church Street on Sunday, October 8 2023 from 4 pm to 8 pm with a rain date of Sunday, October 15, 2023; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 18, 2023; 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 Church Street on Sunday, October 8, 2023 from 4 pm to 8 pm (rain date: Sunday, October 15th).

BE IT FURTHER RESOLVED that Permit No. BP 2023-09 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2023-239, Approve Block Party on Sycamore Lane - October 15th

WHEREAS, a request was received to hold a Block Party on Sycamore Lane on Sunday, October 15, 2023 from 3 pm to 5 pm with a rain date of Saturday, November 4, 2023; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 14, 2023; 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 Sycamore Lane on Sunday, October 15, 2023 from 3 pm to 5 pm (rain date: Saturday, November 4th).

BE IT FURTHER RESOLVED that Permit No. BP 2023-10 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2022-240, Approve Block Party on Dartmouth Avenue - October 21st

WHEREAS, a request was received to hold a Block Party on Dartmouth Avenue on October 21, 2023 from 3 pm to 11 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 19, 2023; 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 Dartmouth Avenue on Saturday, October 21, 2023 from 3 pm to 11 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2023-11 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2023-241, Approve Block Party on William Street - October 7th

WHEREAS, a request was received to hold a Block Party on William Street on Saturday, October 7, 2023 from 1 pm to 8 pm with a rain date of Sunday, October 8, 2023; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 18, 2023; 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 William Street on Saturday, October 7, 2023 from 1 pm to 8 pm (rain date of October 8, 2023).

BE IT FURTHER RESOLVED that Permit No. BP 2023-12 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2023-242, Approve Proposal from Collier’s Engineering & Design for Pocket Park and Boat Ramp Construction Administration and Construction Inspection Services

WHEREAS, there is a need for the professional services of an Engineer to assist with the Construction Administration and Inspection Services for a Pocket Park and Boat Ramp; and

WHEREAS, the proposal dated September 7, 2023 received from Colliers Engineering & Design to provide Construction Administration and Inspection Services states that the total costs for this work, broken down as follows, shall not exceed a total of \$21,700:

Phase Name	Fee
PHASE 1.0 HELICAL ANCHOR EASEMENT MAP	\$ 2,400.00
PHASE 2.0 CONSTRUCTION SUPPORT SERVICES	\$19,000.00
REIMBURSABLES	\$ 300.00
TOTAL FEE	\$21,700.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that the proposal received from Colliers Engineering & Design, be accepted and awarded for Construction Administration and Inspection for Fair Haven’s Pocket Park and Boat Ramp at a cost not to exceed \$21,700 and the Mayor is authorized to execute paperwork, if required.

Offered for adoption by Councilmember Rodriguez, second by Councilmember Koch

Affirmative: Councilmembers Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: Councilmember Cole
Abstain: None
Absent: None

- 9. Resolution No. 2023-243, Approve Fire Department Affiliate Membership Application/First Aid/Isabella Bulhoes

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Isabella Bulhoes, 216 N. Fifth Avenue, #10, Long Branch, NJ 07740 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 Squad.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

- 10. Resolution No. 2023-244, Appoint Martin Owens Hawley, Jr. as Fire Prevention Official

WHEREAS, the Borough of Fair Haven has a need for a Fire Prevention Official; and

WHEREAS, Martin Owens Hawley, Jr. has the qualifications necessary as a Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Martin Owens Hawley, Jr. be appointed to the position of Fire Prevention Official retroactive to September 16, 2023 with his annual salary being paid by the Borough of Rumson.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Department of Community Affairs and the Borough of Rumson for their records.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

- 11. Resolution No. 2023-245, Amend Resolution No. 2023-03 to appoint Councilman Rodriguez as Finance Chairman

WHEREAS, Resolution No. 2023-03 appointing the various Boards, Commissions and Committees was adopted by the Mayor and Council at their Reorganization Meeting held on January 3, 2023; and

WHEREAS, there is a need to amend the resolution to appoint Councilman Christopher Rodriguez as Finance Chairperson for the remainder of 2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Councilman Rodriguez is hereby appointed as Finance Chairman, effective immediately, until December 31, 2023.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

- 12. Resolution No. 2023-246, Appoint Part-time School Crossing Guards

WHEREAS, there is a need for part-time School Crossing Guards; and

WHEREAS, Chief Joseph McGovern has recommended that Donna Maerz, Carolyn McCarthy and John Jarvis be appointed as Part Time School Crossing Guards, effective September 27, 2023 at an hourly salary of \$20.50.

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Donna Maerz, Carolyn McCarthy and John Jarvis are hereby appointed as part-time School Crossing Guards as noted above.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

13. Resolution No. 2023-247, Approve Rental Agreement with Knight of Columbus for meeting space

WHEREAS, the Borough awarded a bid for construction of a new Police Facility and Community Center; and

WHEREAS, there is a need for meeting space while construction of the new Community Center is taking place; and

WHEREAS, the Columbus Club a/k/a Knight of Columbus, 200 Fair Haven Road, has offered their facility for use on Tuesday and Wednesdays, at an hourly rate of \$30 from November 1, 2023 through August 30, 2024, as per the attached agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the attached agreement for meeting space at the Knight of Columbus is hereby approved and the Mayor is authorized to execute said agreement.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

14. Resolution No. 2023-248, Approve Frank H. Lehr Associates Proposal, Earthwork Monitoring Services-Police Department and Community Center

WHEREAS, the Borough has an approved contract for Architectural Services with The Goldstein Partnership; and

WHEREAS, Frank H. Lehr Associates is the Geotechnical Engineer of Record for the New Community Center Project for The Goldstein Partnership and has provided a supplemental proposal for Earthwork Monitoring Services; and

WHEREAS, in the State of New Jersey various Special Inspections are required in conjunction with the construction of an essential facility such as a Police facility; and

WHEREAS, Rick Adelsohn of Frank H. Lehr Associates has provided a proposal with a not-to-exceed amount of \$38,000, attached as Exhibit A; and

WHEREAS, The Goldstein Partnership, Borough Architect, would receive an administrative and coordination fee in an amount not-to-exceed \$3,800.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the proposal from Frank H. Lehr Associates and amendment to the Borough Architect contract be approved for an amount not to exceed \$41,800 with all other terms and conditions remaining the same.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez

Negative: None

Abstain: None

Absent: None

15. Resolution No. 2023-249, Approve Extension of K.M. Hughes Enterprises Developer's Agreement. This was pulled from the agenda and will be listed on the October 10th agenda.

16. Resolution No. 2023-250, Approve Block Party on Jackson Street - October 14th

WHEREAS, a request was received to hold a Block Party on Jackson Street on October 14, 2023 from 4 pm to 9 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 20, 2023; 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 Jackson Street on Saturday, October 14, 2023 from 4 pm to 9 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2023-13 will be issued for said event.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

17. Resolution No. 2023-251, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the September 26, 2023 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2023 CURRENT FUND ACCOUNT	\$2,291,184.07
GENERAL CAPITAL	\$ 210,647.54
GRANT FUND	\$ 1,556.23
OTHER TRUST	\$ 2,223.75
	\$ 2,505,611.59

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera, Neff and Rodriguez
Negative: None
Abstain: None
Absent: None

Reports of Departments

August 2023

- Municipal Court
- Tax Collector
- Planning Board and Zoning Board
- Police Department

Motion to accept the reports, as submitted, moved by Councilmember LaBarbera, second by Councilmember Rodriguez with Ayes by all present.

GOOD OF THE BOROUGH

Mayor Halpern opened the meeting to the public for comments or questions at 8:29 p.m. Councilwoman Cole showed a photo of a Zelkova tree that the Borough recommended be expertly pruned at Valero gas station. The work was improperly done, which shows the need to have the applicant present when the Council hears a tree appeal.

Chris Hempstead, Willow Street, asked besides Menorah Lighting can we have a Christmas Tree Lighting vs. a Holiday Tree Lighting. He asked if there was opposition to calling it a Christmas Tree Lighting. Carolyn Ferguson advised it has always said Tree Lighting because it is a holiday stroll as well. The Council will discuss for consistency.

Councilwoman Koch asked Chief McGovern if e-bikes can be driven by kids under 17; yes, the maximum speed is 20 mph. Chief McGovern said there are no issues and they are all over. She asked if there is a need to control this; there could be accidents and they need to wear a helmet. The Borough cannot overrule state law. Councilwoman Koch said she sees young kids are riding them and are not aware of bike safety. The Chief and Attorney Sobel will look into the regulations.

Robbyn O'Neill advised that her grandson, this weekend, was riding an e-scooter near Clementine on River Road, with his friend standing on it and riding double. They fell and he sustained a

severely broken arm and a severe sprain to his other arm and the friend had lacerations. They did not have helmets. The orthopedic doctor was very hard on them about the danger and some of the injuries sustained. She asked the Chief to have education at Bike Day taking place on October 4th. The Borough will get information out via the Buzz. There are a few municipalities who have recently passed ordinances. Councilman LaBarbera said the Borough needs to make sure there is continued resident education and communication. Parents need to be aware of what their kids are doing and that there is no riding against traffic; this needs to be enforced for both e-bikes and e-scooters.

There being no further comments or questions, the meeting was closed to the public at 8:37 p.m.

Council went into executive session at 8:44 p.m. and this meeting was reconvened at 10:09 p.m.

ADJOURNMENT

Motion to adjourn moved by Councilmember LaBarbera, second by Councilmember Koch with Ayes by all present.

Time of Adjournment: 10:09 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk