

**FAIR HAVEN BOROUGH COUNCIL
OCTOBER 11, 2022**

The meeting was called to order by Mayor Halpern at 7:01 p.m. The Flag Salute was led by Henry Dwyer 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 OCTOBER 11, 2022 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL IT IS TIME FOR QUESTIONS 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. 2022-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 6, 2022 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

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

ROLL CALL

On Roll Call the following were present: Councilmembers Chrisner-Keefe, Cole, Koch, McCue, Neff and Rodriguez. Others present: Administrator Casagrande, Christina Malamut, Esq. (Borough Attorney's Office) and Chief McGovern.

WORKSHOP SESSION

Mayor Halpern asked if the property owners of 23 Hance Road were in attendance to discuss their tree removal appeal; Mr. and Mrs. Dwyer were in attendance. Mrs. Dwyer explained that the River Birch tree is extremely close to the house and the leads are endangering her children's bedroom. There are a lot of trees on the property, and they planted a few trees when they moved in. The tree they are requesting to remove is 24" from the foundation and is too large to trim; this is the best solution. The house was purchased in 2020 (built in 1964). Councilwoman Koch asked if the age of tree is known; Mrs. Dwyer was not sure.

Bill Brooks, Borough Forrester, submitted a letter and requested the governing body grant the exemption. The tree bifurcates almost at grade and should not be near a structure. He advised the age of the tree is approximately 40 years old. The Dwyer's planted two trees already; the Magnolia tree that was planted is very close to the home and should be moved. Borough Ordinance requires a 4" diameter at breast height replacement and a River Birch is a specimen tree. Mr. Brooks recommended that a compromise be made for the replacement since trees were already planted and asked Council to consider allowing the Dwyer Family to plant a 2 ½" diameter at breast height deciduous tree. Mr. and Mrs. Dwyer were agreeable to plant the tree. A \$25 fee is due for this permit.

Motion to approve the tree appeal moved by Councilwoman Cole, second by Councilwoman Chrisner-Keefe with Ayes by all present.

A request from Dermer Dreams to post lawn signs for their October 29th Food Drive. Motion to Approve moved by Councilman Rodriguez, second by Councilwoman Cole with Ayes by all present.

A request was received from Lauren Porter to have a horse and wagon ride in the Historic District during the holiday stroll. Most of Council had questions about clean up after the horses and route. Councilwoman Cole said there is a bagging device for horse feces. Chief McGovern said the horse/wagon ride will be done off of River Road through the back roads. Councilwoman Cole would like to ask Lauren Porter, the Business Association and Historic Preservation Commission if the horse could make one or two trips to Bicentennial Hall (the Historic Association plans to decorate and have an Open House with the possibility of gift wrapping). Councilwoman Chrisner-Keefe asked if anyone knew how many people the wagon holds and if there would be any stops along the

way.

The consensus of Council was to carry this request to October 24th to have Lauren Porter in attendance to discuss the request and for Council's questions to be answered.

The proposed 2023 Council meeting dates were provided to the governing body for review and consideration. They reviewed the proposed schedule and some conflicts with dates due to school closings, holidays, etc. Council discussed shifting the first date in February due the winter school break being the 13th. The consensus was to adjust the February meeting date to February 6th, only having one meeting in April (17th) and meeting on Tuesday, September 26th (due to the Yom Kippur holiday). Councilwoman Cole requested that the dates be laid out on a calendar for a better visual. The Borough Clerk will make the suggested changes and relist this matter on the October 24th agenda for finalization so that the dates can be included in the 2023 Municipal Calendar.

Mayor Halpern asked that the Borough's fence ordinance be listed for discussion as there have been a few concerns and situations raised by residents. There have been a few Zoning Permit application denials for replacement of an existing fence with similar or exact material. Instead of addressing just one or two points that have been made, the Mayor would like to refer the fence ordinance to Zoning for review and recommendation. Councilwoman Chrisner-Keefe said the concern is with corner lots where the backyard is treated as the front yard. The fence parameters for what can be installed on a corner lot is different than a non-corner lot property. A few different residents who live on corners lot approached her, at different times, with a question or concern. There is a need for a resident friendly solution, and she agreed with this matter going to the Zoning Board for review as a good first step. Councilwoman Cole said the ordinance does provide for an administrative waiver for a non-compliant fence when near a public access to the river. There could be other waiver parameters that could be a solution in certain instances such as quality-of-life or a property near a commercial lot (block equipment, noise, pedestrian traffic, etc). Residents should not have to apply for a variance to put up or replace a fence; we want our codes to be as resident friendly as they can be. Councilwoman Chrisner-Keefe said there is also an enforcement piece to this as well. The Borough cannot enforce for one and not another. She asked how many fences have ever come before Zoning as a single variance. The consensus was to refer to this matter to Assistant Engineer Poruchynsky and Mike Irene, Esq for review and then bring it to the Zoning Board.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:33 p.m. Andrew LaBarbera, Cedar Avenue, referred to the fence ordinance going to the Zoning Board. There are a tremendous amount of data points centered on the number of applications that have come before the Board and helps guide in the decisions made. This information can give the governing body an idea of the themes presented to the Board with variances and more involved applications where fencing is also a consideration.

Carolyn Ferguson, Colonial Court, advised that she received a fence violation for replacing an old fence on her property. She and a few of the neighbors have a side yard that borders the Acme; they wanted and need privacy for their property due to delivery trucks, employees parking on Smith Street, people coming and going throughout the day. Mrs. Ferguson looked at the ordinance carefully after the violation was received and she noticed the waiver language. She asked that the shopping center area be included in the ordinance exemption. She noted other inconsistencies in the fence ordinance (fees, where to go). The Mayor said Mrs. Ferguson's e-mail will be sent to Mike Irene, Esq. for review. The Borough is going to look at and clean up the ordinance.

Councilman McCue arrived at 7:39 pm

Alyse Dermer, Lewis Lane, apologized, that she did not include a request for two banners for the Food Drive and asked that the banners be approved as well. Council was OK the request.

There being no further comments or questions, the meeting was closed to the public at 7:41 pm.

APPROVAL OF MINUTES

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of September 19, 2022, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

Councilman Rodriguez made a motion to approve the Executive Session minutes of September 19, 2022, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

OLD BUSINESS

HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2022-15, Amend Chapter 30 (Land Development) to Clarify Restaurant Definitions and Prohibit Certain Types of Restaurants

AN ORDINANCE AMENDING CHAPTER 30: “LAND USE AND DEVELOPMENT REGULATIONS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO AMEND THE DEFINITIONS AND PROVISIONS ASSOCIATED WITH RESTAURANT USES AND TO CLEARLY PROHIBIT CERTAIN TYPES OF RESTAURANTS AND WAREHOUSES AND WHOLESALE/FULFILLMENT STORAGE USES

On motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present, Mayor Halpern opened the meeting for comments or questions at 7:42 p.m.

There being no comments or questions, the Hearing was closed to the public at 7:42 p.m. on motion of Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

With regard to a proposed Tree Ordinance Amendment Update, Dave Paolo, Shade Tree Commission Chairman, was in attendance and advised that Shade Tree has met for over a year reviewing and making suggested edits to the Ordinance. There have also been meetings and discussions with Attorney Cannon on this matter. He thanked Dr. Mike D’Angelo for synthesizing the Commission’s thoughts on paper and it was then elevated to a working group (bringing in Planning and Zoning) and those ideas were sent to Attorney Cannon who reviewed and provided a copy of Bradley Beach’s tree ordinance with some of Fair Haven’s details added to it. A lot of work went into this and there should be fresh eyes reviewing this to be sure we cover all angles. Mr. Paolo asked Bill Brooks, Borough Forrester, to speak on what is not included in the ordinance.

Bill Brooks said Dr. D’Angelo did a great job early on and a lot of thought and review went into this. He was concerned about comparing Bradley Beach to Fair Haven because they are two different municipalities whose urban forestry is different (species and density, tree canopies). Mr. Brooks has 50 years in tree field experience. He drove through Bradley Beach and did some research, and the towns have totally different demographics; Bradley Beach’s property lots are a lot smaller and closer together. He provided differences between the soil compaction, area, size of tree(s). Fair Haven’s zoning codes allow for larger homes which could lead to tree mortality and trees being compromised. Fair Haven’s current tree ordinance mimics Rumson’s ordinance. Tree damage and mortality can occur from construction on neighboring sites; the Borough needs to put necessary footprint (building envelope) in the ordinance. Safety is most important and should be addressed in the ordinance.

Councilwoman Cole thanked Bill Brooks for coming as well as Dave Paolo. She was not concerned about the disconnect between Fair Haven and Bradley Beach because Bradley Beach adopted their ordinance after they lost their canopy to help rebuild. She had a question about the footprint and asked if he had guidance and recommendations for trees being planted near a new foundation. Mr. Brooks said the Borough can give an applicant some guidelines based on size of trees and spacing them apart, pros and cons to having certain trees near occupied structures. He advised that it is hard to say, “put this type of species here”. The Borough can educate on the trees and how large they will grow to be in 50 years. Councilwoman Cole asked for a rule of thumb in a user-friendly format. Mr. Brooks said he was not comfortable telling a resident what they have to plant, but he can give guidelines for sizes of trees and what works best for the lot/property. Tree root compromise is the #1 cause in tree failure including soil compaction and the equipment brought in.

Councilman Rodriguez thanked everyone for the first draft and first step. When he was a Shade Tree Commission member and Chairman, it bothered him that Zoning Board and Planning Board apparatus was not in sync with the tree ordinance, because trees were after the fact; he felt it was not right. Councilman Rodriguez would like the tree ordinance to be part of the Zoning Board

or Planning Board process to get ahead of any tree removal issue. There could be a project that fits within the parameters of the land use ordinance and the resident/applicant may never have to go before a Board so that would need to be captured in the ordinance, as well.

Councilwoman Neff was in agreement with what has been said and felt that it is key to have land use as part of the process. It is very complex to marry land use and the tree ordinance so we need to take our time to capture as much as we can. Bill Brooks agreed with what was said and advised that some applications may be difficult to address, but it is important to avoid any safety issues. Those in the tree industry are told, “you are not to knowingly create or allow to be created a hazard tree situation”. He has drawings/handouts that make it simple to understand and could help educate the public.

Mayor Halpern asked Bill Brooks if there is language in the draft ordinance that is concerning or that should be in addition to. Mr. Brooks said the ordinance needs to be refined better to fit Fair Haven, so we do not need to come back and amend the ordinance to make things work. Dave Paolo said he would like for the land use attorneys to look at this draft ordinance. Administrator Casagrande asked if Shari Spero, CME Associates, has looked at and participated in the discussion in the crafting of the draft; yes, she has participated.

Councilwoman Cole said there are four points that she would like to discuss as part of the ordinance. The Borough needs specifics that address the meetings of the Shade Tree Commission as far as tree appeals which would go before the Shade Tree Commission, not Mayor and Council. The language states the appeals would be heard within 30-days of the denial; this creates a gap in processing the appeal since the Commission only meets once a month as long as there is a quorum; the language needs to be amended because it states the Commission would meet twice a month. The second point is that construction has the most negative impact on trees so more robust language is needed for mitigation requirements, at the time of staging, to prevent root damage (appropriate steps for drip line); there should be best practices implemented. The third point is that residents need to be able to understand the ordinance as well as a developer so there should be a user-friendly guide to review things such as drip line, what specimen trees are, replacement tree plan and locations. There is a strong need to identify native trees which the Shade Tree will be working on with the Borough Planner and other professionals. The last point is the ordinance addresses enforcement with a Tree Conservation Officer who has working knowledge of tree removal, tree canopy, our forestry system, plantings, etc. The Officer would be reviewing the application and making sure everything is compliant. We currently do not have an employee so this would be a personnel discussion.

Administrator Casagrande had some questions and concerns and asked if this ordinance would be going back to Shari Spero, CME. There are many zoning applications that do not go to the boards so the tree piece would not be brought into the process. She asked, who is enforcing the ordinance? Are we hiring someone? The governing body needs to look at this from a practical standpoint. Administrator Casagrande said that Shari Spero should be brought into this process, should review the draft and have a discussion with Attorney Cannon. Councilwoman Cole said it is contemplated that the application would have a resident providing a plan or survey showing the property and identifying the existing trees. There is also a mechanism that a resident who wants to remove a tree or two and does not have the space to replant, could pay into a Shade Tree Trust Fund. The funds would be used to plant trees throughout the Borough. Councilman Rodriguez described the changes he made to his house in 2014 that did not require a land use or zoning application. When the footings for a porch were put in, two trees were compromised, and the porch cover interfered with the drip line. A tree removal application was submitted, approved and he planted replacement trees. He provided this example so we can correct those matters that would be in a “gray area” to prevent any compromises to trees.

Dave Paolo said that this ordinance can come off of Shade Tree’s plate since the members have discussed this for over a year. He thought Shari Spero may have some thoughts, concerns and examples from other municipalities. Administrator Casagrande invited Council to provide their questions or concerns and she will forward them to Ms. Spero for consideration. Councilwoman Cole reiterated that with the new proposed ordinance, a resident would have to submit a plot plan showing the trees, types, total, etc.

Bill Brooks advised when plans come to the Zoning Officer, they note the trees they are looking to remove. He felt that applicants should show all the trees on the property to consider what trees are staying and what is being removed which can help the Zoning office. It may cause the resident a little bit of money but will be helpful to everyone in the long run.

Administrator Casagrande advised that the McCarter Pond Hydro raking Project has been in queue for some time and capital funding has been approved by the governing body. Peter Avakian, Consulting Engineer, came up with a schedule and felt the project could take place in December. She and Engineer Gardella are meeting with Mr. Avakian this week. If everyone is agreeable, the

Mayor and Council can authorize going to bid (hydro raking is a simple process) with a plan to award a contract and start work in December. If more input is required by Council, then this would be pushed off toward the spring. Depending on the site meeting this week, there will be some adjustments made and the bid specs can be circulated to Council. Councilwoman Koch asked what the budget is for the project; we have allocated \$200,000. The Avakian Engineering fee is \$30,000 and the project should not exceed \$125,000. Councilwoman Chrisner-Keefe asked if there is any inkling of what wildlife could be affected by the project. Peter Avakian can be asked about turtles and other wildlife during the process. Councilwoman Cole asked what the duration of the project will be; two weeks. Councilman McCue asked what the optimal time to rake is (winter vs. spring); it does not matter, hydro raking can be done at any time, weather permitting.

NEW BUSINESS

Council Committee Reports

Finance - Councilwoman Neff advised that the Finance Committee has not met. There is a meeting scheduled for October 19th; budget items and capital accounts will be discussed.

Personnel - Councilwoman Chrisner-Keefe noted that there is a resolution to hire a full-time Tax and Finance Assistant listed on tonight's agenda. The Library Board of Trustees is looking for a new library circulation desk. There is a new Children's Librarian running the programs; there has been positive feedback. The library would like to add their calendar of events to a Borough Google calendar with the other Borough events.

Planning & Zoning - Councilwoman Koch advised that the Planning Board will be meeting on October 18th, in person. The next Zoning Board meeting will be held on November 3rd, in person.

Parks and Recreation - Councilwoman Koch advised the next Parks and Recreation meeting will be held on November 1st at 7:30 via Zoom. October 22nd is the Townwide Campout, Movie Night (Sing 2) and concert in Fair Haven Fields; detailed information is on the Parks and Recreation website. October 23rd is the Halloween Egg Hunt at 3:00 p.m. in Sportsman's Field and the Annual Halloween Parade and Costume Contest will begin at 3:30 p.m. from Knollwood School. Mayor Halpern asked about the Halloween House Decorating Contest being announced; information is going out this week.

Police, Fire & OEM - Councilman McCue advised that Fire Prevention Week this week. He thanked the Fire Department for educating the students on fire safety.

Engineering and DPW - Councilman McCue advised there have not been any recent meetings so there are no new updates.

Borough Facilities - Councilman Rodriguez said in addition to Councilwoman Koch's report, volunteers are needed at the concession stand for the Camp Out. The scouts and soccer teams will be working together, but they need some volunteers to be scheduled. Scouts are doing a campfire with Smores.

Over the course of the Council meetings, there have been some contract discussions with our professionals for facilities; these discussions are still ongoing. The Facilities Committee is looking into options for DPW and the Police Department with the Architect and Owners Representative to be brought to Council for discussion (replacing, repairing or both). The process should be completed shortly. Mayor Halpern advised that the Borough is waiting for a specific quote to come back from a vendor. It is imminent to have all of the information for Council to review and act on.

Borough Communications and Community Outreach - Councilwoman Cole advised the Borough Buzz has been out; Betty Ann Berube is doing a nice job with it. The Borough has been doing a trial of targeting zones and neighborhoods based on information. We need residents to sign up so we can include them in the targeted information and messages for street sweeping, bulk, brush, construction projects, etc.

The Environmental Commission met last month and had a presentation on DeNormandie Park Improvements; they voted unanimously to support the improvements, as presented. There is \$78,000 earmarked in 2017 and 2019 capital improvement funds for the DeNormandie Project. There will be an Environmental Roundtable held with Shade Tree, Green Team, Fair Haven Fields Natural Area Committee; the public is invited to attend. The Green Team is hard at work on their Sustainable Jersey goal to attain Silver Certification (we need 15 more points). Councilwoman Cole thanked everyone who has been involved (Chief McGovern, Administrator Casagrande, Betty Ann Berube, Allyson Cinquegrana, and the Mayor). The Shade Tree Commission is working hard on their goals, as well. The Fair Haven Business Association is busy planning their Shop Small Saturday and the Holiday Stroll. The Historic Association is working with them on the event and to showcase Bicentennial Hall. They will provide gift wrapping.

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2022-215, 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. Facilities Contract
2. PBA Negotiation
3. State Health Benefits Plan

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2022-216, Hire Full Time Tax and Finance Office Assistant - Catherine Alescio

WHEREAS, there is a need for an assistant in the Tax and Finance Office; and

WHEREAS, the Borough Administrator advertised the position on the Borough's website, the New Jersey League of Municipalities website and other Borough social media platforms; and

WHEREAS, resumes were received, and interviews were conducted for said position and the Borough Administrator, Assistant Chief Financial Officer and Personnel Committee have confirmed that Catherine Alescio is qualified to fill said position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that Catherine Alescio is hereby appointed as a full time Assistant for the Tax and Finance Offices at an annual salary of \$45,000.00 and in accordance with the terms in the Offer Letter attached hereto.

BE IT FURTHER RESOLVED that the start date for Mrs. Alescio will be determined by the Borough Administrator.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2022-217, Approve Fire Department Regular Membership Application - Michael V. Crockett

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Christopher Michael V. Crockett, 22 Poplar Avenue, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2022-218, Approve Fire Department Social Membership Application - John Paul Doonan

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that John Paul

Doonan, 28 Parker Avenue, Fair Haven, NJ having been duly accepted as a social member of the Fair Haven Volunteer Fire Co. is hereby appointed to the Fair Haven Fire Department.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2022-219, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the October 11, 2022 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2021 CURRENT ACCOUNT	\$ 4,878.50
2022 CURRENT ACCOUNT	\$1,653,415.94
GENERAL CAPITAL	\$ 111,147.80
GRANT FUND	\$ 1,518.00
PAYROLL AGENCY	\$ 1,260.30
OTHER TRUST	\$ 9,966.42
DOG TRUST	\$ <u>246.55</u>
TOTAL	\$1,782,433.51

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

September 2022

- Municipal Clerk
- Dog License
- Tax Collector
- Budget Status

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

GOOD OF THE BOROUGH

Mayor Halpern opened the meeting to the public for comments or questions at 8:42 p.m. Bill Doerner, Spruce Drive, asked the status of electronics for Borough meetings; the Borough Clerk explained where the Borough is in the process (receiving the equipment, meeting with the electrician, connecting IT) and said the goal is to have it completed by end the of the month.

Drew LaBarbera, Cedar Avenue, had a request and question. There was a lot of discussion about the tree ordinance, process, permit, etc. showing that it is not a one-dimensional problem. There is guidance coming from the Zoning Board subcommittee, the Shade Tree Commission, Communication Committee, etc. He requested that this be looked at more than one-dimensional and that Council create a process and provide a plan for how residents can obtain information and pose questions. Mr. LaBarbera's question pertained to the Payment of Vouchers and some payments that caught his attention such as the bond interest payment, telecommunications payment, attorney bills and school payments. He asked how the bills can be viewed for additional information. Administrator Casagrande said she brings the vouchers that correspond to the bill list for immediate public access. He asked what the lead time is to view the bills from when the agenda goes out; the vouchers can be viewed the Thursday before the meeting. Mr. LaBarbera asked if he could have a digital copy of the Bond Interest Payment, telecommunications payments and legal services including the details surrounding them. He asked how he can sign his son up for Scouts; he can reach out to Councilman Rodriguez who is a scout leader.

Kristen Hoey, Dartmouth Avenue, stated Halloween is a concern this year because of fentanyl-laced candy; she spoke with both Chief McGovern and Superintendent of Schools Sean McNeill who are working on some things. We need to keep all kids and students safe. Councilwoman Cole said that Mayor Halpern and Councilman Rodriguez have also raised safety concerns and the Borough will be putting something out to the public. Chief McGovern said his department hands out glow sticks every year, and he is working with Betty Ann Berube on the public information that will be going out.

Ruth Blaser, River Road, said there is a great influx of kids on bikes not obeying traffic laws (they are riding on the wrong side and in the wrong direction). There are a lot of electric bikes, and they need bells because they are too quiet and “sneak up on people”. Bike riders should make themselves known as they approach people. Mayor Halpern agreed bicyclists need to abide by traffic laws; a bell is not going to help if the bikers don’t use them. He is working with Recreation on an Easy Ride Education. There will be a bike safety course at Knollwood School in the next week or so. Mrs. Blaser asked that the Chief mention that the bikers should announce themselves. Her next concern was people are not crossing in a crosswalk and crossing the street near Tavolo while on their phone. Mayor Halpern advised Chief McGovern will look into it. Councilwoman Chrisner-Keefe advised that she has experience with that part of River Road (particularly in the afternoon hours, 4-6 pm) and it is extremely congested near the Acme, River Road Primary Care and Foreign Cars of Monmouth where there is a crosswalk and competing driveways. Councilwoman Cole said River Road between Battin Road and Smith Street is unique to Fair Haven and the Active Transportation Plan addresses that section noting there should be more crosswalks; we added more crosswalks with the River Road Improvement Project. It was also noted that the sharrows and markings are painted on the roadway. The Active Transportation Plan and the recommendations within it to address the negative friction was noted. Mrs. Blaser confirmed contractors cannot advertise on the property that they are working at; this is correct. There is a house just down from Church of The Nativity, on Hance Road, that has a huge AV Murphy Builders sign that has been displayed for two months. Builders are allowed to display a sign with the block, lot and address of the property. She noted the restaurant, Over Easy, has outside speakers that plays music and asked if this is allowed. Other businesses do not have outside music playing and she felt it was low class. Mayor Halpern said they are not violating the noise ordinance and the hours are for breakfast and lunch, so it is not a concern. It was asked if residents are required to have house numbers to identify addresses. The east side of Lincoln Avenue does not have an identifiable number on it; this is a concern if there is an emergency.

Susan O’Brien, River Road, asked Chief McGovern if bikers are allowed to ride on sidewalks and if so, do they have to get off their bikes when approaching a person/pedestrian. The Chief said that bikes are not to be ridden on sidewalks, but we have allowed it for small children for many years, especially on River Road. Mrs. O’Brien clarified that what has been published is that children ages 11 and under can ride on the sidewalk and asked if they have to get off their bikes when encountering a pedestrian; no. She suggested that when doing the bike education next week for the 4th-8th graders, the students be told to look out for pedestrians.

Mayor Halpern made mention that in a middle school soccer game this afternoon between Fair Haven and Little Silver, an 8th grade Little Silver athlete suffered a serious leg injury. Fair Haven Police and First Aid responded. On behalf of the Fair Haven governing body, he wished the student a speedy recovery.

There being no further comments or questions, the meeting was closed to the public at 9:02 p.m.

Council went into executive session at 9:06 p.m. and this meeting was reconvened at 9:27 p.m.

ADJOURNMENT

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

Time of Adjournment: 9:28 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk