

**FAIR HAVEN BOROUGH COUNCIL
TUESDAY, OCTOBER 12, 2021**

The meeting was called to order by Council President Rodriguez at 7:01 p.m. The Flag Salute was led by Lieutenant Robert Townshend followed by a Moment of Silent Meditation. The Sunshine Law Statement was read as follows:

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 12, 2021 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL IT IS TIME FOR QUESTIONS/COMMENTS, WHICH WILL BE ANNOUNCED. AT THAT TIME, THE PUBLIC HAS THE OPPORTUNITY TO QUESTION/COMMENT BY PHONE OR THROUGH ZOOM BY THE "RAISE HAND" BUTTON AND WILL BE CALLED ON AT THE APPROPRIATE TIME.

NOTICE OF THIS MEETING WAS INCLUDED IN A SCHEDULE OF MEETINGS WHICH WAS ADOPTED BY RESOLUTION NO. 2021-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 7, 2021 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, Koch, McCabe, McCue, Neff and Rodriguez. Others present: Administrator Casagrande, Engineer Gardella and Chief McGovern.

Chief McGovern acknowledged the Townshend Family (wife Jacqueline and daughters Mary and Abby) and said a few words regarding the position and process and thanked Council.

RESOLUTION

1. Resolution No. 2021-220, Appointment of Police Captain – Robert Townshend

WHEREAS, the Fair Haven Police Department staffing model allows for a Police Captain to serve the Borough; and

WHEREAS, the Fair Haven Police Department currently has a vacancy in the staffing model in the position of Police Captain; and

WHEREAS, Borough Ordinance 2-26.5b indicates that the Borough Council may nominate a person to the position of Police Captain; and

WHEREAS, the Borough conducted the promotion process in accordance with Borough Ordinance 2-26.5b and the Borough desires to promote Robert Townshend as Police Captain under the terms and conditions per the PBA Contract retroactive to October 1, 2021.

NOW, THEREFORE, BE IT RESOLVED that Robert Townshend will be promoted to the position of Police Captain according to Borough Ordinance 2-26.5b.

BE IT FURTHER RESOLVED that Robert Townshend will accept the Oath of Office for the position of Police Captain immediately.

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

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

Negative: None

Abstain: None

Absent: None

Chief McGovern said a few words about Robert Townshend and his career with the Fair

Haven Police Department.

OATH OF OFFICE – POLICE CAPTAIN

The Oath of Office was administered to Captain Robert Townshend by Allyson Cinquegrana, Borough Clerk with his is wife, Jacqueline, by his side and daughters Mary and Abby holding the Bible.

Captain Townshend thanked the Chief for his friendship and allowing him to grow as an officer and he thanked the governing body for promoting him to Captain. He advised that this date (October 12th) held significance because of this swearing in and celebrating his 19th wedding anniversary. He acknowledged family and friends in attendance including former Police Lieutenant, Bill Heath and former Sergeant Dave Binaco. The department, as a whole, and their hard work was recognized by Captain Townshend. He looks forward to the future with this department.

At 7:10 p.m., Attorney Cannon arrived at the meeting.

WORKSHOP SESSION

Council President Rodriguez explained the vacancy process to the public. The Mayor’s seat expires on December 31, 2022. The Republican Committee submitted three names for Council’s consideration.

RESOLUTION

- 2. Resolution No. 2021-221, Fill Vacancy of Mayor for an unexpired term (12/31/2022)

WHEREAS, a vacancy exists on the Fair Haven Borough Council upon the resignation of Mayor Benjamin J. Lucarelli on September 14, 2021; and

WHEREAS, the Municipal Vacancy Law of NJSA 40A:16-7 requires “An appointment to fill a vacancy in the membership of the Governing Body shall be by a majority vote of the membership of the remaining members of the Governing Body”; and

WHEREAS, pursuant to NJSA 40A:6-11, Municipal Vacancy Law, the Fair Haven Republican Committee has recommended **Betsy Koch, Jon Peters and Joshua Halpern** to fill the unexpired Mayor’s term which will expire on December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that pursuant to NJSA 40A:16-7, **Joshua Halpern, 80 Buttonwood Drive, Fair Haven, NJ** is appointed as Mayor to fill the unexpired term of Benjmain Lucarelli through December 31, 2022.

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

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

Council President Rodriguez congratulated Josh Halpern on his appointment. The Oath of Office will be taken at the October 25, 2021 Council Meeting so the Halpern family can attend.

The Borough Clerk advised Council that she has corresponded with Superintendent McNeil and School Board Administrator Joye since the end of August to figure out a date and logistics for the Annual “Marchese” Student/Governing Body Meeting and what is required for the meeting. The school’s class schedule, lunch period and dismissal does not lend enough time for the meeting and with COVID protocols, it was decided to look for a possible date in the spring of 2022.

An amended list of proposed 2022 Council meetings was provided. Councilwoman Koch made a motion to accept the dates proposed, second by Councilwoman Neff with Ayes by all present.

Request from Dermer Dreams to post lawn signs and a banner from October 22nd-November 20th. The banner cannot go across River Road because we do not have permission from JCP&L to hang banners nor the equipment that would allow it. A staked banner can be placed at the entrance to Fair Haven near Schwenker Pond. Motion to approve moved by Councilwoman Koch, second by Councilwoman Neff with Ayes by all present.

With regard to the 2022 Brush and Leaf Pick Up Schedule, a handout was provided. We discuss this annually for the purpose of the municipal calendar that is published and mailed.

Administrator Casagrande reviewed the schedule for the governing body. Councilmembers McCue and McCabe have not reviewed or discussed this with DPW and asked that this matter be tabled to the October 25th agenda so there can be a recommendation from the Committee. There are concerns regarding the pick-up schedule, as it is now, and to provide the public's concerns and suggestions. Councilwoman Chrisner-Keefe asked for feedback from residents and other Council before deciding/finalizing the schedule. Council President Rodriguez said the Brush Committee is also set to meet and he will get their feedback. He explained that the Committee is made up of representation from each of the six districts in the Borough. Councilwoman Koch asked if we are trying to change the schedule or modify it? The Clerk advised this needs to be decided by the beginning of November so that Betty Ann can incorporate the schedule into the 2022 Municipal Calendar. Administrator Casagrande advised if Council is looking to add additional pick-ups, that there will be a man-power issue. The six-month brush pick-up schedule can be moved around, but leaf pick up is set and cannot be changed. This will be tabled to the October 25th meeting to discuss the recommendations and feedback received.

PRESENTATION – 2020 MUNICIPAL AUDIT

Robert Allison, Borough Auditor, arrived at 7:25 p.m. to give a presentation on the Borough's 2020 Audit. A handout was provided for the governing body to follow along. Administrator Casagrande noted that Colleen Lapp, CFO, was also in attendance, via Zoom.

The audit was completed six weeks ago (it is usually due by June 30th, but the State was late with some information and other information is still pending). There were no recommendations for the 2020 Audit. The Borough has a "Double A" Bond Rating which is great, and the Borough should stay there. The funds were explained. Mr. Allison reviewed the highlights of the court audit and Construction Code audit. The Borough's debt situation is good; it is less than 50% of what the State allows. The pensions (PERS and PFRS) were reviewed. The Division of Pension bills the Borough for its share of the contribution.

Council President Rodriguez asked how Fair Haven looks compared to peer towns through COVID; Fair Haven did well and actually increased surplus even with COVID where a lot of towns did not.

Councilwoman McCabe said that there were COVID payments received and asked if they need to be paid back? No, the County sought funds on each municipality's behalf; the payment was a reimbursement based on the proof provided for what was expended by the Borough.

Councilwoman Chrisner-Keefe asked what percentage of the fund balance should be used every year and if there ever was a time where it is too high? No, there are budgeting strategies and Fair Haven is in a good place.

Administrator Casagrande thanked CFO Colleen Lapp, the Asst. CFO and Finance team for the great job that they do every year.

Mr. Allison left the meeting at 7:40 p.m.

Engineer Gardella reviewed the proposed bid specification for the Improvements to Hance Road and Cooney Terrace Project, Phase II. In Council packets were the proposed plans (7 sheets) which are typical bid specification drawings. The plans are substantially complete; he was looking for authorization to bid the project (resolution listed this evening). We must award no later than November 21st per DOT grant guidelines. Once authorized, the proposed plans will be sent to the DOT for their review and approval. The front end of the bid has the instructions, the bid quantities and technical information. The drawings depict the original project location. Engineer Gardella explained the project and what is involved, trees to be saved, where the roadway narrows and expands. Engineer Gardella and Assistant Engineer Poruchynsky measured various locations and taped off where the trees, driveways, landscaping are located. No trees will be removed with the project. At the corner of Hance and Lewis Point Road, there are two trees in the site triangle and the Borough's arborist looked at it and agreed it is an option to remove them (leaning over the cart way and dead fall on the east side that needs to be trimmed). There are a cluster of trees near Cooney, one of the trees is trifurcated and, in the right-of-way, and should be looked at by our arborist. Engineering has always done its best to not remove trees during a project. The unit price for tree removal should be included in the bid so we have a price and will not need to negotiate, if we find that we need to remove a tree. If we go to bid and decide to award the bid, the approving resolution will have language that reads that the bid is awarded subject to review and approval by the NJDOT.

Council President Rodriguez asked if there were a decision for tree removal, how would it work as a change order? Engineer Gardella read the pay order for tree removal up to 12" caliper and over 12" caliper. He explained increases and decreases and when a change order is required. These

are estimated pay items, they are not “as built” numbers in the bid because the amount of exact material is unknown; we could exceed the quantity of supplies needed. Council President Rodriguez asked about the trifurcated tree and if it was 40 feet from the intersection. He was advised that it is near the catch basin at the corner where the turning radius is at Cooney. Council President Rodriguez asked about curbing (height, depth, treating tree roots so they can be healthy). Engineer Gardella explained the plan. A typical curb is 6” above the road and 8” below (6X8X18). He explained hand digging around trees and not machine digging to save the tree. There will be remove and replace costs for existing curb. Council President Rodriguez met with the Mauros at the corner of Cooney and Hance who want the tree saved; he appreciated the half-moon concept. Engineer Gardella said the half-moon has been done on Woodland, Linden, etc.

Councilwoman McCabe said that she has been close to this project. She appreciated Engineer Gardella’s hard work on this matter, but there are other critical priorities in town to be addressed. She thanked all involved and said that she respected everyone’s work to this point, however, there are too many unknowns so this project should not be a priority.

Councilman McCue asked Engineer Gardella if he walked the project with the Arborist? Yes, he spoke with the Borough Arborist who did a site visit after the discussion and will provide his recommendation. It was asked if he looked at the over 12” caliper trees; yes, there is a tree in the site triangle and in the right of way, leaning over the cart way and near the utility poles. Councilman McCue asked if it is easier to budget through capital for tree work vs. an emergency removal. He asked what a trifurcated tree at the end of Cooney looks like; it splits in 3 at the base and the leads grow separately. Engineer Gardella said that he is asked all of the time if a tree is going to fall; there is no way to tell. It is best to include tree removal in the bid just in case it is needed. Engineering does its best to work with each homeowner because of items that are in front of their home (driveways, mailboxes, railroad ties, irrigation, dog fences) and we restore as we go (backfill, sod, etc). He invited the governing body to look at the sod on Harrison; it looks amazing. Councilman McCue said the brush grind is coming up and that area is filled with trees. He asked how the bid specs would be worded for tree removal; Engineer Gardella said it states removal, disposal and grinding of the stump.

Councilwoman Koch asked if sidewalks would be installed without removing trees; correct. She asked if there are alternatives to concrete curbing? Engineer Gardella said he spoke at the September Special Meeting and subsequent meetings about options. What we have is traditional curbing which will help with washout. Roof drains are draining into the street which creates wash outs; curbing will eliminate the erosion. Catch basins were installed in the late 1970s and were set back for future road widening. Engineer Gardella did not recommend alternate curbing and he explained why.

Council President Rodriguez spoke with Brian Rice, Environmental Commission, who strongly supported curbs to help create a barrier for drainage and stopping the pesticides and lawn treatments from directly entering into the river and storm drains. Curbing will force the treatments to seep into the ground rather than into our stormwater management system. Engineer Gardella said the pesticide discussion is a “topic for another day” but agreed with the conversation that was had with Mr. Rice; curbing will keep water in the street and avoid sheath flow.

Councilwoman Neff thanked Council President Rodriguez for mentioning the conversation with Brian Rice who relayed the Environmental Commission’s view and concern. She asked what the timeline is for the sidewalks and how it works. Engineer Gardella said there will be a Base Bid with Option Bid #1 (sidewalk and all associated with it). He explained the options and how it is awarded; the Borough cannot hold off on the option until a later date. Tonight’s resolution is just to authorize the bid process (a date will be established to accept bids, the bidders will provide a number for the base bid and a separate number for the option(s), once the responses are received, the bids will be reviewed and a memo of recommendation or a possibility of rejecting bids (because it exceeds the estimate or lack of being able to fund the project and/or the alternate) will be provided by Engineer Gardella. He will review the bid from a technical standpoint and will not be giving an opinion as to sidewalks being done or not. The Borough Attorney will review the bids to be sure all documents have been submitted and are acceptable (to form). If the bid is awarded (base bid and option or just base bid), everything from the successful bidder will be sent to DOT, contract documents will be drawn up, a pre-construction meeting will be held to review shop drawings, the submittals, etc.

Councilwoman Chrisner-Keefe went back to Engineer Gardella’s statement regarding the authorization for the advertising of bids being the same as a recommendation. The bid, if decided, would be awarded subject to the NJDOT’s review and approval. It was asked if the Mayor and Council decides to pursue the project, without curbing, would that be a change order to take curbing out. Engineer Gardella said curbing is for function not looks. It is more than curbs; it is catch basins, water flow and other logistics so not having curbing changes everything; there are areas on

the street that have curbs. No curbs would cause us to have to re-grade properties and figure out a way to prevent wash out. It was asked, "What if we decide to maintain the condition that already exists i.e. properties without curbing"? The Engineer submits an Annual Stormwater report to the State DEP where his department is certifying, to the State, that we are taking care of certain circumstances. There are some properties battling washout and erosion for years and the property owners are taking matters into their own hands.

Attorney Cannon said the Borough Engineer has advised that it is not possible, at this juncture, to do the bid without curbing. Engineer Gardella has already been authorized and is moving forward. If curbs are not included in the bid and then Council decided that they wanted them, The Borough would be exceeding the 20% change order allowable for a contract which is prohibited.

Councilwoman Chrisner-Keefe reviewed the map/plans that were provided and asked about road widening and the areas shown in the plan. Engineer Gardella reviewed the plans with road width and the various areas along the project. Councilwoman McCabe said that the area was brought up with Google Maps, at a committee meeting, which made it easier to follow along with the plan created. Engineer Gardella explained the hatching and lines on the plan and what they represent.

There was discussion on pavement and sidewalks and where they appear in the proposed plan for the project. Councilwoman Chrisner-Keefe said that it appeared Cooney Terrace would have additional right-of-way on the south side; Engineer Gardella did not have dimensions, but it would be wider than Hance Road. We are holding the edge of pavement and curb line on the north side (28' in width) and it narrows at Grange Avenue. The need to widen was questioned as far as why and if it is feasible. Councilwoman Chrisner-Keefe asked if Bill Brooks was working on a write up for the trees? Yes, Mr. Brooks reviewed the area and will provide his opinion letter. She asked if Mr. Brooks had given an opinion of curbs on tree root structures? There was discussion on sidewalks which are sunk 4" below surface. There would be a 6" wide curb, 18" wide grass strip and 4' wide sidewalk.

Councilwoman Koch asked Engineer Gardella if he could consider two options; one with and one without sidewalks and if it the same could be done as far as curbs. Engineer Gardella said that he proceeded based on the last Council meeting discussion and instruction from Council. If curbs are taken out of the bid, the bid will need to be redone and there is not enough time to meet the grant deadline. It was asked if residents have expressed a strong desire for or against curbing? No.

Council President Rodriguez opened the meeting for public comment at 8:48 p.m. Susan O'Brien said that it was mentioned that an arborist has looked at the trees. She asked that Mr. Brooks not be referred to as an Arborist, he is a Forrester. She asked that a certified Arborist look at the trees.

Tracy Cole, Grange Avenue, shared Mrs. O'Brien's perspective. She advised Council that as decision makers, they need reliable, professional information because the residents are counting on it. She stated that the Borough has streets without curbs i.e., Battin and Buttonwood. The neighbors don't want the character of the street altered; they do not want uniformity because the street is unique. Mrs. Cole suggested that Engineer Gardella or Brian Rice look at Green Streets regulations from the State because it has good information and alternate options. It was asked that the Borough consider a curb alternate toward the end of the road. She acknowledged stormwater wash out on a property and said it is not a problem for that resident. There are options or alternate curbs so the contractor would not have to dig 18" down to install a curb. Council President Rodriguez said it would be a 12" trench with a 6" rise.

Sarah Schiavetti, Cooney Terrace, confirmed that there are no plans for drainage to be addressed at Grange Avenue and Cooney Terrace. The plans are not totally complete; stormwater needs to be addressed. Engineer Gardella explained how the water would flow with curbs, storm drains, etc. It was asked if the Environmental Commission had given a report on this project? Council President Rodriguez said Brian Rice called him to comment and spoke, in general, about the benefits of curbs. Councilwoman Neff said the Environmental Commission has not written a report or given a recommendation. Mrs. Schiavetti asked if anyone else has weighed in (Green Team, Shade Tree or Planning/Zoning)? No. Council President Rodriguez said that Shade Tree weighs in on trees that are on public land and the trees being discussed are not in the right-of-way, they are on private property. Shade Tree maintains a hazardous tree inventory identifying the tree and whether it is to be remediated or removed which is done separately. Councilwoman Neff said at last week's Shade Tree Commission Meeting, Hance Road was discussed. Shade Tree's Chairman said that they are looking at trees on public property and this is not a project they should be looking at. Councilwoman Neff said the Borough Engineer stated that no trees will be affected by the project; there are just two trees to review and consider. Mrs. Schiavetti said there are other reports needed

and that Engineer Gardella is not an arborist. The Borough’s tree expert has looked at the trees, but no report has been provided. It was felt that the Council needs other inputs. The residents are concerned about the street and are most familiar with the street than Council, the Engineer, etc.

Richard Saxe, Hance Road, was concerned with uniformity of the road and making it all equal. Fair Haven is beautiful with varying neighborhoods. There seems to be misplaced emphasis with citing uniformity; everyone likes the road the way it is and the project should not change the road in the name of uniformity. Mr. Saxe referenced New York City and nothing being uniform which adds to the charm in the city. It was asked that Council consider the statements before acting on this.

The meeting was opened to attendees through the Zoom Platform. Bonnie Torcivia, Battin Road, advised that the meeting video was cutting off through this meeting. She echoed what Mr. Saxe said about uniformity. She rides her bike to Hance Road, and she did not understand the need for neat, uniform streets. The beauty of Hance is the coverage of trees and their soaking up the runoff. She said curbs do channel the runoff down the street to the river and there are adequate curbs, so the trees that do not need to be affected.

There being no further comments or questions, the meeting was closed to the public at 9:09 p.m.

Councilwoman McCabe asked that Engineer Gardella clarify that the bid, as we have it, has curbs and the alternate for sidewalks, and we will not be going back to not having curbs? Attorney Cannon said the bid specs have to have a specific project and line item and, if altered, the Engineer could not amend the bid in time. Whatever is not included in the bid specification can be done if Council kicks in the money. The Borough cannot just award certain aspects of the bid, have to bid as a whole and choose whether to include the alternate option.

As far as the 2021 Capital Bond Ordinance, the Finance Committee met last week and the consensus was to look at this as part of the other projects discussed with regard to how priorities go and the DPW and Police facilities. This matter will be held until a future meeting for further review. The Finance Committee welcomes input from the Councilmembers and a Capital Bond ordinance can be done in the beginning of 2022. If Council wants to move forward with micro projects and drainage projects, they can be done through another ordinance already passed. Councilwoman Neff said that a little more time is needed to get a better understanding of costs and what will be related to Police Department and DPW facility construction. She said the Borough will take its time before moving forward with the capital bond ordinance. Councilwoman Chrisner-Keefe said there was discussion regarding acquisition of property and asked if we need to hold off on further discussion. Acquisition of property will be considered once we hear the result of our pending grant applications.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 9:17 p.m. Tracy Cole, Grange Avenue, asked for a copy of the Auditor’s report; Attorney Cannon provided his copy. The Borough Clerk advised that a full copy of the 2020 Audit will be posted on the Borough’s website.

The meeting was opened to Zoom participants. Claudia Brady, Fair Haven Road, asked for the total cost of the Hance Road Project and the total amount of grants that are going toward it. The Engineer’s original estimate is \$600,000 and the NDOT grant award is \$350,000. We are looking for the bids to come below the estimate. She asked if we do not move forward with the project, the Borough would save an estimated \$250,000. We are not sure what the Borough’s exposure would be and if we would have to expend \$250,000. The bid was clarified by Mrs. Brady who thought there were two alternate options in the bid; one for sidewalk and the other for curbs. She was advised that curbs were part of the bid and sidewalks were going to be an option.

There being no further comments or questions, the meeting was closed to the public at 9:21 p.m.

APPROVAL OF MINUTES

Councilwoman Koch made a motion to approve the Regular Meeting minutes of September 27, 2021, second by Councilman McCue

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

Councilwoman Koch made a motion to approve the Executive Session minutes of September 27, 2021, second by Councilman McCue

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

Negative: None

Abstain: None

Absent: None

OLD BUSINESS

There was no old business brought before the governing body.

NEW BUSINESS

Council Committee Reports

Finance - Councilwoman Neff reported the Finance Committee had a productive meeting last week discussing the approach of moving toward a three-year budget level and the best way to consider the resources. There will be a meeting with department heads with focus on the most important departments for potential increases which will affect budget decisions. The Committee will be meeting bi-monthly to achieve the objectives. The idea is to memorialize certain approaches with bond issuance and create principles of the process. This will tie in with the Strategic Planning Committee and ideas that are in the development process.

Personnel - Councilwoman Chrisner-Keefe reported that the promotion of Robert Townshend to the Captain position took place earlier this meeting. She thanked Councilmembers Koch and McCue and Administrator Casagrande for participation in the process. It is very exciting.

Planning & Zoning - Councilwoman Koch reported that there will be a Special Joint Zoning Board and Council meeting on October 21st at 7:15 pm via Zoom to discuss and review land development ordinances and to explore the impact on residential areas during construction. All are encouraged to participate in the meeting. The Planning Board has a meeting on October 19th and November 16th. The Zoning Board's November meeting will be on the 4th.

Councilwoman Neff reiterated that residents should attend the October 21st Zoning/Council meeting and speak of the concerns. The Borough's ordinances were written a long time ago and there have been changes. The reason for holding this type of meeting is to specifically address the issues and processes for the homes being built. This is an important exercise.

Parks and Recreation and Communications - Councilwoman Koch reported the Halloween Parade and Egg Hunt will be held on October 24th. There will be details on the website regarding a Halloween decorating contest; the same as what occurred last year.

Police, Fire & OEM - Councilman McCue thanked the new Fire Department volunteers proposed for approval tonight. With regard to River Road safety and concerns for night operation, other options were looked into without shutting an entire street down. Chief McGovern preferred the night option rather than diverting traffic during school hours. The project should be near Borough Hall by the 15th and NJAW should be done with the main waterline.

Engineering and DPW – Councilman McCue reported on park vandalism that had recently occurred (flipping bleachers, dumping trash cans, vandalizing the ladies' room). There could possibly be thousands of dollars in damage. There have been immediate remedies taken regarding change of locks and locking earlier. He spoke to the Chief and Engineer Gardella who spoke with the Director of Park and Recreation to figure out how to prevent this i.e. cameras and other options. Besides not having money budgeted to repair this, there is a manpower issue to clean up the damage, replace the bleachers to their original spot. Detective Reevey is looking into this and will have a report.

Councilwoman McCabe asked if there will be proactive steps, going forward, besides locks being changed. Councilwoman Koch said there will be security lighting, possible curfews and cameras being installed. It was asked that the Chief McGovern provide strategies. Councilman McCue assured Council and the public that everyone is looking into solutions to prevent this in the future and the best idea will be chosen. Administrator Casagrande said that something can be put out on Facebook and Constant Contact with the pictures we have and asking everyone to be mindful of what is happening around town as way of addressing these incidents with everyone. Councilwoman McCabe felt the Borough should bring the attention to it that is needed. Councilwoman Neff was at the Concession Stand the next morning and young kids were using the park; there was a safety issue with the broken toilets. Council President Rodriguez said awareness and taking pride in community should be put out there. We should tie it with the surrounding communities, as well.

Councilman McCue advised the brush grind is coming up. Administrator Casagrande, Chief McGovern and Assistant Engineer Poruchynsky met with contractor last week. It is a local contractor with local drivers; this will be an extended process with the use of smaller trucks. Councilman McCue spoke with the Chief to review the route, school times, etc. Councilwoman Koch said residents are asking that we post on our website, the timeline for grinding and how it will

affect school pick up and drop offs. Administrator Casagrande said the contractor is only running two trucks total and the work will not be done during school arrival and departure. Councilwoman Koch asked that there be communication with the Board of Education so they can also advise parents that the trucks are coming in and out of the area. Administrator Casagrande assured the work will not happen during school arrival and dismissal; it will be two trucks making two runs a day. The contractor is familiar with Fair Haven and its street closings and school times. The tub grinder will need to be delivered which is being coordinated with the Chief. The grind will be 3-4 days and the hauling will take a little longer because since there will only be two trucks. Councilwoman McCabe asked that the Board of Education be advised so they can also address the lunch times when kids go out for lunch. Councilwoman Chrisner-Keefe confirmed the work will start at 8:45 am and will finish prior to end of the school day.

Borough Facilities – Council President Rodriguez reported the Brush Committee will do a review on the new brush grind process and see what, if anything, needs to be changed.

The Architect and Engineers will meet biweekly with the Facilities Committee. They will discuss an Owner Representative and bring a recommendation to the Council. The project is going to take some time as it is the largest project the Borough has undertaken in quite some time.

Council President Rodriguez welcomed Josh Halpern to Council. Mayor Halpern will be part of and work with the Facilities Committee. He will be brought up to speed on priorities, how the process works and protocol. Councilwoman Koch and former Councilman Jon Peters were thanked for putting their hat in the ring for the Mayor’s unexpired term. Everyone was thanked for their service.

CONSENT AGENDA
RESOLUTIONS

- 3. Resolution No. 2021-226, Authorize Engineer to Advertise for Receipt of Bids: Improvements to Hance Road and Cooney Terrace

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 Improvements to Hance Road and Cooney Terrace Phase II Project.

Offered for adoption by Councilman McCue, second by Councilwoman Koch

Councilwoman McCabe said when this was brought to the point we are at now, there were different dynamics and a different understanding regarding a curb in or out or how to edit the project. Without all of the dialogue, we would not be where we are now. There were different understandings and dynamics. She was concerned with the idea of being locked into the curbing, and not having the experts in other areas, besides the Engineer, to make a decision. She understands the grant timeline, but it seems we are rushing into something without expert data being brought to the table.

Councilwoman Neff said it has been a learning experience with this project. She understood the project was part of the waterfront parks and renovations to the Hance Road pocket park so Engineer Gardella built the road thinking through how the public would access the pocket parks. There were separate discussions on each and this should have been addressed as a holistic project with encompassing the pieces together. Whatever is decided today, Council should not ask Engineer Gardella to amend plans again; it does not bode well to have a “ping pong” discussion. Council should discuss and make a firm decision. Engineer Gardella was clear about the technical issues to the various approaches. A balance needs to be struck for the interest of the residents, what is needed for the project, as well as, having trust in the documents, not questioning every little thing and a level of trust in our employees and professionals.

Councilwoman Chrisner-Keefe said this is a very difficult decision on a project that has been discussed for many months and is making a decision on what is before her. It was noted Borough professionals put a lot of time into this and she thanked all who did the grant work, participated in the discussion and plans. Grants are driving our priorities and our spending, so we need to make a change for that starting now. The Borough needs to be selective in the grant that we pursue. Councilwoman Chrisner-Keefe said based on public input and the information in front of her, Borough priorities are important giving her good reason to vote no.

Council President Rodriguez noted that a lot has been said about sidewalks, curbs, and the nature of the community. It is important, when engineering a street, that we have good structural foundation and not worry so much about uniformity. It is also important to the environment and providing a safe environment for the public (walking, biking, driving) no matter what the age. A point about grants was made; those who approved and applied for the are no longer here, but they

had good reason to apply.

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

Attorney Cannon advised that the resolution fails, Engineer Gardella will not go to bid, and the Borough forfeits the \$350,000 NJDOT grant. Administrator Casagrande will advise the NJDOT in the morning. Councilwoman Neff asked if the governing body is not looking to entertain this project at all. If so, she does not want any Borough money to be expended on what we had a grant for and asked that this project be listed on any agenda again.

Councilwoman McCabe said we owe our community. All points are respected, but the Borough needs to be strategic and prioritize projects. Administrator Casagrande explained to the governing body that this resolution is to authorize the bid, not award it. We are unsure of where the bid will come in; it could come in at \$400,000. This resolution would allow us to go to bid and just see what the cost would be and then Council could decide whether to award or not.

Councilwoman Chrisner-Keefe was disappointed because she and the public wanted more information on impacts to the trees, river, roadway which goes back to process and communication. The grant was awarded two years ago, and a decision needs to be made at the 11th hour. Councilwoman Neff said Engineer Gardella was clear about curbs, no curbs, trees and all involved so Council got most of the answers requested even if it took a long time. We do not have the staff to give the amount of detail that has been requested over these last few months. This process was not ideal, but Council needs to have trust in the professionals who have the Borough's interest at the forefront.

4. Resolution No. 2021-222, Executive Session - Personnel

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. Mandatory Employee Vaccination Program
2. Qualified Purchasing Agent
3. Police Department Social Security

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

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

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

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

5. Resolution No. 2021-223, Approve Fire Department Membership - Alastair Jack

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Alastair Jack, 218 East Bergen Place, Red Bank, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

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

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

6. Resolution No. 2021-224, Approve Fire Department Affiliate Membership/First Aid - Graydon Santos

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Graydon Santos, 92 Pine Cove Road, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

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

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

7. Resolution No. 2021-225, Approve Fire Department Social Membership - Robert McHeffey

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Robert McHeffey, 206 Oxford 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 Councilwoman Koch, second by Councilwoman Chrisner-Keefe

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

8. Resolution No. 2021-227, 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 12, 2021 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$	14,070.04
2021 CURRENT ACCOUNT	\$	1,736,248.95
GENERAL CAPITAL	\$	42,316.66
PAYROLL AGENCY	\$	13,714.38
OTHER TRUST	\$	5,638.73
DOG TRUST		4.20
	\$	1,818,654.49

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

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

9. Resolution No. 2021-228, Accept 2020 Municipal Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no

later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Haven hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

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

Negative: None

Abstain: None

Absent: None

Councilwoman Neff requested clarification on Resolution No. 2021-229 as to when is it effective and what is involved. Administrator Casagrande said Dish Network is interested in being on our cell tower; we pay a percentage of the rent received to the Methodist Church. Attorney Cannon reviewed the bids and so did our Cell Tower Consultant. The Borough Clerk provided the process to Council. Councilwoman Chrisner-Keefe asked about the 110' location of equipment. Attorney Cannon said this is a lease that Dish Network is willing to pay us for. They will submit the equipment plan to the Borough Engineer (another level of review) for his consideration and the lease has guidelines spelled out in it. Council was advised Attorney Cannon wrote the bid with our Cell Tower Consultant.

10. Resolution No. 2021-229, Award Cell Tower Colocation Bid to Dish Wireless, LLC

WHEREAS, the Borough of Fair Haven adopted Ordinance No. 2007-15, entitled "An Ordinance Authorizing the Borough of Fair Haven to Lease a Portion of Certain Borough controlled Property to the Highest Bidder for the Construction and Maintenance of a Cellular Antenna Tower and Associated Equipment, and the Subsequent Lease of Space Thereon to the Highest and/or Qualified Bidder(s) for Co-location, Pursuant to *N.J.S.A. 40A:12-1, et seq.*"; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-14* of the New Jersey "Local Lands and Buildings Law", the Borough of Fair Haven has authorized the acceptance of bids, subject to the resolution of any outstanding exceptions as may have been submitted, for the lease of a portion of Borough-controlled property designated as Block 77, Lot 107 on the Fair Haven Borough Tax Map for the construction and maintenance of a municipal and wireless communications tower and installation of antennae and related equipment, and on October 5, 2021, received one (1) sealed bids therefore; and

WHEREAS, the following sealed bid received was from:

1) Dish Wireless, LLC with a principal office in Englewood, Colorado, for the total lease amount of \$44,000.00 per year; and

WHEREAS, the FSD Enterprises, LLC, the Borough's Cell Tower Consultant, Borough Administration and the Borough Attorney have reviewed the bid submission and recommend that the same be awarded as set forth herein; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Fair Haven, as follows:

1. That the bid proposal submitted by Dish Wireless, LLC, with its principal office located in Englewood, Colorado is hereby awarded in the amount of \$44,000.00 per year with a 3%

increase on each anniversary of the lease.

2. That the appropriate Borough officials be and hereby are authorized to execute a sub-lease agreement, acceptable to FSD Enterprises and the Borough Attorney, between the Borough of Fair Haven and Dish Wireless, LLC. for the installation and maintenance of an antennae and related equipment, for a period of five (5) years with four (4) successive five (5) year options to renew, for the total lease amount of \$44,000.00 per year, with annual increases after the first year as per the bid documents, and in accordance with the bid proposal submitted by Dish Wireless, LLC on file with the Borough.

4. That Dish Wireless, LLC., shall be granted, and has agreed to, install communications equipment and antennas and ground equipment on the existing cell tower at the one hundred ten-foot (110') centerline location, or such other height as may be mutually agreed upon, and ground space for the installation of ancillary support equipment.

5. That Dish Wireless, LLC shall pay to the Borough a one-time, \$3,000 fee to cover bid and other project related costs. Said fee shall be paid prior to the start of the carriers' construction.

6. That the Borough shall have the right to place its equipment, or any other equipment it deems appropriate within the structural limits of the tower, on the tower at no charge and at such height(s) agreed upon by the Borough and the lead carrier.

7. That the Mayor is authorized to execute and the Borough Clerk to attest all contracts and other necessary documents in order to effectuate the intentions of this Resolution, which shall be in a form acceptable to the Borough Attorney.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Dish Wireless, LLC.
- b. FSD Enterprises, LLC.
- c. Borough Engineer
- d. Borough Planner
- e. Borough Attorney

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

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

Negative: None

Abstain: None

Absent: None

- 11. Resolution No. 2021-230, Approve Block Party Application - Jackson Street (between Jackson and Smith): November 13th

WHEREAS, a request was received to hold a Block Party on Jackson Street on Saturday, November 13, 2021 from 2:00 pm to 9:00 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on October 6, 2021; 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, November 13, 2021 from 2:00 pm to 9:00 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2021-11 will be issued for said event.

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

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

September 2021

-Municipal Clerk

-Dog Report

-Tax Collector

-Municipal Court
 -Budget Status

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

GOOD OF THE BOROUGH

Council President Rodriguez opened the meeting to the public for comments or questions at 10:11 p.m. Councilwoman Neff reported someone riding an electric bike on the wrong side of the sidewalk along Fair Haven Road and asked if it is allowed? It seems like a safety issue. Administrator Casagrande will report it to the police; you cannot ride bikes on the sidewalk. She asked if there was any resolution to the issues at the Fair Haven dock (trash and fishermen). Councilwoman Koch said the Recreation Committee talked about limiting the hours, however, it might be a seasonal problem. Councilwoman Neff said it would be a good idea to have something in place for next year. We cannot issue permits because the dock was built with Green Acres money.

Bill Dorner, Spruce Drive, thanked the governing body for ending the nightmare of Hance Road and Cooney Terrace; it took a lot of courage. He suggested Council not allow grants to drive the community.

Mrs. Briel, Linden Drive, asked about the Fair Haven Road property acquisition. Council President Rodriguez advised that we have not discussed it because we are waiting on procedural information. She felt the Borough should not do that project either. Instead, the Borough should bring the construction office back to Fair Haven because there seems to be a disconnect between Fair Haven and Rumson. She said purchasing the Fair Haven Road property is a nice idea but is a waste of money.

Kristin Hoey, Dartmouth Avenue, brought up funding for various projects and asked how the Borough goes about the allocation of funds. She has an interest in upgrading the surface at Fair Haven Fields. She engaged with Recreation at their last meeting including residents, coaches, etc. Council talked about a lot this evening (projects, debris, green space) and the Borough has an opportunity for Fair Haven Fields green space which serves various sports and gatherings. She and her family moved here because of the recreation. Mrs. Hoey asked the Borough and Council consider an allocation of funds for repairs at Fair Haven Fields and think 10-20 years out. Many towns have gone from sod to synthetic turf which is low maintenance and environmentally friendly. It seems all sports are fighting for a small section of space (in the upper fields) because of debris and flooding on the fields. Coaches and volunteers do a lot to better the fields (picking up trash and debris before and after games, raking the fields, etc.). She asked that the Borough replace the sod at lower section of Fair Haven Fields and install synthetic turf because it is low maintenance and will last a long time. Mrs. Hoey spoke with Athletic Directors, residents, Recreation as part of her homework. Council should consider the future and vision of the town and better the fields which can help with the plan to deter vandalism and bring pride to Borough sports. She said coaches and teams should have "skin in the game" regarding the fields and it would be incumbent on the teams to form a park clean-up crew to help maintain an area of the park vs. the onus being on DPW. Mrs. Hoey did a ton of research on this topic and is willing to share the information she has including a presentation.

The meeting was opened to the Zoom participants. Denis Fernandes, Cedar Avenue, raised the issue of the proposed LAX practice wall and asked what the future of the current wall that is not serving us. The concern is looking into the future of when the new wall goes up and the old wall being forgotten. The gap he sees (so do Engineer Gardella and Councilman McCue), is the playing area itself and what type of sports can be played. Mr. Fernandes said the surface could be an asphalt paved area which can be available to various sports. This matter warrants a second look. He was advised by the Recreation Committee that the plans have been created and there is nothing that can be done about it. It was asked what the budget is for the project, what has been donated and how much would the Borough contribute? Councilwoman Chrisner-Keefe thanked him for his comments and said this has been discussed by Parks and Recreation and Council for a few months. Nothing is off the table; there are still moving pieces that need to be solidified i.e., the location, the surface. The organization's Engineer put the initial bid together and the actual gap in funds is unknown, at this time. A moving piece is the winning contractor accepting the project with donated concrete. We may be able to bid the surface as an option for cost so the organization's Engineer would have to create a second bid specification with the option.

Councilman McCue made a motion to reconsider Resolution No. 2021-226 to put the Hance Road and Cooney Terrace project out to bid so that the Borough and governing body could look at the numbers. A lot of work went into this as far as discussion, plans, etc. Attorney Cannon said that there would need to be two motions; one to agree to reconsider the resolution and, if agreed, then the actual reconsideration for a second vote of Resolution No. 2021-226. Councilman McCue made a motion to reconsider Resolution No. 2021-226 authorizing Engineer Gardella to advertise for receipt

of bids, second by Councilwoman Koch

Councilwoman Chrisner-Keefe asked for a Point of Order to put the project out to mill and pave with curbing as to existing conditions. Engineer Gardella was asked if there could be three alternates to the bid; base bid and two options. Engineer Gardella said it is a substantial rework, especially in the time frame we have. He worked day and night including weekends to meet the deadlines and get the work done as requested and now Council is asking him to engineer something that may not work. He would have to look at the new request, study and consider the entire project. It is not an easy yes or no answer and the timeframe does not allow the Engineering Department to do a bid specification rework. Councilwoman Chrisner-Keefe reviewed the minutes from the September 13th Council meeting and the consensus was to bid with sidewalks (Option #3) as an alternate. Councilwoman McCabe said Option #2 would have been the best option and more satisfactory and what she was leaning toward; sidewalks and curbing the entire length might be too much. Administrator Casagrande read the alternate created by Engineer Gardella which showed curbs on both sides. She then read Option #2 and what it included, and Option #1 was to do nothing and forfeit the grant. Option #4 was the bicycle boulevard plan and Option #5 was pedestrian lane/walkway. Councilwoman Neff reminded everyone that the Engineer advised that he does not have time to revise the project and asked if the Borough is willing to pay an additional cost for an external Engineer to design a new bid with three options. Councilman McCue said there is not enough time because we need to award a bid no later than November 21st. Councilwoman Neff said Council must be respectful of the professionals and Borough employees for the work they have done. It was felt a lot of time has been spent on this project, this year.

Councilwoman Koch didn't know what bringing in a Consulting Engineer would cost so she would like a plan for milling and paving to prevent the road from falling apart.

Council President Rodriguez asked if Council wanted to vote on the resolution. If more time and information is needed, a special meeting can be called, either in person or via Zoom, to reconsider moving forward with the bid however there is a process for doing so.

There was further discussion on the project. Councilwoman Koch confirmed that if Council votes on the resolution tonight it is only to move forward with advertising for the bid. Correct, it would allow us to see the numbers that come in and give the option to award the base bid and/or the alternate or reject all bids. Councilman McCue said that a lot of time and hours have been spent on this and we should go to the next step and see what the numbers are. There was brief discussion on the Borough applying for the grant as Phase II to continue the work done for the first section of the road. The project was designed to allow the public to walk and bike, safely, from the beginning of Hance Road to an improved waterfront park. It was also designed as a complete streets project, with a full vision through the process. There was discussion on why there are no sidewalks on Cooney Terrace (the width is 28')

Council President Rodriguez said there was a vote, on the floor, to reconsider Resolution No. 2021-226. Attorney Cannon said Council could hold the vote made earlier or continue this vote to reconsider whether to move forward. If reconsidering, then there needs to be a re-vote on the resolution. Engineer Gardella said what was discussed at the last meeting was voted down this evening. There were five options presented and Council gave direction to move forward with Option #3 which is what was done. Councilwoman McCabe said that she was comfortable with Option #2 because it would not make the roadway uniform and would retain the charm. Engineer Gardella did not recommend just milling and paving the street in its current condition with a meandering road; he has to sign and seal the design/plans to the State and certify that we meet the various required standards. Councilwoman Neff said that the project is for all Borough residents, not just the neighborhood.

Affirmative: Councilmembers Koch, McCue and Rodriguez

Negative: Councilmembers Chrisner-Keefe, McCabe and Neff

Abstain: None

Absent: None

There being no further comments or questions, the meeting was closed to the public at 10:56 p.m.

A five-minute recess was taken and then Council went into executive session at 11:04 p.m. This meeting was reconvened at 11:24 p.m.

ADJOURNMENT

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

Time of Adjournment: 11:25 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk