

**FAIR HAVEN BOROUGH COUNCIL  
OCTOBER 13, 2020**

The meeting was called to order by Mayor Lucarelli at 7:01 p.m. The Flag Salute was followed by a Moment of Silent Meditation.

The following Sunshine Law Statement was read:

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

**DUE TO THE COVID-19 SITUATION, THE BOROUGH OF FAIR HAVEN'S MUNICIPAL FACILITIES ARE CLOSED TO THE PUBLIC. THIS MEETING IS BEING PRESENTED THROUGH THE ZOOM MEETING PLATFORM AND BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS COUNCIL MEETING OF OCTOBER 13, 2020 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL PUBLIC QUESTIONS/COMMENT TIME, WHICH WILL BE ANNOUNCED. AT THAT TIME THE PUBLIC HAS THE OPPORTUNITY TO QUESTION/COMMENT BY PHONE OR THROUGH ZOOM BY THE "RAISE HAND" BUTTON AND WILL BE CALLED ON AT THE APPROPRIATE TIME.**

**NOTICE OF THIS MEETING WAS INCLUDED IN A SCHEDULE OF MEETINGS WHICH WAS AMENDED BY RESOLUTION NO. 2020-99 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 9, 2020 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.**

**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, McCue, Rodriguez and Sorensen. Absent: Councilman Banahan. Others present: Administrator Casagrande and Attorney Alfieri.

**RESOLUTION**

1. Resolution No. 2020-175, Executive Session– Personnel, Pending Litigation and Contract Negotiations

**WHEREAS**, the Open Public Meetings, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body may wish to discuss the following matters:

**Personnel**

1. Police Department Social Security

**Pending Litigation**

1. Yacht Works

**Contract Negotiations**

1. ILSA with Rumson-Fair Haven Regional HS - Custodial Services
2. ILSA with Rumson Borough - Construction Code Services

3. Architect Contract
4. Borough Administrator Contract

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

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

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Banahan

Council went into executive session at 7:06 p.m. and this meeting was reconvened at 8:08 p.m.

#### **ROLL CALL**

On Roll Call the following were present: Councilmembers Chrisner-Keefe, Koch, McCue, Rodriguez and Sorensen. Absent: Councilman Banahan. Others present: Administrator Casagrande and Sal Alfieri, Jr., Borough Attorney's Office, Engineer Gardella and Eli Goldstein, Borough Architect.

#### **PRESENTATIONS**

Eli Goldstein introduced Rick Adelson, Margaret DeSantis and Luke Butler from his firm. A presentation was provided for Borough Facilities. Rick Adelson showed the park near the Community Center and the proposed building locations (police department and a recreation building). Mr. Goldstein shared the overlay of homes and the new police building layout.

Councilman Banahan arrived at the meeting at 8:10 p.m.

With regard to the proposed police building, a scale and building character was shown from Fisk Street. The police department will have a first-floor elevation with a ramp for access and two stair towers. The recreation center was shown near the basketball court. The interior of the recreation center showed an indoor basketball court, and in the winter can convert to three pickle ball courts. Margaret DeSantis shared an animation video of the area with an approach to the police department and recreation center to give a little perspective of the property.

Mayor Lucarelli said this is a result of a few Facility Committee meetings and numerous conversations that took place. He opened the meeting for Council to ask questions or make comment. Councilwoman Sorensen asked Mr. Goldstein if the bathrooms will be accessible to the public; yes, for both inside and outside. It was the first time seeing the large basketball court removed from outside and area inside; the removed court will be repaved and the smaller court would be made the appropriate size for basketball to be played. She liked the additional parking that will be provided. It was asked with regard to police department if there would be a sally port? Yes, located at the back of the building. Councilwoman Chrisner-Keefe asked what the square footage of the playground is; 700 square feet (slightly smaller than the current). She asked what the thought process was in relocating the recreation building which was adjacent to the police department across the recreation space. Mr. Adelson said a few factors were discussed; one being the crowding of the parking lot and the access. The goal is to separate parking and to satisfy possible Green Acres concerns so police parking does not infringe on recreation parking. Councilman Rodriguez said that the Facilities Committee wanted parking for ballfields as well as the recreation center and wanted to make it comply with Green Acres requirements for the best design to avoid having to request exceptions. Councilwoman Chrisner-Keefe asked how many added parking spaces there would be. Mr. Adelson said there are currently 28 space including one handicapped space at the location and the new planned parking lot will have 33 spaces for the police department and 27 parking spaces for recreation lot with 6 street spaces. She asked if it is a requirement or set by code; it was something that was requested. It was asked how the ingress and egress is set up i.e. a loop. The driveway lines up with Allen Street rather than having vehicles backing into the road. Councilwoman Koch asked, with regard to parking for the recreation center, if drivers should be able to see the spaces from Third Street including the handicapped spaces which would be located closest to the building. Mr. Adelson said that it is a pretty small lot and a driver should be able to see into the lot and get a pretty good idea of what is available in the lot. The Mayor said that if an issue arose that there could be one or two spaces taken out to provide an area for a K-turn. Councilwoman Chrisner-Keefe asked how tall the recreation building will be; the eaves/joist will be kept to 20 feet for recreation. The total height of the peak for both buildings will be 35 feet.

With regard to the DPW facility, Rick Adelson said it was requested they look at a few

options for a location for the DPW building. A view of the south end of the DPW site was provided showing how the building would be laid out with the recycling center on the Maple Avenue side of the property (the salt dome, impound yard, fueling station etc. will remain where they already exist). Garages would be facing north. The problem would be getting trucks in and out of the garage especially those with trailers. He showed an alternate slide with a view adjacent to the current DPW with an added driveway (bldg. turned 90 degrees) and the original plan shown to the Planning Board was displayed with recycling near Maple Avenue.

The best plan would be a drive thru from Maple Avenue to Allen Street for recycling (takes traffic off of Allen Street and isolates the recycling area which can also be locked). Access for Borough vehicles and the public were shown; a gate would be installed to close the area off, after hours. Councilman Rodriguez said the gates were considered with the residents of Allen Street and Maple Avenue in mind to protect them from headlights. Mayor Lucarelli said the DPW site was narrowed and they increased the buffer around the property to allow for berms/landscaping and fencing. Mr. Goldstein showed the concept of the building if it were located on Third Street (originally proposed last year).

Councilwoman Koch noted that the building on north end of the property looks like the original building proposed; the same? She was correct. Slide SK-29 was the original proposal with the exception of the cut across between Maple and Allen for recycling. Mr. Adelson said the pull off on Maple Avenue did not work well because of grade, but the recycling yard can be accessed off of Maple Avenue. It was felt that it would be best to isolate and separate the recycling center. There will be a 15' wide driveway to allow for cars to pull over allowing other cars to pass. It was thought that there would be three residential units behind the DPW property, but the plans shown would reduce the chance for housing at the southern end of the property.

Mayor Lucarelli advised the public that they can comment on the presentation during the Public Comment portion of the meeting.

### **WORKSHOP SESSION**

Mayor Lucarelli said that Dermer Dreams submitted a 2020 food collection request. Administrator Casagrande said that Mayor and Council were given the request in their packet. This collection was approved last year, and the Borough Clerk invited Mr. and Mrs. Dermer to this meeting to discuss this year's request and COVID considerations. Daniel Dermer and Alyse Dermer were in attendance as panelists. Dermer Dreams is a non-profit organization. In 2019, they worked a food drive plan with a donation bag to every single home in Fair Haven and had neighborhood captains through the entire community (approximately 70). With COVID, some adjustments have been made. This is the most important year to help the less fortunate and the request was sent to do the same as done last year; they reached out to the Captains (30-35 homes per Captain) to disburse the yellow Dermer Dreams bags and on November 14<sup>th</sup> all bags would be picked up from resident's porches and put on trucks using gloves and masks with no public interaction. All trucks would stage at the Fair Haven Fire Department; there will be 6 vans picking up the food donations. The food will be sorted and put on to trucks (Move for Hunger) and brought to Lunch Break and other local food banks. Whatever rules there are, will be abided by. Masks, gloves and social distancing will be a must. Lawn signs (30-40) will be displayed which is the same as last year. There will be signage on the Fire Department's property leading up to the event. Councilwoman Sorensen said that if any help is needed, the Dermer's should let the Borough know.

Mr. Dermer said the new thought for this collection was to go town to town, with Fair Haven being the hub, to launch the Neighborhood Captain Program (100 signed up) with 200-300 students in Monmouth County. There have been satellite programs tested. Each student gets 100 Dermer Dream bags with letters to be inserted with the corporate sponsorship (it can take place anywhere in Monmouth County). The public can visit the website [www.dermerdreams.com](http://www.dermerdreams.com). On Sunday, November 15<sup>th</sup>, this program's collection will also go to the firehouse for sorting, etc. He explained the process with the trucks going from Hance Road to Lewis Point Road to the back of the firehouse so River Road traffic will not be disturbed. There will be students with signs directing the traffic and there will be signage at the fire department lot that no one can get out of their cars.

Mayor Lucarelli said the Dermer family runs a great program and loves that the students are getting involved. Mr. Dermer said he will submit the traffic plan to the Police Department, DPW and Engineering.

Motion to approve the request, subject to amendments, moved by Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present.

Administrator Casagrande said the matter of capital requests from the police department and DPW needs to be pulled as we are awaiting the bond ordinance being introduced at our next meeting and Engineer Gardella needs to submit his request; she already has Chief McGovern's request. She

will review the lists with the appropriate Council liaisons and advise.

The topic of meeting minute protocol has been pulled per Attorney Alfieri's request and will be listed on the next agenda so that he can speak to it in totality.

For Halloween 2020, Councilwoman Sorensen said the Chief is sending out a letter tomorrow with guidelines following the CDC and State health guidelines for trick or treaters such as stay with your family, do not eat any candy until you get home, continue with handwashing, wear a real mask for protection and stay within your own neighborhoods. For residents who will be distributing candy, please do so with gloves, wear a mask, make sure candy is in sealed bags and hand sanitize. The police will hand out glow sticks through the school. There will not be a Halloween parade this year. Chief McGovern said there is a letter drafted and it will go out tomorrow with the guidelines and recommendations. The surrounding towns will be following our lead. The PBA will distribute bracelets and necklaces through the schools. There was discussion regarding the curfew being 8:00 p.m. on Halloween and 6:00 p.m. for Halloween-Eve.

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

The meeting was opened to the public for comments or questions at 9:00 p.m. Chris Hempstead, Willow Street, asked about the parking lot at the proposed Recreation Center and what the dimensions of spaces will be. Mr. Adelsohn said the parking spaces are 9X18 and the driveway width is 24 foot which is standard requirement.

Chris Brenner, Maple Avenue, asked about the Recreation Center and any change of impervious surface/coverage from the existing conditions. Mr. Adelsohn said that the plans are just schematic, but the impervious surface is about 2,000 square feet less in the park area with the building and the parking lot than we have currently. We are reducing the impervious surface and are considering drainage as well so there will be a reduction in impervious coverage. As far as the angle, it is aligned with third base and that area will be used for drainage to isolate any impact on the residents to the east.

Ruth Blaser, River Road, said with regard to a Recreation building, this was the first time she was hearing of it being separate and asked where the Community Center would be located. Councilman Rodriguez said that the idea is to expand the use to include community meetings and recreation. We can also expand the use of Bicentennial Hall bringing that more into the community. We are proposing to increase the services to the people of Fair Haven and make the building a multi-faceted use so that everyone can enjoy its use. Mrs. Blaser said an indoor basket-ball court is cold and has bad acoustics which would not be good for meetings to be held. She was advised that there will be heat in the building just like what the current Community Center has. It was noted that there would be 25' ceilings for the Police Department and Recreation Center and she asked what will be upstairs in the police department. Eli Goldstein said the police department will be distributed over 3 levels; the ground floor is for the public and vehicle access. Non-contact areas such as the locker rooms will be upstairs, and the attic will hold the mechanical equipment (heating and air conditioning) to protect them from the weather and to control noise. Holding cells will also be in the building. As far as acoustics, there will be a sound absorbing roof deck panel which will help. Mrs. Blaser said with regard to DPW, there are concerns with after-hours drop and the residents need to have 24/7 access to certain areas of DPW due to their varying work schedules. Also, in the past, compost and chips were provided at Third and Allen for the public to avail themselves to. It was felt that there needs to be more to accommodate residents. Mrs. Blaser suggested there be a room, adjacent to the police department and available 24/7 for people without WIFI to allow the residents to tap into.

Becky Lomba, Allen Street, questioned the egress road to the south of DPW and if it would be a one way such as enter on Allen, pull over, exit on Maple. She was advised that it is still a concept and has not been fully worked through. She asked how many lots would be available if there is an egress road on the south side; the Committee has not looked at it yet.

Jen Spitz, William Street, liked the drive thru for DPW recycling. She was concerned with changes to the Third Street area; the basketball court and the playground area are used a lot and she was concerned that it would be squished between the buildings with no extra space for the younger kids to play because it will be overrun by the older kids. It seems families watching baseball will be challenged with younger kids on the playground because of blocked site distance. Mayor Lucarelli said when basketball court and playground are installed, it will allow for viewing baseball games and the police department can watch the basketball court if it is backed up to the building. Mrs. Spitz asked that the Committee and Council observe the basketball court and how it is used and how much teenage space there currently is.

Bill Perkins, Hance Road, said in the last presentation (mid-August), the concept of a Recreation Center was a Phase II after DPW and Police Department; now there is a 9,000 square

foot building. It was asked what the budget is for all of the buildings? Mayor Lucarelli said the rough budget for the Police Department and DPW is \$11 million; we cannot quantify the Recreation Center costs because of numerous site conditions. Mr. Perkins asked, what the priority would be out of the three facilities; the DPW and Police Department need to get moving. The Recreation Center which sits on ROSI land will require DEP waiver or permission. After more refining, we will submit to the DEP. The Borough will get “bigger bang for the buck” if we bid all three buildings at the same time (bidding and bonding climate). Mr. Perkins said that at the August meeting, the police department was first priority and then DPW and the Recreation Facility was not an issue in August. He asked what is the impact of \$11 million on the tax rate for the residents? Mayor Lucarelli asked Administrator Casagrande about debt rolling off and projected bond rates, the \$11 million number was revenue neutral so there would be zero impact to the taxpayer. The Recreation Center would be a nominal addition to it. Mr. Perkins requested another public presentation like August as the Borough needs public input. Councilman Rodriguez said the police department is still the priority; it hasn’t changed. We still have to plan for the other facilities such as parking lots and sequencing things as they are bid. The Borough still needs feedback on all of this and needs input from the immediate community and the town as far as designs.

Andy Trocchia asked if the proposed plans will be available on the website. The Mayor said we can post tonight’s presentation on the website. It was asked when the Borough intends to make final decision and will there be a way for the residents to provide input. The Borough will be giving updates on a monthly basis, as we make progress, and any comments or questions can be sent to the Borough Hall. Councilman Rodriguez thanked Mr. Trocchia for his guidance and feedback; it is an evolution which is not done until it is done. We are getting all of the good input from the immediate areas that will be impacted which will help us tweak the plan. We cannot point to one date that action will be taken. This is one step and there will be continued steps until we get it done. Mr. Trocchia said the presentation showed the buffers were increased by DPW near Allen Street and questioned the Maple Avenue side. The current fence is within the developed area and the Maple Avenue buffer was reduced. Rich Adelson said there is no width of the yard; it will be dictated by the width of the building, frontage and parking spaces. We are encroaching a few feet on Maple Avenue, but not significantly. Mr. Trocchia said whatever can be done to the buffers on both sides would be great. He noted there was a lot of pavement there and the Borough is not using it appropriately. It was asked if the Borough Engineer’s office will be located in the facility for better oversight of the DPW functions. Administrator Casagrande said that has not yet been determined; the Engineer has multiple functions in the Borough Hall as well. Eli Goldstein advised that there is office space being provided in the DPW building. Mr. Trocchia said he understood that there would be an office for the DPW Superintendent and an office for the Engineer to be there part time, but there are other staff for the Engineer; he asked if they would be located at DPW. Administrator Casagrande said all employees serve multiple functions and they need to be at Borough Hall. It was asked if the police department plan includes a basement; yes. It was asked what will be in the police department and if there will be a Records Department? Mr. Goldstein said there will be Records Bureau, Sally Port, a few cells, offices for the administrative staff, patrol room, locker room, break room, male and female shower facilities, conference room, armory, large sub-divisible area for police and municipal records and training room; accessible by elevator. The overall buildings will be 35’ tall outside and 25’ to the underside of the building. Mr. Trocchia asked if 25’ height would be appropriate for inside basketball; this was discussed with Facility Committee members and 20’ is appropriate.

Ruth Blaser, River Road, said the idea was to subdivide behind DPW, sell the lots and apply this money to the project. She asked why that plan is on the back burner because it is a hot market and the time to sell them. Mayor Lucarelli said the Borough needs to be focusing on the structures first. Mrs. Blaser asked that the Borough be more fiscally responsible.

There being no further comments or questions, the meeting was closed to the public at 9:27 p.m.

#### **APPROVAL OF MINUTES**

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of September 28, 2020, second by Councilwoman Koch

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

Negative: None

Abstain: Councilman Banahan

Absent: None

Councilwoman Sorensen made a motion to approve the Executive Session minutes of September 28, 2020, second by Councilwoman Koch

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

Negative: None  
Abstain: Councilman Banahan  
Absent: None

Mayor Lucarelli thanked Eli Goldstein, Richard Adelson, Maggie DeSantis and Luke Butler for their time and presentation. He thanked the public for their comments and questions which will be taken into consideration.

**OLD BUSINESS**  
**HEARING AND ADOPTION OF ORDINANCES**

1. Ordinance No. 2020-04, Amend Chapter 30, Land Use, by Creating a New Zone, “Affordable Housing Zone”

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING CHAPTER 30, LAND USE AND DEVELOPMENT REGULATIONS, BY CREATING A NEW ZONE, ENTITLED THE AFFORDABLE HOUSING ZONE**

On motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 9:28 p.m.

There being no comments or questions, the Hearing was closed to the public at 9:29 p.m. on motion of Councilwoman Koch, second by Councilman Rodriguez with Ayes by all present.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

2. Ordinance No. 2020-09, Amend the Ordinance Creating an Affordable Accessory Apartment Ordinance

**AN ORDINANCE ADDING SECTION 15.3 TO CHAPTER 30 (LAND USE AND DEVELOPMENT REGULATIONS) IN THE FAIR HAVEN BOROUGH CODE, WHICH WILL BE ENTITLED “ACCESSORY APARTMENTS” TO PERMIT AFFORDABLE ACCESSORY APARTMENTS**

On motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 9:29 p.m.

There being no comments or questions, the Hearing was closed to the public at 9:30 p.m. on motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

Offered for adoption by Councilwoman Koch, second by Councilwoman Sorensen

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

**NEW BUSINESS**

**Council Committee Reports**

**Finance** - Councilman Banahan said there is an Emergency Appropriation on tonight’s agenda which is because we are facing a lawsuit by a developer; there was no way to forecast this. We have spent little money to implement the Fair Share Housing plan compared to the surrounding communities and the State of New Jersey. We have been lucky and skilled on this over the last 20 years since this topic has come into play.

We are seven months into COVID and we are where we have always been for tax collection this time of year.

**Personnel** - Councilwoman Chrisner-Keefe advised we are appointing a new Special Law Enforcement Officer, Class II. Chief McGovern said that he reviewed the list of candidates and interviews were held. The person being considered for appointment is filling a resignation.

**Planning & Zoning** - Councilwoman Koch reported that the Zoning Board met on October 1<sup>st</sup> with one application carried at the applicant’s request to the November 12<sup>th</sup> and one application was approved based on a series of variances that were sought. The Planning Board meets on October

20<sup>th</sup>; no pending applications so that meeting has been cancelled.

**Police, Fire & OEM** - Councilman McCue reported there is an uptick in the Borough’s COVID cases; there are now 7 active cases. There have been increases in cases for the surrounding municipalities as well. The public should not be complacent and wear masks. The Fair Haven Fire Department is holding a raffle; if interested, the public should go to their website to purchase tickets.

**Engineering, DPW and Borough Facilities** - Councilman Rodriguez said that most of his topics were reviewed earlier in the meeting. He thanked the folks that the Committee spoke to near all of the facilities; excellent engagement took place. He thanked Councilman McCue and Councilwoman Sorensen for their assistance with consideration of what the residents want. The door is open for all comments and questions; Council takes this seriously.

With regard to the brush survey, there have been 700 responses to date. Rolling it out did not go out the way we expected so we are receiving feedback on the way it was released. The survey closes out on October 23<sup>rd</sup> which may warrant further consideration or another survey. Resolution No. 2020-186 on the agenda pertains to the Rumson ILSA and terminating the brush portion. The Borough wants everyone to understand we take this seriously and we are addressing the matter. The site has been there for decades so we are not going to solve this overnight, but we are taking steps to reach a resolution.

**Parks and Recreation and Communications** - Councilwoman Sorensen said with regard to Recreation, there will not be a Halloween parade this year, but we will have a virtual egg hunt like we did for Easter with bags of eggs available at Borough Hall for parents to pick up and spread around. Also, a virtual costume contest; information will go out in the next week and there will be prizes awarded. On Halloween, we are adding a house decoration contest and to be included for judging, home-owners will need to sign up; information for this will also be going out in the next week. The Foundation of Fair Haven will be sponsoring prizes. There will be a virtual ceremony for Veteran’s Day. Every Veteran in the Borough will get a lawn sign thanking them for their service. We have a good list, but anyone can offer a name to Borough Hall. Mayor Lucarelli said Veteran’s Day is his favorite day. The wreaths will be displayed on Veteran’s Day; DJ Breckenridge is handling these events. Council agreed with the Veteran lawn signs being distributed and displayed.

**INTRODUCTION OF ORDINANCES**

- 1. Ordinance No. 2020-11, Create No Parking on River Road (between Hance Road to Lake Avenue)

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING AND SUPPLEMENTING THE FAIR HAVEN BOROUGH PARKING CODE SECTION 7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS**

**BE IT ORDAINED** by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey, as follows:

**I.**

The purpose of this Ordinance is to supplement Chapter 7, specifically Section 7-14 Parking Prohibited at all Times on Certain Streets.

**NOTE:** The section of Chapter 7 that is to be supplemented by this Ordinance is Section 7-14 Parking Prohibited at all Times on Certain Streets. All additions are shown in ***bold italics with underlines***. Sections of Chapter 7 that will remain unchanged are shown in normal type. The deletions are shown as ***strikeovers in bold italics***.

**II.**

**7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**

[2002 Code § 10.08.030; Ord. No. 469 § 1; Ord. No. 491 § 2; Ord. No. 3-14-05A § 2; Ord. No. 9-12-05(B) § 2; Ord. No. 2007-5 § 2; Ord. No. 2007-20 § 2; Ord. No. 2007-23 § 2; Ord. No. 2008-07; Ord. No. 2009-27 § II; Ord. No. 2010-18; Ord. No. 2010-30; Ord. No. 2011-23; Ord. No. 2014-09; Ord. No. 2016-09]

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
Allen Street	East	Entire portion.
Battin Road	East	From its northerly terminus to a point of direction change to east-west direction, to a point 310

feet westerly.

Battin Road	West	River Road northerly to Holly Lane.
Battin Road	East	River Road northerly 50 feet.
Browns Lane	Both	River Road south to terminus.
Browns Lane	East	From a point 235 feet south to terminus.
Browns Lane (cement ramp)		Lying between River Road and the waterfront opposite Browns Lane.
Buttonwood Drive	West	Linden Drive south to terminus.
Cedar Avenue	West	Forman Street northerly 150 feet.
Cedar Avenue	West	From a point 250 feet north of Third Street northerly to Fisk Street.
Cedar Avenue	East	River Road south to Fisk Street.
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Chestnut Street	West	River Road south to terminus.
Church Street	East	River Road south to Third Street.
Church Street	West	River Road south 50 feet.
Clay Street	South	Fair Haven Road east to Gillespie Avenue.
Colonial Court	North	Smith Street northerly to terminus.
Dartmouth Avenue	South	Hance Road to Ridge Road.
Dartmouth Avenue	North	Hance Road easterly to 50 feet.
DeNormandie Avenue	East	River Road northerly 50 feet.
DeNormandie Avenue	East	From its northerly terminus to a point 170 feet south thereof.
DeNormandie Avenue	West	River Road northerly to terminus.
Doughty Lane	Both	River Road southerly to terminus.
Elm Place	West	River Road southerly to terminus.
Fair Haven Road	East	River Road northerly 50 feet.
Fair Haven Road	East	River Road southerly to Hillcrest Road.
Fair Haven Road	West	Fairwater Lane northerly to terminus.



Fair Haven Road	West	River Road southerly to a point 422 feet therefrom.
Fair Haven Road	West	River Road northerly 50 feet.
Fair Haven Road	West	Third Street to Ridge Road.
Forman Street	South	At the intersection of Smith Street easterly 100 feet.
Forman Street	South	At the intersection of Cedar Avenue westerly 100 feet.
Forman Street	South	100 feet east from Hance Road
Forman Street	South	100 feet west from Smith Street.
Forman Street	North	Smith Street to Hance Road.
Forman Street	North	At the intersection of Cedar Avenue westerly 100 feet.
Forman Street	North	At the intersection of Smith Street easterly 100 feet.
Gentry Drive	West	Third Street south to Dartmouth Avenue.

Gillespie Avenue	East	River Road northerly to terminus.
Gillespie Avenue	West	River Road northerly to 150 feet.
Gillespie Avenue	West	Clay Street northerly to terminus.
Grange Avenue	East	River Road northerly 50 feet.
Grange Avenue	West	River Road northerly 50 feet.
Haddon Park	East	River Road northerly 100 feet.
Haggers Lane	Both	Fair Haven Road west to terminus.
Hance Road	East	From its northerly terminus to a point 400 feet south thereof.
Hance Road	East	River Road northerly to Lewis Point Road.
Hance Road	East	River Road southerly 150 feet south of Jackson Street.
Hance Road	East	From a point 310 feet north of the northerly curblin at Hunting Lane to a point 415 feet south thereof.
Hance Road	East	Dartmouth Avenue to a point 140 feet south thereof.
Hance Road	West	River Road northerly to

		terminus.
Hance Road	West	River Road southerly to Hunting Lane.
Hance Road	West	Dartmouth Avenue to Ridge Road.
Harding Road	North	Entire length.
Holly Lane	Both	Battin Road northerly to terminus.
Jackson Street	South	Hance Road 150 feet east.
Jackson Street	South	From a point 400 feet east of Hance Road to Smith Street.
Locust Avenue	East	From River Road 125 feet south.
Maple Avenue	East	River Road southerly to Third Street.
Maple Avenue	West	River Road southerly to 50 feet.
Minton Lane	Both	River Road northerly to terminus.
Navesink Avenue	East	River Road northerly to terminus.
Oak Place	East	River Road southerly to Willow Street.
Ridge Road	North	Entire length.
Park Road	North	Forrest Avenue easterly to Oxford Avenue.
River Road	South	Entire length.
<b><u>River Road</u></b>	<b><u>North</u></b>	<b><u>Between Hance Road and Lake Avenue</u></b>
River Road	North	25 feet east of DeNormandie Avenue.
River Road	North	25 feet west of Cedar Avenue.
River Road	North	From the westerly curblineline of Woodland Drive to a point 450 feet west thereof.
River Road	North	Fair Haven Road to a point 85 feet west thereof.
River Road	North	Fair Haven Road to a point 70 feet east thereof.
River Road	North	Hance Road to a point 100 feet west thereof.
River Road	North	Hance Road to a point 100 feet east thereof.
River Road	North	From the easterly side of the driveway at 597 River Road to 90 feet west of Navesink Avenue.
River Road	North	From a point 130 feet west of Navesink Avenue and

		extending westerly to a point 170 feet thereof.
Smith Street	West	River Road southerly to Parker Avenue.
Third Street	South	From the westerly curblin of Cedar Avenue easterly to Maple Avenue.
Third Street	South	Church Street easterly to Fair Haven Road.
Willow Street	South	Fair Haven Road easterly to Oak Place.
Willow Street	South	Kemp Avenue easterly to Doughty Lane.
Willow Street	North	From a point 289 feet east of Fair Haven Road and extending easterly to a point 56 feet thereof.
Willow Street	South	Fair Haven Road to a point 60 feet east thereof.
Woodland Drive	East	River Road southerly to Pine Tree Lane.
Woodland Drive	West	River Road 50 feet south.

Offered for introduction by Councilman Rodriguez, second by Councilwoman Sorensen

Mayor Lucarelli said that this ordinance is what will enable the bike lanes in this area.

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

Negative: None

Abstain: None

Absent: None

Councilwoman Chrisner-Keefe asked that the residents who park on River Road and will be affected by this Ordinance change be notified of this ordinance and that if it is adopted at the next meeting, they will have to make alternate arrangements for their cars and guests.

**CONSENT AGENDA**  
**RESOLUTIONS**

2. Resolution No. 2020-176, Accept 2019 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 2019 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 Councilman Rodriguez, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

- 3. Resolution No. 2020-177, Amend Resolution No. 2020-106 by extending outside dining until December 31, 2020

**WHEREAS**, on June 8, 2020, the governing body passed Resolution No. 2020-106 amending Chapter 4, Section 2.1, Sidewalk Dining Licenses for 120 days to temporarily ease the Borough’s Sidewalk Dining License regulations in order to help the Borough’s restaurants and eateries during the COVID-19 Global Pandemic.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Fair Haven, in the County of Monmouth, State of New Jersey, that the 120-day waiver be extended until December 31, 2020; and

**BE IT FURTHER RESOLVED** that the following remains per Governor Murphy’s Executive Order 20-014 authorizing said activity, subject to the following (as applicable to the business):

1. Outdoor dining may be conducted on any restaurant property; and
2. Any restaurant may create outdoor dining on private property, the public sidewalk in front of their business, parking spaces (where safe) and the public sidewalk next to their establishment with the consent of the property owner and adjoining business, and
3. Outdoor dining may be permitted on premise-owned parking lots in spaces that may have been previously required by zoning or other agreements; and
4. Service of alcoholic beverages shall be permitted in outdoor areas licensed or allowed by temporary ABC or state regulations.
5. All outdoor dining areas must be maintained and clean of litter.
6. All temporary permits are subject to the successful approval of the Temporary Use Permit Application.
7. During this time, temporary signage (small banner, sandwich board sign, etc) will be permitted.
8. Based on the Emergency Declaration signed by Mayor Lucarelli on March 18, 2020, all outdoor dining fees during this temporary period remain waived.

**BE IT FURTHER RESOLVED** that the Zoning Officer and Emergency Management Coordinator, with the advice and consent of the Borough Attorney, may waive other sections of Chapter 4, Section 2.1 and may enact other regulations as appropriate to maintain order, enhance public safety and to help Borough restaurants and eateries that are economically impacted by the COVID-19 Global Health Pandemic.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

4. Resolution No. 2020-178, Amend Resolution No. 2020-107, to extend the time frame for sidewalk sales until December 31, 2020

**WHEREAS**, on June 8, 2020, the governing body passed Resolution No. 2020-107 to waive the regulations for sidewalk sales and allow for businesses to hold sidewalk sales for a period of 120 days; and

**WHEREAS**, Executive Order 142, signed by Governor Murphy on May 13, 2020, permits curbside pickup at non-essential retail businesses to avoid unnecessary contact between customers and staff in enclosed spaces, and instead allows for limited contact while allowing business to provide goods, while following CDC guidelines, including wearing face masks and gloves and providing for proper social distancing; and

**WHEREAS**, Fair Haven's Business District has requested permission to continue holding sidewalk sales with the set-up of tables and merchandise in order to provide non-essential goods; and

**WHEREAS**, Mayor and Council wishes to extend the waiver for sidewalk sales until December 31, 2020; and

**WHEREAS**, all temporary permits continue to be subject to the successful approval of the Temporary Use Permit Application.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that the 120 waiver be amended to expire on December 31, 2020 based on the Governor's Order 142 and the Borough's Emergency Declaration signed by Mayor Lucarelli on March 18, 2020.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

5. Resolution No. 2020-179, Amend Resolution No. 2020-108, extend temporary use of public parks and fields for physical fitness classes until December 31, 2020

**WHEREAS**, on June 8, 2020, the governing body passed Resolution No. 2020-108 to allow temporary authorization for the use of public parks and fields by local exercise and fitness businesses as a way of support during the COVID-19 Global Pandemic based on Fair Haven's Emergency Declaration signed by Mayor Lucarelli on March 18, 2020; and

**WHEREAS**, Mayor and Council wishes to extend the waiver for local exercise and fitness businesses to use Fair Haven's public parks and fields until December 31, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven, in the County of Monmouth, State of New Jersey, that use of the Borough's parks and fields for exercise and fitness instruction by local businesses is authorized following CDC and New Jersey COVID-19 guidelines for safety and social distancing until December 31, 2020; and

**BE IT FURTHER RESOLVED** that each business must maintain an insurance certificate, naming the Borough as an additional insured for the activity planned, in accordance with Borough regulations and New Jersey COVID-19 guidelines and regulations. Scheduling of the Borough facilities should be coordinated in advance with the Director of Parks and Recreation.

**BE IT FURTHER RESOLVED** that all temporary permits are subject to the successful approval of the Temporary Use Permit Application.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

6. Resolution No. 2020-180, Approve Mother/Son Brunch refunds through League Apps

**WHEREAS**, the Annual Mother/Son Dance was scheduled to be held in March 2020; and

**WHEREAS**, registration was conducted through League Apps where 173 registrations were taken; and

**WHEREAS**, due to the COVID-19 Global Pandemic, there was a need to postpone with the intent to reschedule the event for Fall 2020; and

**WHEREAS**, the COVID-19 Pandemic continues and there are still limited capacity and social distancing mandates in place, so the event was not able to be rescheduled; and

**WHEREAS**, there is a need to refund the registrants for the Mother/Son Dance via the League Apps site.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the CFO and Director of Parks and Recreation are hereby authorized to process the appropriate refunds to the 173 registrants (copy of list attached) in the amount of \$15,494 through the League Apps site with verification that the refunds were processed.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

7. Resolution No. 2020-181, Approve Standard Procedures and Requirements for Public Comment during remote public meetings during declared emergency

**WHEREAS**, there is currently a public health crisis associated with the COVID-19 pandemic; and

**WHEREAS**, the COVID-19 pandemic has forced local government entities throughout New Jersey to hold public meetings remotely; and

**WHEREAS**, the Director of the Division of Local Government Services, pursuant to Section 8 of the newly enacted P.L. 2020 c. 34, promulgated emergency regulations codified in N.J.A.C. 5:39-1.1 through 1.7 to ensure continuity of government operations and transparency in conducting public business when an emergency requires a governing body meeting to be held remotely; and

**WHEREAS**, pursuant to N.J.A.C. 5:39-1.4(h), the newly promulgated emergency regulations require, among other things, the governing body to adopt, by resolution, standard procedures and requirements for public comment made during remote meetings along with permitting written comments submitted in advance of remote meetings; and

**WHEREAS**, the Borough of Fair Haven (the “Borough”), in an effort to take any and every necessary precaution to ensure the safety of its residents, and in an effort to abide by the Director of the Division of Local Government Services’ emergency regulations, has elected to continue the use of remote public meetings; and

**WHEREAS**, in accordance with the provisions set forth in N.J.A.C. 5:39-1.4(h), the Borough is adopting the following standard procedures and requirements for public comment during remote meetings:

1. The Borough shall facilitate a dialogue with the commenter to the extent permitted by the electronic communications technology.
2. The Borough shall facilitate said dialogue through ZOOM and/or telephone conference via a webinar link and a call-in number to be provided on the Borough’s Public Notice in compliance with the Open Public Meetings Act.
3. The Borough shall allow members of the public to make public comment by audio or by audio and video.

4. The Borough shall permit members of the public to submit public comments by electronic mail and in written letter form to the Borough Clerk up to 3 days prior to the scheduled remote public meeting.
5. Public comments submitted through electronic mail or written letter before the public meeting in question, within the deadline addressed in sub-paragraph 4, shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public listening.
6. The governing body may, in its discretion, elect to summarize duplicative comments, however, the governing body must not summarize certain duplicative comments while reading other duplicative comments individually.
7. The governing body may require members of the public to state whether they wish to speak and to identify themselves prior to speaking.
8. The procedures and requirements for making public comment, along with an explanation of the audio muting function of the communications technology being used, shall be announced at the beginning of the remote public meeting.
9. Any presentations or documents that would otherwise be viewed or made available to members of the public physically attending a governing body meeting shall be made visible on a video broadcast of the remote public meeting or made available on the Internet website or webpage of the entity governed by the governing body.
10. If a document would be made available to individual members of the public in hard copy while physically attending the meeting, the document shall be made available in advance of the meeting for download through an internet link appearing either on the meeting notice, or near the posting of the meeting notice both on the website and at the building where the meeting would otherwise be held.
11. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the member of the local public body charged with running the remote public meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
12. A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting or removed from the remote public meeting.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that the Mayor and Borough Clerk in accordance with the provisions set forth in N.J.A.C. 5:39-1.4(h), are adopting the standard procedures and requirements for public comment during remote meetings set forth herein.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2020-182, Approve Fire Department Affiliate Membership – First Aid – Eva Krause

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Eva Krause, 21A Washington Street, Red Bank, 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 Councilman Rodriguez, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2020-183, Approve Emergency Appropriation for 2020 Budget

**WHEREAS**, an emergency has risen with regard to professional bills submitted in conjunction with compliance of the Borough's Fair Share Housing Settlement Agreement and no provision was made in the 2020 budget for the aforesaid purpose mentioned above; and

**WHEREAS**, the total amount of the emergency appropriations created, including the appropriation to be created by the resolution is \$150,000 and three (3) percent of the total operating appropriations in the budget for 2020 is \$230,000; and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed the three (3) percent of the total operating appropriations in the budget for 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey (not less than two thirds of the members thereof affirmatively concurring) that in accordance with NJSA 40A:4-48 that:

1. An emergency appropriation be and the same is hereby made to the current fund for \$150,000
2. Said emergency appropriation shall be provided in full in the 2021 budget
3. The Chief Financial Officer has certified that the expenditures to be finance through this resolution is related to the aforementioned emergency.
4. Two (2) certified copies of this resolution be filed with the Director of Local Government Services.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

10. Resolution No. 2020-184, Approve Block Party – Jackson Street (Smith to Cedar) – October 17<sup>th</sup>

**WHEREAS**, a request was received to hold a Block Party on Jackson Street on Saturday, October 17, 2020 from 3 pm to 9 pm; and

**WHEREAS**, Police Chief McGovern reviewed the application and submitted his approval on October 7, 2020; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Jackson Street on Saturday, October 17, 2020 from 3 pm to 9 pm.

**BE IT FURTHER RESOLVED** that Permit No. BP 2020-04 will be issued for said event and that attendees with comply with the Governor’s order regarding social gatherings.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

11. Resolution No. 2020-185, Appoint Special Officer, Class II – Raul Perez, Jr.

**WHEREAS**, a request was made by Police Chief Joseph McGovern to appoint a Special Law Enforcement Officers Class II, effective October 14, 2020; and

**WHEREAS**, Joseph McGovern, Fair Haven Police Chief, has recommended that Raul Perez, Jr. be appointed as a Special Law Enforcement Officer, Class II.

**WHEREAS**, the rate of pay for this position is \$18.25 per hour.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Raul Perez, Jr. be appointed to the position of Special Class II Officer.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

12. Resolution No. 2020-186, Authorize Termination Notice to Rumson regarding ILSA for Brush



Disposal

**WHEREAS**, the Borough of Fair Haven and Borough of Rumson entered into an Interlocal Service Agreement on December 17, 2019 for the Borough of Fair Haven to provide brush disposal services to the Borough of Fair Haven; and

**WHEREAS**, Section 5 of the Interlocal Service agreement addresses termination of the agreement or portion of the agreement stating that “Either party may terminate this Agreement at any time and for any reason upon giving the other party six-month’s notice of its intent to terminate”.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Fair Haven is hereby providing six-month’s notice to the Borough of Rumson that it will be terminating the brush disposal portion of the Interlocal Service Agreement effective April 15, 2021.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

13. Resolution No. 2020-187, Appoint Planning Board Member – Sheri D’Angelo

**WHEREAS**, there was a resignation from the Planning Board leaving a vacancy that needs to be filled; and

**WHEREAS**, Fredrick Rolff will be moved from the Alternate #1 position to fill the unexpired term of a regular member with a term expiring on December 31, 2023; and

**WHEREAS**, the vacant Alternate #1 position with a term expiring on December 31, 2021 will be filled by Sheri D’Angelo.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the above appointments are hereby approved.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

14. Resolution No. 2020-188, 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 13, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$1,674,548.06
PAYROLL AGENCY	\$ 13,204.82
OTHER TRUST	\$ 18,797.94
DOG TRUST	\$ 15.00
<b>TOTAL</b>	

Offered for adoption by Councilman Rodriguez, second by Councilwoman Sorensen

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

**Reports of Departments**

**September 2020**

- Municipal Clerk
- Dog License
- Tax Collector
- Planning Board and Zoning Board

-Budget Status

Motion to accept as submitted moved by Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present.

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 9:43 p.m. Chris Hempstead, Willow Street, asked about the basketball court at the Recreation Center and if there was consideration of extra footage for the game. He noted that parking does change on River Road and it is not easy for residents to move their vehicles onto their property. There will be more applications for variances to add parking as the set-backs are hard for the properties on River Road.

Ruth Blaser, River Road, asked about deliveries and overflow guests for residents of River Road and if there would be special permission to park in front of their house. Mayor Lucarelli said nothing can be in the bike lane so guests will have to park on a side street. There should be no problem with deliveries as they are quick. Landscapers and special trades should not be parking in bike lanes or any no parking area. Mrs. Blaser said that the Council is making parking worse in Fair Haven.

Bill Perkins, Hance Road, asked if Resolution No. 2020-186 was approved? Yes. Mr. Perkins asked how residents can comment on that? He felt that the brush survey was disingenuous because Council has now taken action before getting the survey results. Councilman Rodriguez addressed Mr. Perkins stating it is procedural not disingenuous as we have to provide six-month's notice and it lines up with contracts we have in place and the schedule in place. We will manage that decision based on the survey and Brush Committee recommendations. Mr. Perkins said if Rumson finds another source or makes other arrangements for their brush, it could be a problem. The Borough has been in contact with Rumson and we have amicable relations with them on other interlocals; we are not blind siding them. Mr. Perkins said the survey seems hypocritical and the results should have been received before any official actions taken through resolution. Administrator Casagrande said we are giving them notice as a courtesy of where we may go.

The Borough Clerk advised that this Sunday, October 18<sup>th</sup> is the Virtual Red Bank CROP Walk. Residents can do their own walk following Governor's orders, but the Red Bank CROP Walk organization will hold theirs virtually.

Councilwoman Chrisner-Keefe said with regard to Halloween, residents can create candy shoots to send candy down to the curb or a clothesline with candy packets sent down to the trick or treaters; there are a lot of cute ideas on the internet to keep safe social distances. Councilwoman Sorensen thanked Councilwoman Chrisner-Keefe for bringing that up; the Recreation Committee will be sending out fun ideas that they have.

There being no further comments or questions, the meeting was closed to the public at 9:53 p.m.

The Mayor thanked the public for their attendance, thoughts and comments

**ADJOURNMENT**

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

Time of Adjournment: 9:53 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk