

**FAIR HAVEN BOROUGH COUNCIL
SPECIAL MEETING – VIA ZOOM PLATFORM
OCTOBER 18, 2021**

The meeting was called to order by Mayor Halpern at 6:04 p.m. The Flag Salute was followed by a Moment of Silent Reflection. The following Sunshine Law Statement was read:

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

THIS MEETING IS BEING HELD THROUGH THE ZOOM MEETING PLATFORM AND BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS SPECIAL COUNCIL MEETING OF OCTOBER 18, 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 SPECIAL MEETING WAS SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES AND THE STAR LEDGER ON OCTOBER 15, 2021. NOTICE WAS ALSO POSTED ON THE BOROUGH WEBSITE, FACEBOOK PAGE, CONSTANT CONTACT, 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 Attorney Cannon.

As the Borough’s newly appointed Mayor, Mayor Halpern, made the following opening statement:

For those of you who do not yet know me, my name is Josh Halpern, and I am proud to have been selected as the Mayor of the Borough of Fair Haven. My family and I have spent 11 amazing years here and are thankful for every day we get to spend in this beautiful community. As your Mayor, I am motivated by the opportunity to bring a sense of cooperation and transparency amongst the Councilmembers, Borough employees and the public.

As the Academy Awards took place in April, I read a story regarding “seat fillers” as in people would sit in celebrity seats when they got up to receive an award or make a performance. They served no other function except for the appearance of a seat being full. I want to make it crystal clear that I am not approaching my time as Mayor as a “seat filler”. My job is to make a positive impact on this entire Borough and be sure that it continues to thrive. As it relates to the Hance Road Project, I very much appreciate the passion that the residents have shown for the place that they live. We heard you and listened to all of your voices and continue to consider all of them when trying to find the right compromise for the Borough. It is important that the plan makes fiscal sense, ensures the safety of the most priceless asset we have, our people, and maintains the charm of the streets you love to call home.

Tonight’s special meeting was called because we have a very specific timeline that we must adhere to in order to potentially qualify for the NJDOT grant and time is of the essence. Tonight’s vote has one sole purpose....to authorize the Borough Engineer to go out to bid, not to confirm we are moving forward with this project. The Council and the public will have the opportunity to review the bids and this vote does not commit the Borough to anything. In addition to our base bid, we listened to your input and will be incorporating the following line items:

1. We are going to hire an Arborist to do a thorough review of our second most valuable asset, our trees.
2. We are recommending the speed limit be lowered to 20 miles per hour in those sections of Hance Road and Cooney Terrace.
3. We are limiting parking to one side of the street, which many of you already know.
4. There will be improvements to the grading and draining of the roads.

Rich has been working feverishly, around the clock, to deliver a sound and functional plan.

I am confident that we have found the right plan that has the right compromise by encompassing the wishes of our residents while keeping our roadways safe and remaining fiscally responsible. Once again, I would like to thank all of you for your consideration and your passion for this place we call home. I am proud to have this opportunity to serve the Borough and excited about the progress we will make together. Thank you.

PUBLIC COMMENT ON AGENDA ITEM

The meeting was opened to the public for comments or questions at 6:09 p.m. The Mayor advised that due to some members of Council having time considerations, a vote will be called for at 6:40 p.m.

Trish Ferretti, Hance Road, wanted to make the Mayor, Council and Borough Engineer aware that the first storm drain, on the east side of the street, from Lewis Point Road north toward the river (the north side of her driveway) where, at times, in heavy rain, there is a lot of run off resulting in a very large puddle at the end of her driveway. She felt more drainage may be needed in conjunction with this project. Mayor Halpern said he will speak with Engineer Gardella about this in the next few days.

Claudia Brady, Fair Haven Road, said the resolution on the agenda is vague and asked what is going out to bid. Administrator Casagrande said that the memo from the Borough Engineer attached to the resolution provided some information as to what will be incorporated for the design of the bid. Mrs. Brady asked about curbing. She said the Borough was given the grant on November 21, 2019. A year ago, when the bond was before Council to subsidize the project, she asked what the bid would include and was told it would be a "standard design" based on NJDOT grant parameters. At the September special meeting held to discuss the project, it was said that just milling and paving is a "do nothing" and would not work for the grant. It was asked if this new plan would work for the grant. She measured the width of streets through the Borough; 22' is one of the smaller widths of streets on some of the major roads in the Borough. Mayor Halpern said he spoke with Engineer Gardella today and he was confident that the line items in his memo will qualify us for the grant. Mrs. Brady was concerned because the project was spelled out at the last Council meeting and had curbs and now it states that existing curbs will be replaced and adding some new curbing. The Mayor explained that if there is existing curbing, we are replacing it with new curbing. There are a few locations that have catch basins where there is potential that we may have 10-foot sections on each side with curb to direct the water to where it is supposed to go. In addition, Engineer Gardella is looking at the drainage and has had to redesign the entire plan, in a short period of time. There are other locations that may have a huge drainage issue and may require a small portion of curb to address it; if needed, we are going to do it. We are looking for progress and creating an aesthetically pleasing roadway which is important to the residents. Mrs. Brady said that 22' is not a safe roadway with curbs, bikes and large groups. The Mayor thanked Mrs. Brady for her comments, questions and passion. We will be improving the west side of the roadway near the pocket park for visibility by straightening out that section.

Joe Calabro, Hance Road, said he read the most recent document that came out late today and he is happy there will not be sidewalks. Mr. Calabro read from the memo and cited that if there is erosion at the pavement, a curb can be put in if an issue is found; this seems vague. A new curb could affect many of the things that were opposed before because of the 22-foot width. There is no information on how it will be determined as to where and how curbs will affect the area. Mayor Halpern spoke with Engineer Gardella, today, and the Borough is looking at very small sections where there is a drainage issue; we may need to consider a small section of curb. Engineer Gardella said that the erosion is from water and curbs are to control sheath flow at low lying properties. If there is minor roadside erosion, we can pave to the existing condition and stabilize the edge of road appropriately without the need for curbing. Mr. Calabro was concerned that it is an "on the fly" decision and not being sure where the curbs will be. Mayor Halpern said the resolution on this agenda is just to move forward with advertising for bid. There will be time to see the plan, in more detail, before we vote to accept those bids.

Julie and Richard Saxe, Hance Road, were happy with the progress being made. They had the same concern regarding the curbs in bullet point #5. There is concern about the area from 33 Hance Road north to the river; it's a lovely, scenic area with a rural feel and they hope there is no curbing on that part of the street. Mr. and Mrs. Saxe are in favor of the 20-mph speed limit. Mr. Saxe applauded and thanked the governing body for coming up with a plan that makes sense to retain the grant and to the residents trying to retain the character of the neighborhood.

Marti Egger, Hance Road, asked for clarification of #5 in the Engineer's memo which she felt was vague. She confirmed that, with curbing, the Borough may have to install them in various spots that is more edge to edge and not taking right-of-way. She was correct, the Borough is not taking right-of-way from an existing standpoint. She said there is a need for total transparency and clarification. She wanted to be certain that the Borough will not be making the street uniform or

expanding by taking right-of-way in certain places. Mayor Halpern advised there is one area on the west side of Hance (#18, 20, 26 and 32) near Cooney where the street will be realigned as a safety issue (so there are no accidents or driver confusion). He spoke with fellow Councilmembers stating that if there is one human life lost, for him, that is too much. We do not want any risks so that portion of the street will be straightened and realigned. With regard to trees, it was asked if there is anything more definitive. She was happy there will be an Arborist hired. With the elimination of most curbing and the elimination of sidewalks, there are not any trees that will need to be removed; we are bringing in an Arborist for the purpose of advising on any issues and whether the trees can stay or if there may be a need for removal.

Councilwoman Chrinser-Keefe asked to refine one of the points made by Mrs. Egger. The intent is to have a continuous 22' cartway and there may be a widening in some sections if narrower than 22'; Engineer Gardella agreed and that has always been the proposal. The section discussed is the most evident area that needs adjustment and straightening out. Mayor Halpern stated the plan offers better site distance as a driver and for visibility.

Susie Mauro, Cooney Terrace, asked if with a minimized plan, this can go toward the grant. We are going to try; it is our expectation and the reason we called the special meeting. The Borough is under a strict timeline to take advantage of the grant. Mrs. Mauro said clarity is needed because this was not conveyed when discussing the grant (certain sidewalks and curbing). The Borough needs to be sure about what is and is not allowed toward our grants. Mayor Halpern said that Engineer Gardella's job is to focus on the functionality of a particular street (drainage, grading, etc.). She said that this project could have moved along a little faster if there was more collaboration and distinction, earlier, of what the grant could offer us with different options. Mayor Halpern said with the change in presentation we are not 100% sure if it will qualify. We know that what we initially applied for, and the original plan did qualify for the grant. Engineer Gardella is confident that he is putting together a great plan.

Bonnie Torcivia, Battin Road, said her concern is trees. In front of 44 Hance Road, next to the curb, there is a large Red Oak recognized by the State as the largest Red Oak in Monmouth County and is the fourth largest in the State. With all existing curbs being replaced, she is concerned for the tree that is there and asked that it be saved. Mrs. Torcivia was thrilled the Borough is getting an arborist and hopes they are certified. She felt all towns should share a certified Arborist. She attended a workshop in Wilmington Delaware and spoke with arborists, in attendance, and discussed Fair Haven's project with them. They said that the Borough should be so careful and not use machinery near the trees because they can rip the roots out and kill the tree. Mrs. Torcivia hoped that satisfactory curbs will stay and not be replaced.

Andrew Schiavetti, Cooney Terrace, questioned the intersection with curbing and proper radius and if it applies to the private road that comes out to Hance Road. He asked about the impact of curbing with radius at the corner of Hance and Cooney. Engineer Gardella said the private road and easement will remain the same. Cooney and Hance will be improved because of the odd way the catch basin sits; we would put a standard radius on that. Mr. Schiavetti asked if it would be just a curb or require a lot of alterations. Engineer Gardella said that it is just a 5' or 7.5' radius of curbing which will be continuous vs. what is there now, and we would shift the catch basin to be in the right spot.

Marti Egger followed up on what Mrs. Torcivia said about the tree roots. The private road had plans for a new water line installation in the center of the roadway. The company decided not to do it that way, for a variety of reasons, and decided to go the least expensive and quicker way by going down the side of the road and now the trees are dead. That experience is why the residents are sensitive to the trees.

Mayor Halpern said, "regardless of how we got here, if the Borough does not receive the grant money, that money goes back to the NJDOT. We, defectively, would be taking money that can be used to improve our Borough and giving it back; that money would go back into the NJDOT fund and be appropriated to a different municipality that asked for additional funds for their project. It would be fiscally responsible of the Borough to move forward with this project as improvements are needed". From where we started, to where we are now, this is a tremendous compromise. The Mayor appreciates the passion of everyone involved.

There being no further comments or questions, the meeting was closed to the public at 6:40 p.m.

RESOLUTIONS

1. Resolution No. 2021-231, Authorize Borough Administrator and Borough Engineer to Advertise for Receipt of Bids: Improvements to Hance Road and Cooney Terrace Phase II Project

NOW, THEREFORE, 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 as per the October 18, 2021 Borough Engineer memo, attached to this resolution as Exhibit "A".

Offered for adoption by Councilman McCue, second by Councilwoman Koch

Council President Rodriguez thanked the Mayor and Council who worked over the weekend to try and salvage the project. We are at a pivot point and came to a great compromise. Thank you to everyone who put in a great effort and creativity, this includes the public.

Councilwoman Chrisner-Keefe echoed Council President Rodriguez's sentiments. She appreciates everyone's input through this entire process. She thanked Council for this compromise especially Councilmen McCue and Rodriguez for the new ideas shared and Mayor Halpern for jumping in "feet first" with this special meeting on a difficult topic. We are in forward motion, and this has been productive. She hoped everyone felt they have been heard and we are trying to work through the process as best as we can with the time constraints.

Councilwoman Koch echoed Council with thanking the community for coming together and working with Council. This is a plan that is aesthetically pleasing and safe for the community. She looks forward to working together with the community on future projects.

Councilwoman McCabe echoed what the others said, and she thanked everyone for working together to keep the integrity of the road, listening to the community, etc.; this is how we should work. She looks forward to the Mayor's guidance, as a leader, and ensuring we all work together. It is important to receive the details needed to make these educated decisions in a timely manner. She thanked Engineer Gardella and the Administration for how hard they worked, and their time put into this.

Councilman McCue thanked the Borough's residents who reached out. He thanked Mrs. Egger for her information binder and Mr. Saxe for his comments about the speed limit and bringing matters forward to reach this compromise. He thanked his fellow Councilmembers for keeping an open mind.

Councilwoman Neff said she is glad this matter was met with compromise. The Borough did a great job getting the grant for the Borough and she hopes to salvage the funds we were awarded. We need better processes moving forward. The amount of time spent on this issue has taken away from other Borough issues. There may be a need to rethink Committee processes and information to make decisions. We need to take a fresh look at the processes and think out of the box on how we do things to be efficient and by listening to the community to have more informed and better discussions for decision making.

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

Negative: None

Abstain: None

Absent: None

ADJOURNMENT

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

Time of Adjournment: 6:47 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk