

**FAIR HAVEN BOROUGH COUNCIL
DECEMBER 20, 2021**

The meeting was called to order by Mayor Halpern at 7:02 p.m. The Flag Salute was followed by a Moment of Silent Reflection. The following Sunshine Law Statement was read:

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

THIS MEETING IS BEING HELD IN-PERSON AND THROUGH THE ZOOM MEETING PLATFORM, BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS REGULAR COUNCIL MEETING OF DECEMBER 20, 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 Koch, McCabe, McCue, Neff and Rodriguez. Absent: Chrisner-Keefe. Others present: Administrator Casagrande, Attorney Cannon, Police Chief McGovern and Engineer Gardella.

WORKSHOP SESSION

Mayor Halpern advised that due to the winter moratorium, the following street opening requests have been made:

- NJ Natural Gas for 7 Hillside Place - service renewal
- NJ Natural Gas for 59 Oaklawn Road - New Service Installation
- NJ Natural Gas for 102 Buena Vista Avenue - Service Retirement
- Burlington Builders for 101 Princeton Road - Sidewalk, Apron, Curb Cut
- Burlington Builders for 103 Princeton Road - Sidewalk, Apron, Curb Cut
- Justin Berg for 46 Church Street - Driveway (opening at the curb/right of way)

The Borough moratorium is November 15th - March 30th. Nick Poruchynsky, Assistant Director of Engineering and Public Works, reviewed and approved the requests to go to the governing body. Councilman Rodriguez advised there was a moratorium because the ground was frozen, but that has not been the case lately. He requested that the moratorium be reviewed for next year.

Motion to approve the requests moved by Councilman Rodriguez, second by Councilman McCue with Ayes by all present.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:05 p.m.

There being none, the meeting was closed to the public at 7:05 p.m.

Councilwoman Chrisner-Keefe arrived to the meeting via Zoom.

APPROVAL OF MINUTES

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of November 22, 2021, second by Councilwoman Koch

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

Councilman Rodriguez made a motion to approve the Executive Session minutes of November 22, 2021, second by Councilwoman Koch

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 said the Finance Committee has been meeting on a bi-monthly basis which have included meetings held with department heads regarding their needs and preparing for 2022. There have been a lot of good discussions.

Personnel - Councilwoman Chrisner-Keefe said tonight's consent agenda has a resolution to approve Personnel Handbooks and Manuals which include volunteers. The Personnel Committee has reviewed them and made edits. They came from the direction of our JIF with a MEL overlay. We have been in need of an updated handbook for a while; they give great guidance for all. The handbook and manuals were distributed to Council and will be distributed to all ASAP. Councilman Rodriguez asked Councilwoman Chrisner-Keefe if she would give a brief presentation on the manual at the second meeting in January or a February meeting. Councilwoman Chrisner-Keefe said the manual and policies will be mentioned at every annual reorganization meeting; they need to be abided by and adhered to. Both, volunteers and Borough employees will receive the policies.

Planning & Zoning - Councilwoman Koch advised the Zoning Board will next meet on January 6th for reorganization. The Planning Board will be meeting on December 21st, in person, at Borough Hall; there will be a presentation by M&M Realty for Preliminary and Final Site Plan approval for construction of a three-story building containing 4,250 square feet of commercial space on the ground floor with 14 residential units on the second and third floor within the Affordable Housing Zone.

Parks and Recreation and Communications - Councilwoman Koch advised with regard to Parks and Recreation, voting for House Decorating Contest begins tonight; there is information on the homes and how to vote on the Borough website.

Police, Fire & OEM - Councilman McCue thanked the Fair Haven Fire Department for hosting Santa Clause yesterday. A month ago, Fair Haven was listed as the 52nd safest town in the country!! Fair Haven's Police Department should be congratulated for the amazing job they do. He also thanked the police department for their presence during the statewide threat last week.

Engineering and DPW – Councilman McCue advised the bi-monthly meeting was held with leaf collection as the main topic of discussion. We have been hearing a lot from our residents. The Borough's loader was down and slowed the process so the DPW staff has been working overtime so we can remain on schedule. He said that the Borough does hear and listen to the resident's requests for additional leaf pick-ups. Residents cannot mix brush with leaves because they each go to two different vendors. Councilwoman Koch asked about hay bales; they are considered yard waste. Engineer Gardella said that in the past you could mix it with leaves however an e-mail came out this week with tighter rules and they don't want yard waste. In the spring, there are a lot of mixed items in the streets that are picked up separately and disposed of with another vendor. Councilwoman Neff suggested putting out a Facebook communication advising what can go in leaf piles. Councilwoman McCabe suggested a deeper dive into the overall schedule and looking into the manpower through the year. This is a big process that needs careful review and is a big piece of the strategic plan, with a vision and pillars to drive it. Councilman McCue and the Mayor will be going to the community for input and listen to their ideas and needs for change.

Engineer Gardella said the issue has to do with the disposal site this year. He read what was collected last year and showed photos taken during this pick-up. Our usual leaf site was shut down by the NJDEP. Councilwoman Neff asked Engineer Gardella if his department notifies the resident on why their pile was not picked up; the staff tries to speak with the residents and get the word out the best they can. Mayor Halpern said that the DPW, with the plan that we have now and the challenges, is doing a fantastic job. Unfortunately, our Code Enforcement Officer is out on leave and the County has been working on River Road so there have been some "roadblocks". He said that the Borough asks for input from the community.

Councilman McCue advised that a Green Team member is actively researching composting

and he is waiting on the report (this may help with tipping fees and save the Borough money).

Borough Facilities - Councilman Rodriguez missed the last meeting and deferred to Mayor Halpern and Councilman McCue. Administrator Casagrande said it was not a lengthy meeting; there was review of Historic Preservation Commission information/feedback on Bicentennial Hall. There will be a recommendation in the future. The Historic Preservation Commission does not want a fixed dais no matter where it is located; they have agreed to move forward with the ADA improvements (parking lot, ramp and bathrooms). The Facilities Committee will work with them after the improvements are done. Regarding the dais, we will revisit to come to a compromise. It was suggested that we hold our second meeting in January at Bicentennial Hall. Mayor Halpern said the Architect is working on the plans and the Facilities Committee is working on a scope of plan for the Owner’s Representative.

Councilman Rodriguez said for next facilities meeting there will be work done for a project labor agreement concept. There will need to be a review of the pros and cons for this. The County used one for the 9/11 call center, the Prosecutor’s office, and the car wash facility.

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2021-247, Purchase Authorization - Small Ticket Capital

WHEREAS, Ordinance No. 2019-06, adopted on June 24, 2019 and Ordinance No. 2020-03 adopted on July 27, 2020 provide for the acquisition of various equipment, infrastructure improvements and improvements to public buildings and grounds; and

WHEREAS, Capital Item requests have been made as follows:

<u>Department of Public Works</u>	
• Two Electric Salt Spreaders	Not to exceed \$ 14,000.00
• Pavement Line Stripe Machine	Not to exceed \$ 6,500.00
• Pavement Seam Sealing Machine	Not to exceed \$ 8,000.00
• Lawn Equipment	Not to exceed \$ 10,000.00
• Loader Claw	Not to exceed \$ <u>21,500.00</u>
	\$ 60,000.00
<u>Police Department</u>	
• Stun Guns	Not to Exceed \$ 20,000.00
• Car Camera	Not to Exceed \$ 5,800.00
• Alcotest Machine	Not to Exceed \$ <u>27,000.00</u>
	\$ 52,800.00
<u>Parks and Recreation</u>	
• Community Center Playground Equipment	Not to Exceed \$ 60,000.00
<u>Fire Department</u>	
• Radio Equipment for Fire Chief’s Car	Not to Exceed \$ 18,000.00
<u>Borough Hall</u>	
• Carpet for Main Offices, Hall and Stairs	Not to Exceed \$ 18,000.00
TOTAL	Not to Exceed \$208,800.00

WHEREAS, the above equipment will be purchased through various vendors.

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

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

2. Resolution No. 2021-251, Executive Session - Personnel, Possible 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 Lieutenant Position
2. School Crossing Guard Salary
3. LOSAP Distribution
4. DPW Foreman

Possible Litigation

1. JIF Legal Liability and Exposure

Contract Negotiations

1. Facility Project Consulting Services
2. 2022 Professional Services
3. PBA Negotiations
4. Teamster Negotiations
5. Police Chief Contract
6. Borough Engineer Contract
7. Rumson-Fair Haven Regional High School ILSA

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 Councilman Rodriguez, second by Councilwoman Koch

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

3. Resolution No. 2021-252, Approve Agreement with Primepoint, LLC for Payroll Services

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that Theresa S. Casagrande, Borough Administrator, is hereby authorized to execute a contract, with Primepoint, LLC for Payroll Services, in accordance with the service agreement attached as Exhibit "A".

Councilwoman Chrisner-Keefe asked what the Primepoint contract revision was; the original contract stated it had to be approved this year for implementation and it was changed so implementation would be in 2022.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

4. Resolution No. 2021-253, Approve 2021 Budget Transfers

WHEREAS, pursuant to N.J.S.A. 40A:4-58, appropriation transfers are allowable during the last two months of a fiscal year; and

WHEREAS, it is deemed necessary that said transfers be done through various accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey that the following transfers are made in the 2021 budget appropriations:

<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-22-209-101	Code Enforcement - Salaries	\$ 2,675.00
1-01-31-430-276	Utilities: Electricity	\$ 1,200.00
Total		\$ 3,875.00

<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-22-209-101	Code Enforcement - Salaries	\$ 2,675.00
TO	ACCOUNT NAME	AMOUNT
1-01-20-165-101	Engineering Salaries	\$ 2,675.00
1-01-31-445-276	Utilities: Water	\$ 1,200.00
Total		\$ 3,875.00

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2021-254, Approve 4th Quarter Tax Overpayment Refund - 43 Woodland Drive

WHEREAS, the Tax Collector, has provided a request for a tax overpayment refund for 4th Quarter 2021 and advises that the following property owners qualify for a refund as follows:

<u>Refund to be sent to:</u>	<u>Address</u>	<u>Block</u>	<u>Lot</u>	<u>Refund</u>
Lawrence Gill 555 Patten Avenue #51A Long Branch, New Jersey 07740	43Woodland Drive	63	4	\$ 2,165.36
Megan Gill 5 Carole Drive Oakhurst, New Jersey 07755				\$ 2,165.36

TOTAL AMOUNT TO BE REFUNDED \$ 4,330.72

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Tax Collector and Chief Financial Officer are hereby authorized to pay said refund in the amount listed above.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2021-255, Approve Street Opening Cash Repair Deposit - 29 Dogwood Lane

WHEREAS, Ordinance No. 2007-31 created the Street Excavation Ordinance which requires a cash repair deposit be posted to serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the excavation if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work performed in accordance with the excavation permit; and

WHEREAS, the Assistant Director of Engineering and Public Works has completed an inspection of the street opening (Permit No. 2021-44 approved on October 20, 2021) for Arthur Maloney, 29 Dogwood Lane, performed by Angelo's Paving for repair of the driveway/apron; and

WHEREAS, the Assistant Director of Engineering and Public Works has recommended that the cash repair deposit posted by Mr. Arthur Maloney be returned in the amount of \$315.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the foregoing cash deposit return is hereby approved, and the Chief Financial Officer/Assistant Chief Financial Officer are hereby authorized to pay said refund to Mr. Arthur Maloney, 29 Dogwood Lane.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2021-256, Set Council Reorganization Meeting Date - January 3, 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Annual Council Reorganization Meeting will be held on Monday, January 3, 2022 at 7:00 p.m., in person and via Zoom Platform.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2021-257, Approve Various Personnel and Volunteer Policies, Manuals and Handbooks

WHEREAS, the Borough of Fair Haven, County of Monmouth, State of New Jersey (the “Borough”) has been encouraged by the Municipal Excess Liability Joint Insurance Fund to update its employment policies and procedures as part of its Best Employment Practices Program; and

WHEREAS, the Borough desires to update its employment policies and procedures by amending and updating its Personnel Policies and Procedures Manual, as well as its Volunteer Handbook; and

WHEREAS, the Borough Attorney has reviewed and approved the Borough’s new Personnel Policies and Procedures Manual and Volunteer Handbook;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Fair Haven does hereby adopt and implement, effective December 20, 2021, the new Personnel Policies and Procedures Manual and Volunteer Handbook attached hereto as Exhibits A, B and C; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be transmitted to the Municipal Excess Liability Joint Insurance Fund.

Councilman McCue said there are no page numbers in the manual and handbook to refer, but the education section needs clarification; Administrator Casagrande advised that page numbers will be added once the documents are finalized. Councilman McCue read the section regarding college courses and certification courses where the employee will be reimbursed and at the end of the paragraph it states, “the Borough employee, when voluntarily leaving the Borough within 18 months of passing the course or obtaining the certificate or license, will need to reimburse the Borough.” He asked if it applies to college credits if they are going for their degree. Administrator Casagrande said only those with a contract have their college courses paid for. She would not approve a college course if there was no need to be taken or if there was no money in the department line item. We put language in because of the certification piece. Most language is the same as what was in the old manual; we only added the reimbursement piece. Councilman McCue values education and supports employees continuing education; he would not like to invest in the employees with college courses and then “claw it back”. Administrator Casagrande said she will add the language to include “college courses” to the manual. Councilman Rodriguez said that the manual and handbook is a living document and will be revised/amended, continually, in the future.

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2021-258, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the December 20, 2021 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 9,912.77
2021 CURRENT ACCOUNT	\$ 268,059.06
GENERAL CAPITAL	\$ 41,879.00
GRANT FUND	\$ 11,954.00
PAYROLL AGENCY	\$ 13,714.38

OTHER TRUST	\$ 19,611.92
DOG TRUST	\$ <u>301.20</u>
TOTAL	\$ 365,432.33

Offered for adoption by Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

November 2021

- Borough Clerk
- Dog License
- Tax Collector
- Police Department
- Budget Status

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

Mayor Halpern thanked the Borough staff, police department, fire department, Office of Emergency Management, medics (basically anyone that has anything to do with touching the Borough) for making 2021 successful and preparing for 2022. He also thanked the residents for all of their input given this year. The governing body is all volunteers who have put in a lot of hours and did an exceptional job, and he is thankful for the time they put into this and look forward to Councilwoman Cole joining the dais in January. The Mayor thanked Councilwoman McCabe for stepping up this year and doing a fantastic job; she is owed a debt of gratitude. He wished her luck on the Rumson-Fair Haven Regional High School Board of Education.

Councilwoman McCabe thanked everyone for welcoming her and for their support. She is looking forward to Councilwoman Cole joining Council and adding her expertise and valuable input; Fair Haven will flourish as a community. She thanked everyone for all that they do and has a true appreciation for all that happens "behind the scenes". She wished everyone a Happy Holiday and New Year.

GOOD OF THE BOROUGH

Mayor Halpern opened the meeting to the public for comments or questions at 7:38 p.m. Tracy Cole, Grange Avenue, raised a concern regarding COVID and the already rising numbers. There are a lot of public meetings, and we have a very engaged community who are opting to not attend meetings and prefer the Hybrid meeting. Not all Boards and Commissions are using the Hybrid method. There should be options. Administrator Casagrande said the Planning Board and Zoning Board are unique because of the notice requirements and evidence issues; the Zoning Board attorney does not think a hybrid meeting is beneficial because of the evidence. Administrator Casagrande said we also need to look at the Borough Hall and its employees with possibly closing to the public. Regarding meetings, we may be inclined to go back to Zoom until the COVID numbers taper off again. Councilwoman Neff said a more uniform approach is needed for all Board and Commission meetings; everyone is doing something different. Mrs. Cole said many people will not come because of the compactness of the room and feel it is dangerous. Attorney Cannon said the Land Use Board is autonomous and call their meetings; we do not have input. Administrator Casagrande said that the Planning Board, most likely, will not complete the M&M Realty application in one meeting; they will probably need to extend or postpone it.

Councilwoman Chrisner-Keefe agreed with Tracy Cole: it would be helpful for a uniform way to approach the meetings and creating more consistency so everyone can attend. We have been successful with the Owl and the other boards could join that platform. Mayor Halpern said this topic falls under Borough communications and outreach and we should look at it for next year. Councilwoman Neff said that the governing body should create the forum that the boards and commissions need to follow.

Attorney Cannon said that we have no jurisdiction on land use matters and there are statutory timelines that need to be followed; it is up to the Planning Board and applicant as to whether they want to proceed or not.

Borough Clerk, Allyson Cinquegrana, said the Owl equipment being used is property of the high school who were nice enough to loan it to us, on a trial basis, so we could confirm that it meets our needs. The boards and commissions are willing to use a hybrid method, but were waiting for the

issues and kinks to be resolved (i.e. losing connection) and for us to receive our own equipment ordered by IT.

Chris Hempstead, Willow Street, said Council needs to consider getting ahead of sensitive issues before everyone becomes frustrated. We are now in a situation with a massive facility going up and possibly setting a precedent for a downtown area that will look like those in larger municipalities which is not what the residents of this Borough want. Not having tomorrow's meeting on-line is inexcusable. The Planning Board needs to ask the State and County for a stay. We should not be putting this facility in the downtown. He felt that Council was not forthcoming on the units and size of the building and the Planning Board is refusing to hold a hybrid meeting for this application which raises red flags. We have an opportunity to do something and take a stand. Councilwoman Koch said in November, the Planning Board Attorney recommended either virtual or in-person and discouraged hybrid. Mayor Halpern appreciated Mr. Hempstead's comments and wanted to clarify that he was upset tomorrow's meeting is not on Zoom. Mr. Hempstead said the matter is of great interest to many who will be upset that they may miss the meeting due to being in-person during a Pandemic. If these units are approved, the schools are going to be overrun with additional students. He asked Council to hit the pause button with the State. Councilmembers Rodriguez and Koch have worked on Fair Share Housing for the past 2 ½ years and we will risk a Builders Remedy Lawsuit if we do not move forward. The Borough and its professionals kept it to the level for the character of our town. Councilman Rodriguez said he and Mr. Hempstead have discussed the overlay zone and placing it in other locations (it is an unworkable plan). We negotiated with our Special COAH Attorney and Planners to get the best we could. Our Fair Share Housing Plan will have to be renewed in 4 years and we can renegotiate then; this is one size fits all. Mayor Halpern advised they are rental units, not condos. Councilwoman Koch said while it may be unpleasant, we made the best deal possible through negotiation and reached the best resolution with court approval. Mr. Hempstead said the builders and owners are going to get their money whether the zone is on the water or in the downtown. Councilwoman Chrisner-Keefe said she heard what Mr. Hempstead said, but it is not as simple as he stated; it is a more involved and complicated matter. The Sunoco property is treated differently from the rest of the downtown overlay zone for a reason. It could have been any other property with the potential of a builder's remedy lawsuit. There are also properties on Hendrickson that are going to be developed in conjunction with fair share housing. A re-evaluation of the plan will be visited in 5 years and will need to be considered based on available land. Councilwoman Chrisner-Keefe said the information was disclosed in the first Fair Share Plan in 2019 and was a key factor (two affordable units in addition to the other units). The Borough cannot spot zone. Mr. Hempstead said he may have missed the information given in 2019. Mayor Halpern understood Mr. Hempstead's passion, however, this is a done deal as far as the overlay zone because we have an agreement with the State. The other matter brought up for consideration is having a Zoom for tomorrow night and Mr. Hempstead should reach out to the Planning Board.

Susan O'Brien said that she tries to attend as many meetings as possible and decided to watch this meeting on Zoom due to COVID-19 situation. She is most interested in the Planning Board meeting, however it is in-person, and some Planning Board members do not mask especially with COVID. She asked that the Borough mandate masks in the building given the COVID situation. Administrator Casagrande said there are signs on the front and back doors to Borough Hall asking that people mask when entering the building. All Borough Hall employees and the governing body members are masked and have been for quite some time. We can make it mandatory that all wear masks in Borough Hall and the Planning Board members will be sent a memo that masks are required. Councilman Rodriguez made a motion to mandate that masks must be worn in all Borough buildings, second by Councilman McCue with Ayes by all present. Councilwoman Koch asked Administrator Casagrande to have the Planning Board secretary send out a notice to the members to wear a mask during its meetings. Chief McGovern asked that it be for all visitors (which includes volunteers) in public areas because the employees should be able to unmask when in their own offices/space and to eat lunch. Councilman Rodriguez amended his motion to be masks are mandated for the public coming to Borough Hall and in all public areas, second by Councilwoman Chrisner-Keefe with Ayes by all present.

Chris Hayden, Linden Drive, thanked Mayor and Council for the additional stop signs at Kemp and Linden; it is a huge improvement and long overdue. Several months ago Verizon put up new telephone poles through the Borough and the wires are still on the old poles as opposed to being on the new poles; he asked for an estimated time for the wire transfers (telephone, cable, JCP&L). Mayor Halpern said the Borough does not have the update, but he will look into it.

There being no further comments or questions, the meeting was closed to the public at 8:20 p.m.

Council went into executive session at 8:30 p.m. and this meeting was reconvened at 11:10 p.m.

ADJOURNMENT

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

Time of Adjournment: 11:11 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk