

FAIR HAVEN BOROUGH COUNCIL
MAY 8, 2017

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

ROLL CALL

On Roll Call the following were present: Councilmembers Marchese, Peters, Rodriguez, Sorensen and Wilhelm. Absent: Councilman Jaeger. Others present: Administrator Casagrande and Attorney Alfieri.

PROCLAMATION

Mayor Lucarelli read a proclamation for National Safe Boating Week (May 21st through 27th).

WORKSHOP SESSION

Mayor Lucarelli said that the Fair Haven Business Association has requested permission to post 10 lawn signs from May 11th -20th for their annual sidewalk sale which will occur May 19th and 20th. Motion to approve moved by Councilman Peters, second by Councilman Marchese with Ayes by all present.

The next order of business was the discussion on the possible amendment of Code 30:7-8 (Accessory Buildings and Structures). A draft ordinance was included in the governing body's packet. This matter has been listed on the past few agendas. The last sentence of subsection H is to be changed by striking it; this is the best way to handle as porches are permitted. Councilman Peters was in disagreement with going with the original amendment; he wanted to discuss further and asked that it be carried to the next agenda. Mayor Lucarelli asked if there was any other language desired for inclusion. Councilman Peters said that we should allow 20% of the area to be steps. Councilman Marchese said that we need to go back to the starting point to remove the language as a short term solution. The glaring example is in the current code and the amendment to remove the language will address the issue, short term. Attorney Alfieri said that there are so many unintended consequences with land use ordinances in any municipal code. We can limit the encroachment to the front yard. It was asked if this matter could be tabled to the May 22nd meeting to come up with language that would give the Planning Board flexibility. Councilman Peters said that three steps maximum was the last discussion to which Councilman Marchese agreed and stated that this would be in compliance with the Building Code. Attorney Alfieri clarified what the governing body was looking for to create the amendment and run it past engineering before it is listed on an agenda.

Mayor Lucarelli introduced Kerry Pflugh, NJDEP, who was in attendance. Ms. Pflugh introduced herself and handed out her business card to the governing body. She thanked the Mayor for giving her time to speak. She is visiting all NJ municipalities and talking to the administration about the services that the NJDEP provides. She sends daily e-mails with programs, news, etc.

Administrator Casagrande advised the governing body that there will be a resolution on the May 22nd agenda appointing the 2017 Rec N Crew Summer Camp staff. Most of the list is Junior Counselors who are paid \$8.00 per hour. The two Supervisors (school teachers) receive \$17.00 per hour and we have three Assistant Camp Counselors (second in command) who received \$8.75 in the past and DJ Breckenridge, Parks and Recreation Director, would like to bump the Junior Counselors up to \$10 per hour. Administrator Casagrande concurs with this request and the pay is commensurate with their responsibilities. The bump equates for \$109.50 each for the season. The camp fees were increased by \$10; an additional \$2,000 revenue is projected.

Administrator Casagrande reviewed the Capital Ordinance listed later in the agenda and two Chapter 159 resolutions on the agenda as well.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:20 p.m. Susan O'Brien, River Road, questioned the Payroll Agency payments on the bill list. Administrator Casagrande said that they are not public funds, they are taken out of the employee paychecks and we pay the fees (i.e. life insurance, AFLAC, etc). Colleen Lapp, CFO, wants them to be reported on so they will be included on all of the bill lists.

There being no further comments or questions, the meeting was closed to the public at 7:21 p.m.

APPROVAL OF MINUTES

Councilwoman Sorensen made a motion to approve the Special Meeting minutes of April 17, 2017, second by Councilman Marchese

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None

Abstain: None
Absent: Councilman Jaeger

Councilwoman Sorensen made a motion to approve the Executive Session Meeting minutes of April 17, 2017, second by Councilman Marchese

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of April 24, 2017, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

Councilwoman Sorensen made a motion to approve the Executive Session minutes of April 24, 2017, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

OLD BUSINESS

There was no old business brought before the governing body.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

1. Ordinance No. 2017-06, Capital Ordinance

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE IMPROVEMENTS AND IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Fair Haven, in the County of Monmouth, New Jersey has determined to acquire various equipment, make improvements to infrastructure and public buildings and grounds; and

WHEREAS, the Borough of Fair Haven has \$215,000.00 in the Capital Improvement Fund.

NOW THEREFORE, BE IT ORDAINED and enacted by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, New Jersey, that:

SECTION 1. The purchase and/or procurement of services described in Section 2 of this ordinance is hereby authorized as a General Capital authorization to be undertaken in and by the Borough of Fair Haven, County of Monmouth, New Jersey.

SECTION 2. The acquisitions and improvements hereby authorized to be undertaken consist of:

- a. Any capital equipment, so determined as to be necessary
- b. Roadway and Infrastructure Improvements, so determined as to be necessary
- c. Buildings and Grounds Improvements, so determined as to be necessary
- d. Information technology hardware and software, so determined to be necessary

together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2017 General Capital Budget of the Borough of Fair Haven is hereby amended to conform to the provisions of this ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

SECTION 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

Offered for introduction by Councilman Wilhelm, second by Councilwoman Sorensen

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2017-99, Executive Session – Personnel and Possible Litigation

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 Sergeant Promotion

Possible Litigation

1. Hance Road Pocket Park
2. Yacht Works

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 Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

2. Resolution No. 2017-100, Waive Borough’s ABC Codes 3-19.1 and 9-1.22 for Fair Haven Day

WHEREAS, the Borough of Fair Haven will be holding a picnic for Fair Haven Day on June 10, 2017 (rain date June 11, 2017); and

WHEREAS, Borough Code 3-19.1 “prohibits open consumption of any alcoholic beverages on public property within the Borough unless authorized by the Governing Body, or on private property without consent of the owner of the property or the person, over the age of twenty-one (21) years, in possession or control of the property” and Borough Code 9-1.22 “prohibits alcoholic beverages while in a public park, open space, sanctuary, or recreation area and all persons shall conduct themselves in a proper and orderly manner and, in particular, no person shall bring alcoholic beverages, drink same at any time nor shall any person be under the influence of intoxicating liquor”; and

WHEREAS, the picnic will take place at Fair Haven Fields and will include the provision of alcoholic beverage requiring that the above mentioned codes be waived for alcohol purchased through the Foundation of Fair Haven as no outside alcohol will be permitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Borough Codes 3-19.1 and 9-1.22 be waived on June 10, 2017 (rain date of June 11, 2017) between the hours of 4:00 p.m. and 10:00 p.m. for Fair Haven Day and codes be waived for alcohol purchased through the Foundation of Fair Haven as no outside alcohol will be permitted.

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Wilhelm

Negative: None

Abstain: Councilwoman Sorensen

Absent: None

3. Resolution No. 2017-101, Approve Fire Department Affiliate Membership-First Aid- Gabrielle Heintzelman

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Gabrielle R. Heintzelman, 190 Lake Avenue, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

4. Resolution No. 2017-102, Appointment to the Environmental Commission, Alternate #1 – Patrick Keeler

WHEREAS, there is a vacancy in the Alternate #1 position on the Borough’s Environmental Commission that needs to be filled; and

WHEREAS, the Borough has found a volunteer willing to fill the unexpired term and serve on the Environmental Commission as follows:

Patrick Keeler, Alternate #1 member, with a term to expire December 31, 2019

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

5. Resolution No. 2017-103, Approve Appointment to the Recreation Committee – Kevin McCarthy

WHEREAS, Ordinance No. 2017-04 increased membership of the Recreation Committee to nine (9) members; and

WHEREAS, there is a vacancy on the Borough’s Recreation Committee that needs to be filled; and

WHEREAS, the Borough has found a volunteer willing to serve on the Recreation Committee as follows:

Kevin McCarthy with a term to expire December 31, 2017

NOW, THEREFORE, BE IT RESOLVED that Kevin McCarthy is hereby appointed as a Recreation Committee member until December 31, 2017.

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm
Negative: None
Abstain: None
Absent: Councilman Jaeger

6. Resolution No. 2017-104, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the May 8, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2017 CURRENT ACCOUNT	\$ 2,540,370.47
2016 CURRENT ACCOUNT	\$ 82,909.89
OTHER TRUST	\$ 12,886.28
PAYROLL AGENCY	\$ 12,661.66
GENERAL CAPITAL	\$ 5,316.11
GRANT FUND	\$ 1,754.11

TOTAL **\$ 2,655,898.52**

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

7. Resolution No. 2017-105, Chapter 159: Monmouth County Open Space Buffer Restoration Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Fair Haven has received a \$30,000 grant from Monmouth County Open Space for a Fair Haven Fields Buffer Restoration Grant and wishes to amend its 2017 budget to include this amount as revenue; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2017 in the amount of \$30,000, which items in now available as revenue from:

The County of Monmouth
Open Space Grant – Fair Haven Fields Buffer Restoration

BE IT FURTHER RESOLVED that a like sum of \$30,000 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The County of Monmouth
Open Space Grant – Fair Haven Fields Buffer Restoration

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

8. Resolution No. 2017-106, Chapter 159: 2014 Recycling Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Fair Haven has received a \$7,627.51 grant from State of New Jersey for a Recycling Tonnage Grant and wishes to amend its 2017 budget to include this amount as revenue; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2017 in the amount of \$7,627.51 which items in now available as revenue from:

The State of New Jersey
Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of \$7,627.51 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey

Recycling Tonnage Grant

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

9. Resolution No. 2017-107, Appoint Citizen Participation Group – 2018 Community Development Block Grant

WHEREAS, the Borough of Fair Haven is considering a grant submission for the 2018 Monmouth County Community Development Block Grant cycle; and

WHEREAS, as part of the process the Borough is required to appoint a Citizen Participation Group to meet and discuss the project to be considered for grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the following citizens of the Borough of Fair Haven be appointed to the Citizen Participation Group for a 2018 Monmouth County Community Development Block Grant:

Elizabeth Koch

Lynn Volker

John Santos

Councilwoman Susan Sorensen

Offered for adoption by Councilman Peters, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

Reports of Departments

March 2017

-Chief Financial Officer

April 2017

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Tax Collector

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

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:24 p.m. Administrator Casagrande advised that this week is Municipal Clerk Week for the State of New Jersey. She said we have one of the finest Clerk's and thanked Allyson for the job she does.

Councilwoman Sorensen said the fishing derby is this weekend since it was cancelled last weekend. The Business Association sidewalk sale will be May 19th and 20th. Fair Haven Day will be June 10th. Firework signs are still being sold and volunteers are needed.

Councilman Wilhelm said that Flag Rugby is still accepting sign ups/registration.

Councilman Rodriguez said the Shade Tree give way was successful this past weekend. There are some trees left over which will be provided to the public at the Fishing Derby. Administrator Casagrande suggested that he reach out to the Garden Club as they have their plant sale this weekend; they may be able to give some trees away.

Mayor Lucarelli said the clean-up of the Navesink River has had continued success. Two voids in the Red Bank sewer system were discovered which entered into Schwenker's Pond. One has been repaired the other has a repair under way. He thanked Brian Rice, the Environmental Com-

mission, Navesink River Municipalities Committee, the NJDEP Canine Unit, Cindy Zipf (Clean Ocean Action) for their work and input on this matter. The project is ongoing and the next issue will be nitrates from fertilizer.

Happy Mother's Day to the moms and grandmoms out there!

There being no further comments or questions, the meeting was closed to the public at 7:27 p.m.

Council went into executive session at 7:29 p.m. and this meeting was reconvened at 8:50 p.m.

RESOLUTION

10. Resolution No. 2017-108, Appoint Police Sergeant – Stephen Schneider

WHEREAS, the Fair Haven Police Department staffing model calls for up to three Police Sergeants to serve the Borough; and

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

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

WHEREAS, the Borough desires to promote Stephen Schneider as Police Sergeant under the terms and conditions per the PBA Contract effective June 1, 2017.

NOW, THEREFORE, BE IT RESOLVED that Stephen Schneider will be promoted to the position of Police Sergeant according to Borough Ordinance 2-26.5d.

BE IT FURTHER RESOLVED that Stephen Schneider will accept the Oath of Office for the position of Police Sergeant at the May 22, 2017 Council Meeting.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen, Wilhelm

Negative: None

Abstain: None

Absent: Councilman Jaeger

Chief McGovern thanked the Mayor and Council.

ADJOURNMENT

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

Time of Adjournment: 8:51 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk