

**FAIR HAVEN BOROUGH COUNCIL**  
**AUGUST 21, 2017**

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. Mayor Lucarelli read the Sunshine Law Statement.

**ROLL CALL**

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

**PROCLAMATION**

Mayor Lucarelli asked that Police Chief Joseph McGovern come forward to receive a proclamation recognizing 30 years of service with the Fair Haven Police Department. Councilwoman Sorensen came forward as well as she is part of the Police Committee. The Mayor read the proclamation.

**PUBLIC HEARING ON MONMOUTH COUNTY OPEN SPACE GRANT**

Mayor Lucarelli said that the Borough would like to submit a Monmouth County Open Space Grant application for trail linkage and expansion throughout Fair Haven Fields. The hearing was opened to the public for comments or questions at 7:05 p.m. Administrator Casagrande said this grant application would be for 2017 funding cycle. The project discussed by Mayor and Council would be to increase connectivity in Fair Haven Fields for the walking trail system. The concept plan was distributed at the dais and on the front table. The trail would go down Ridge Road, around Fair Haven Road and stop at the monument just past the entrance to the Natural Area. Going down Fair Haven Road, it would stop just at Brookside Farm Road for triple connectivity. Two cost proposals were put together by the Borough Engineer. The first is in the amount of \$232,415 and the second is a lower cost proposal as the concrete sidewalks were taken out of the plan from the monument to Brookside Farm Road. The Borough would have to receive permission from Monmouth County Open Space because of right-of-way improvement requirements.

Councilman Wilhelm arrived to the meeting at 7:08 p.m.

The grant application is due by Wednesday, September 20, 2017. We would apply for the full amount of the project and the Borough would have to fund half of the cost. This is a concept plan; a more detailed plan would be created when we find out if we were awarded the grant. This is a straightforward proposal and plan. As part of this grant, Administrator Casagrande updated the McCarter Pond hydro raking project which is on the Borough's list of projects and part of the plan; the cost of \$50,000 would cover the excavation and use of organic material for landscaping and planting. The County may not see the benefit of this, but it will be pointed out in the grant.

Councilman Jaeger thought there was a dust trail; there is one to the access road to the church. He asked if it is also in the field as well; yes, and it is noted in Engineer Gardella's plan showing connection. There is also one that goes through the Natural Area to the Community Gardens.

Susan O'Brien, River Road, asked how often the trail will have to be resurfaced; it depends on the weather (how tough of a winter), but we can maintain it internally with our DPW. Mrs. O'Brien asked how well the stone dust trails hold up as opposed to wood chips; there are two different purposes.

A resolution to support the grant application will be listed on the September 11<sup>th</sup> agenda. The hearing was closed to the public at 7:12 p.m.

**WORKSHOP SESSION**

Mayor Lucarelli said a request was received from the Bulldog Booster Club to post lawn signs stating "A Senior Bulldog Lives Here". The signs will be on Rumson-Fair Haven Regional High School senior's lawns throughout the school year. Administrator Casagrande noted that the request is for an entire school year and thought, last year, it was during the spring until graduation. Motion to approve moved by Councilwoman Sorensen, second by Councilman Wilhelm with Ayes by all present.

The Fair Haven Fire Department has a new temporary sign "The Outback" that has been installed for the fair and it will be removed after the fair. Annual approval will be required. There is a resolution listed on the agenda to approve this sign.

Administrator Casagrande said she received a memo from Chief McGovern requesting an increase in the special duty pay when they work events. Our current ordinance is \$70 per hour

and the request was to raise it to \$90. A survey of other towns was included in the memo for comparison. The ordinance has rates for school activities, Borough activities and other organizations. It is best to be uniform and competitive with other towns. This was listed for discussion with an amending ordinance to be introduced at the September 11<sup>th</sup> meeting. Council consensus was to go with an increase to \$90. This is a cost recovery; the utilities and organizations submit payment based on hours and rate. Councilwoman Sorensen made a motion to list the ordinance on September 11<sup>th</sup> with a fee of \$90 (traffic and security \$70 plus \$20 administrative fee), \$50 for Borough entities, churches, etc., second by Councilman Wilhelm with Ayes by all present.

A resolution supporting the efforts of the Navesink River Municipalities Committee was provided by Councilman Jaeger who is the Borough's Council liaison. He said all of the municipalities that are involved were asked to pledge their support for the efforts that we are all undertaking to keep the Navesink River clean, habitable and used by all of our residents. The resolution would show our support. There is government and citizen representation from each town to create policy and interaction. The Borough will list its supportive resolution on the September 11<sup>th</sup> agenda.

With regard to a proposed amendment to the zoning map and schedule, Attorney Alfieri said several years ago the Borough adopted an ordinance that allowed a lot with larger lot standards be developed in compliance with the higher standards. There is a concern that single family properties are being "jumped" several zones to the higher standards. Councilman Marchese asked that a property only be permitted to "jump" one zone up. Councilman Peters asked that the footnote numbering be reviewed. Attorney Alfieri will review and make the amendment. Councilman Marchese asked if the entire ordinance needs to be amended; the chart is referred to in the ordinance. He asked if the right exercised is based upon the chart itself; yes. The appropriate adjustments will be made. This amendment will allow an R-20 zone develop to R-30 standards not R-40 without going to the Zoning Board. Councilman Marchese said this amendment is for clarification to permit a property to move up one zone as per the Zoning Board's request. Council can introduce the ordinance and send it to the Planning Board for review and comment.

Administrator Casagrande said Transportation Trust Funds were on hold and a stay put on NJDOT funding. The NJDOT is now looking for grant application submissions for 2018. A recommendation from Engineer Gardella is to make improvements to Battin Road; there is nothing concrete or designed. We need a project location (i.e curbs and sidewalks from River Road to Lewis Point Road) and adjust the drainage at Holly Lane for a project amount of \$373,923. Usually \$175,000 to \$225,000 is what is awarded. In 2013/2014, there was discussion and a grant application submitted for Hance and Battin Roads, however, NJDOT funds "dried up". A resolution supporting our grant submission would be needed. Battin Road is also in need of attention for drainage and pot holes, etc.

Community Center Field Upgrades were discussed at the August 7<sup>th</sup> meeting and a halt was put on the project. A committee will be formed to consider the improvements proposed, design alternatives and addressing trees to meet the same goals. At the August 7<sup>th</sup> meeting, Dick Fuller brought up positive and negatives as well as tree value. Mayor Lucarelli said his niece who is a Geophysicist PhD Professor and her husband also in the same field visited last week and a debate took place regarding tree value; he has a better understanding on how trees are valued. The committee to be formed will be large (approximately 14 people) and will include the public, Recreation, Shade Tree Commission, Pedestrian Bike Committee, Governing Body members, etc. Administrator Casagrande said it is important for the public to understand how the Borough got to where it did. In government, matters are addressed at various paces/rates. There are no concrete plans that are set until the Borough receives a grant award. The governing body has committed \$500,000 for projects in town. We applied for and were granted a Safe Streets to School grant to connect Sickles School to Knollwood School for pedestrian safety and connectivity. The Borough is about to adopt a grant plan for pedestrian and bike safety in town. The Community Center Fields were looked at because of the Third Street Project (sidewalk and curb improvements). There are 13 areas currently being addressed with curbs and sidewalks. Mayor and Council wanted to upgrade parks and the Community Center was one of them. There are narrow windows for action on grants. A mailing was sent, with the tax bill, to the residents in town with a project update; we tried to get the word out. Any time the Borough is dealing with process, it falls upon the Administrator, not the governing body who are volunteers or the Recreation Committee who are volunteers, to move projects forward making sure the process is complete. We have not bid Third Street, but need to see the connectivity piece within the area. The trees will be part of the consideration. The Mayor put together a solid committee to review. We will make sure the process includes all input.

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

The meeting was opened to the public for comments or questions at 7:40 p.m. Susan O'Brien, River Road, asked about stone dust trails being ADA compliant; yes, they are. She asked if someone in a wheelchair could access and get through the trails; the trails must be maintained as part of the process so that everyone can enjoy the trails. Mayor Lucarelli said ADA is a moving target; a stone dust trail works well for someone with a walker and/or wheelchair and costs less than sidewalks. Councilman Peters said that Fair Haven has been increasing ADA compliance through town since it is an "older municipality".

Steve Trudel, Church Street, said the tax mailing came out in late July. He asked about phasing the project from concept to drawing; he said the project was "a go" until the last meeting. The concept is misleading as it is not drawn to scale. Mayor Lucarelli said that there are guidelines on how the governing body can communicate with the public. The Borough will post any major projects on the website and notice of the posting will also be included on the Borough's Facebook page as a more effective means of communication. Mr. Trudel said that a PDF would be better/more helpful than a print out because it is misleading. He walked around McCarter Pond and looked at the trees. Anything planted will not be effective for another 30 years. Parks are used in town by adults and it was asked if the trails are being created for the handicapped. Mayor Lucarelli said that a committee has been formed to discuss the design as to not take up time in the meeting. The Borough is looking to install walking dust trails through the Borough; this provides a recreational facility for everyone and ties in to the Safe Routes to Schools Project. Mr. Trudel said Third Street is much different than the other parks in town. The Borough needs to plan for the next generation 30-40 years from now. Councilman Peters said capital projects in town are a challenge; it has been a work in progress for the past 12-15 years. The safety of the children is important as most bike to school. The governing body tries to see the big picture when working on capital projects. The challenge is to see things completed and a decision needs to be made.

Joe Shannon, Maple Avenue, took exception to the word "concept". Fences were taken down and some trees were marked to be removed. Administrator Casagrande said the concept plan she referred to earlier was from 2013. He read remarks into the record regarding trees and their value, shade, property value enhancement as follows:

Dear Council:

Please accept these remarks on our position to the planned removal of 10 Sweetgum trees at the Community Center Fields on the corner of Third and Cedar. The removal of these trees is a disastrous decision with catastrophic consequences for the community. There is a reason why Fair Haven has a Shade Commission. It is because we recognize the inherent value of planting, protecting, preserving and maintaining trees. Trees provide oxygen, clean air, safe water, prevent soil erosion, prevent flooding, mark the seasons, provide shield from ultraviolet rays, enhance property values, improve mental health and cool the city by providing shade. Sweetgum trees are prized specimens in parks across the country providing brilliant colors in the fall, beautiful star-shaped leaves and the intolerance for pollution and even medicinal value. Sweetgum trees attract wildlife, including blue jays, cardinals, mourning doves, finches, squirrels and chipmunks. Fair Haven is blessed with mature Sweetgum trees that take 15-20 years before they begin to flower, however, they are long lived and live to be 150 years to 400 years old. It is inconceivable that Fair Haven would want to sacrifice such majestic, valuable and prized specimen trees. As we understand it, there are two primary reasons to advance tree removal; 1) safety and 2) a necessity to improve the park, specifically, to build a walkway where the trees now stand. As to safety, we are not aware of any inspection where the trees have been assessed showing there is weakness associated with the trees. As to the walkway, as simply put, there is no reason to put a walkway there or why the walkway path cannot be built around or to accommodate the trees. It is not only the trees that are valuable to Fair Haven, but the baseball fields as well. The fields are not only the center of community play, but host travelling teams as well presenting the face of Fair Haven to travelers across the state. Sweetgums have provided shade to these teams. By design, these trees were built on a hill to provide shade and a viewing perch. The allotted root systems of the Sweetgums prevent the silt from eroding. The new fields, as proposed, will be devoid of shade for many, many years. Even more significantly, the Borough's plan for improvements to the fields will actually compromise safe baseball playing. The walking paths proposed are a mere 10-12 feet away from the right field line on each field; kids can easily injure themselves by running into the trees or possibly running into the fence that will be constructed. The Sweetgums, on the other hand, are at a safe distance and up the hill. The walkway will also impede play where umpires would inevitably have to hold up a game to permit walkers and joggers on the path. We are all for the sound improvement to our parks with the preservation of the trees and a safe plan for a walking path. The current proposal fails to do this and does so at the expense of treasured natural resources. Thank you for your consideration.

Mr. Shannon added that he umpired softball and baseball for a long time and games have to be held up if someone is within 25 feet of the foul line until it is clear and safe. It will not

work having a baseball field and a walking path.

Margaret Murray, Maple Avenue, thanked the governing body for putting the brakes on this. She asked how the public will know what to follow on this matter? She asked what to look for and what the time frame will be. Mayor Lucarelli advised that he plans to have two meetings with the committee in September. Councilman Peters said it is a special task team. The Mayor said that the committee will meet a few times and make recommendations to be brought to a Council Meeting for presentation. If there is a plan created, it can be put on the Borough's website and some of the committee members may post it on Facebook. The Mayor felt that Facebook does a disservice to a governing body because it is one-sided. He said any comments need to be made in public or a letter read on your behalf if you cannot attend. An e-mail can also be sent to the Borough Administrator or Borough Clerk.

Elizabeth MacNeil, Third Street, asked if there were more detailed pictures for the Safe Streets to School plan and if so, when can the public see them. Administrator Casagrande advised that they are under NJDOT review so they are not currently available; changes may need to be made based on NJDOT comment. Final plans will be available before the Borough goes to bid. Mayor Lucarelli said the Borough will try to put a PDF up on the website for the public's review. Drawings will be on file in the Borough Engineer's office. Administrator Casagrande said the Borough has come up to the times as there used to be information provided in the Focus newsletter and now we are able to post information on the Borough's Facebook page, the front message board sign, the Borough's website, etc. We post a lot of information on the Borough website. When we get a plan in our hands, we will post it and make it available. The Engineer will make any changes that the NJDOT wants on the Third Street Project and then we will go to bid.

Dan Sullivan, William Street, asked if the Borough Engineer will be part of the committee; yes, as well as the Assistant Engineer. Mr. Sullivan said Red Bank went through a park development project and posted a notice with a description of the project. There is software to get the information out there. He was advised that the Borough had an open house for the pedestrian plan and received public feedback.

Ruth Blaser, River Road, said NJDOT gives feedback and then it is too late for the public or committee to give their input. She was advised that the Community Center fields is being discussed by the committee. Third Street is a grant that the Borough applied for and was awarded. On another note, she advised the Borough should make sure the locations we are billed for are correct on the JCP&L bills.

Elizabeth O'Neill, Third Street, said that with Safe Streets to Schools, the Borough should keep in mind that the kids are on their bicycles so there is no need for sidewalk. Councilman Peters said 25% of the students walk and 75% of the students bike to school, unless it is raining. Administrator Casagrande said there are parents who walk their kids in strollers with small kids in tow and sidewalks are needed. Councilman Marchese said that there is the possibility of paving Third Street per his request and it will be an alternate in the bid document.

Sharon DeWyngaert, Gentry Drive, said she looked for the Community Center plan on-line and asked where it is listed on the website. Administrator Casagrande advised that the concept plan has been on the website since the last Council Meeting; she will double check tomorrow.

Susan O'Brien, River Road, asked about the Safe Streets to Schools grant and if the Borough had to do it; no, it is a National Program. Administrator Casagrande said it is a category for grant funding. Councilman Peters explained funding and the categories that there are. Mrs. O'Brien confirmed that the Borough is not forced to do so; correct, we discussed and decided to apply. Councilman Peters said that we have a very high demand for this project and we fit like a glove for the funding. Mayor Lucarelli confirmed that the Borough was not forced to do this, but it is for the betterment to Fair Haven. This will increase property values. There are some municipalities in poor decline with their housing stock and asset base. We could have let this opportunity slide, but this was a grant that "fit like a glove" to improve the Borough and spread the costs to a federal grant. A video of Third Street was filmed this past June as an example to other towns on how it can be done. Third Street is preventing car exhaust and congestion. Councilman Rodriguez said we do not have school busses so that is also a good alternative.

Mr. Trudel clarified the Safe Streets to School and the Third Street Park Project.

Mrs. Blaser said that at one time the kids who lived east went to Sickles School and kids who lived west went to Knollwood and it changed. She was advised that this was not a decision

of the Governing Body.

Mrs. O'Neill asked who is on the committee and when will it be formed. She was advised that letters would be going out after Labor Day. Administrator Casagrande said with August vacations and things happening at the end of summer, it is better to meet after Labor Day. The Mayor will decide the committee.

Kim Lewis, Third and Allen Street, asked how the committee members will be picked. The Borough Administrator and Mayor picked some of the members who spoke up at the last meeting. We are also trying to get one or two stakeholders in the project. The meetings will be public, but a decision will be made among the committee.

Mr. Shannon suggested someone who understands sports be included on the committee.

Susan Delaney, First Street, said she gets the feeling that this is a done deal and the committee is to polish it up and keep the public appeased. She was advised that her statement was incorrect. The goal is to have all of the stakeholders hold a meeting and come back to the public. Councilman Marchese said that the governing body would not waste the time of the employees and volunteers if it was a done deal. Mayor Lucarelli advised that he believes in the deliberative democratic process. There will be a fair and open debate to discuss the positive and negative of the project and to establish tree value.

Councilman Peters said he is the Environmental Commission liaison and Monmouth County made a presentation at the beginning of the year. Fair Haven has a lot of open space compared to other towns. Our challenge is to maintain and improve our facilities.

There being no further comments or questions, the meeting was closed to the public at 8:21 p.m.

#### **APPROVAL OF MINUTES**

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of August 7, 2017, second by Councilman Wilhelm

Affirmative: Councilmembers Marchese, Rodriguez, Sorensen and Wilhelm

Negative: None

Abstain: Councilmembers Jaeger and Peters

Absent: None

Councilman Sorensen made a motion to approve the Executive Session minutes of August 7, 2017, second by Councilman Marchese

Affirmative: Councilmembers Marchese, Rodriguez, Sorensen and Wilhelm

Negative: None

Abstain: Councilmembers Jaeger and Peters

Absent: None

#### **OLD BUSINESS**

##### **HEARING AND ADOPTION OF ORDINANCES**

1. Ordinance No. 2017-08, Amend Borough Code 7-15, Parking Prohibited During Certain Hours on Certain Streets.

##### **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 7-15 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS**

On motion of Councilman Jaeger, second by Councilwoman Sorensen with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 8:22 p.m.

There being none, the Hearing was closed to the public at 8:23 p.m. on motion of Councilman Jaeger, second by Councilwoman Sorensen with Ayes by all present.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

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

Negative: None

Abstain: None

Absent: None

**NEW BUSINESS -CONSENT AGENDA**  
**RESOLUTIONS**

1. Resolution No. 2017-167, 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. State Health Benefit Insurance Incentive Program

**Possible Litigation**

1. Yachtworks

**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 Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2017-168, Approve Temporary Sign Installation for Fair Haven Fire Company

**WHEREAS**, in accordance with Borough Code, **30.24 (f) Special Event Signs**, civic groups or service organizations may erect a temporary sign prior to a special event provided that permission is granted by the Mayor and Council; and

**WHEREAS**, the Fair Haven Fire Company has submitted paperwork to the Borough requesting permission to install a temporary sign for their Annual Firemen’s Fair.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Fair Haven Fire Company is hereby authorized to erect a temporary sign “The Outback” on an accessory structure that exists on the property from August 10, 2017 until September 8, 2017.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2017-169, Authorize Continued Participation in the Monmouth County Intra-County Mutual Aid and Assistance Agreement

**WHEREAS**, Chapter 222, Public Law 1989 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

**WHEREAS**, an Emergency Operations Plan will allow the Borough of Fair Haven in correlation with the Fair Haven Office of Emergency Management to better prepare and manage jurisdiction-wide emergencies; and

**WHEREAS**, the Borough of Fair Haven must submit an Emergency Operations Plan through the County Office of Emergency Management to the State Office of Emergency Management for initial review and approval and will require recertification every four (4) years; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Haven are in receipt of an Emergency Operations Plan and a request from the Fair Haven Office of Emergency Management for formal adoption; and

**WHEREAS**, on September 14, 2015, the Mayor and Council adopted Resolution No. 2015-187 authorizing the execution of the Monmouth County, Intra-County Mutual Aid and Assistance Agreement between the County, Fair Haven and Participating Units.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Fair Haven Emergency Operations Plan be and is hereby adopted.

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Fair Haven hereby authorize the continual participation in the Monmouth County Intra-County Mutual Aid and Assistance Agreement as referenced for the term consistent with the Municipal Emergency Operations Plan.

**BE IT FUTHER RESOLVED** that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2017-170, Approve Active Fire Department Membership – Alexander Perkins

**WHEREAS**, Resolution No. 2016-128, adopted by the Mayor and Council on June 13, 2016 approved Affiliate Membership with the Fair Haven Volunteer Fire Department for Alexander Perkins; and

**WHEREAS**, Mr. Perkins has applied for Active Membership with the Fair Haven Volunteer Fire Department and has been accepted.

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that Alexander C. Perkins, 263 Hance Road, Fair Haven, NJ having been duly accepted as a member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2017-171, Refund Unused Escrow to Liran Blum-167 Grange Avenue (B22, L55/55.18)

**WHEREAS**, Liran and Erin Blum, 167 Grange Avenue, Block 22, Lot 55 and 55.18, submitted an application to the Zoning Board for a detached garage; and

**WHEREAS**, escrow money was posted by the applicant; and

**WHEREAS**, approval was granted and Mr. and Mrs. Blum have requested that any unused escrow from the application be refunded; and

**WHEREAS**, the Zoning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$1,239.25.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the unused escrow fees as noted above to Mr. and Mrs. Blum.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2017-172, Refund Unused Escrow to Ronald Drazin-35 Sunnyridge Drive (B67, L32.01, 33 and 36)

**WHEREAS**, Ronald Drazin submitted a subdivision application to the Planning Board for 35 Sunnyridge Drive, Block 67 Lot 32.01, 33 and 36; and

**WHEREAS**, escrow money was posted by the applicant; and

**WHEREAS**, subdivision approval was granted and Mr. Drazin has requested that any unused escrow from the application be refunded; and

**WHEREAS**, the Planning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$678.50.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the unused escrow fees as noted above to Ronald Drazin.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2017-173, Refund Unused Escrow to Marc Krok-95 Third Street (B38, L22)

**WHEREAS**, Marc and Josephine Krok submitted an application to the Zoning Board for a generator at 95 Third Street; and

**WHEREAS**, escrow money was posted by the applicant; and

**WHEREAS**, approval was granted and Mr. and Mrs. Krok have requested that any unused escrow from the application be refunded; and

**WHEREAS**, the Zoning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$552.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the unused escrow fees as noted above to Mr. and Mrs. Krok, 88 Park Lane, Fair Haven, NJ.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2017-174, Refund Unused Escrow to Vincent Lamberto-62 Poplar Avenue (B13, L18)

**WHEREAS**, Vincent Lamberto submitted a subdivision application to the Planning Board for 62 Poplar Avenue, Block 13 Lot 18; and

**WHEREAS**, escrow money was posted by the applicant; and

**WHEREAS**, subdivision approval was granted and Mr. Lamberto has requested that any unused escrow from the application be refunded; and



**WHEREAS**, the Planning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$1,035.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the unused escrow fees as noted above to Vincent Lamberto, 91 Sagamore Avenue, Oceanport, NJ 07757.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2017-175, Authorize Police Department Vehicle Purchase

**WHEREAS**, the Borough of Fair Haven, County of Monmouth, State of New Jersey has determined that there is a need for the replacement of a police vehicle in the Borough of Fair Haven in accordance with the Vehicle Replacement Plan; and

**WHEREAS**, the vehicle that will be replaced is a 2004 Crown Victoria with 146,000 miles; and

**WHEREAS**, the Chief Financial Officer, Colleen Lapp, has certified the availability of funds for the lease payment.

**NOW THEREFORE, BE IT RESOLVED** that by the Borough of Fair Haven that Borough Administrator Casagrande is hereby authorized to enter into a contract with Winner Ford of Cherry Hill, New Jersey for a three year lease of a 2017 Police Interceptor Utility All Wheel Drive vehicle for the Police Department in the amount of \$9,482.98 per year for three years with the option to purchase for \$1 at the end of the lease agreement.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

10. Resolution No. 2017-176, Approve Block Party - Fairwaters Lane-September 9, 2017

**WHEREAS**, a request was received to hold a Block Party on Fairwaters Lane beginning at Fair Haven Road on Saturday, September 9, 2017 from 5 pm to 11 pm with a raindate of Sunday, September 10, 2017; and

**WHEREAS**, Police Chief McGovern reviewed the application and submitted his approval on August 16, 2017; 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 Fairwaters Lane on Saturday, September 9, 2017 from 5 pm to 11 pm with a raindate of Sunday, September 10, 2017.

**BE IT FURTHER RESOLVED** that Permit No. BP 2017-06 will be issued for said event.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

11. Resolution No. 2017-177, Refund Unused Escrow to Brian Leddin-115 Lexington Avenue (B17, L11)

**WHEREAS**, Brian Leddin submitted an application to the Zoning Board for an addition at 115 Lexington Avenue; and

**WHEREAS**, escrow money was posted by the applicant; and

**WHEREAS**, approval was granted to Brian Leddin and he has requested that any unused escrow from the application be refunded; and

**WHEREAS**, the Zoning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$333.50.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the unused escrow fees as noted above to Mr. Leddin, 115 Lexington Avenue, Fair Haven, NJ.

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

**12. Resolution No. 2017-178, Payment of Vouchers**

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the August 21, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

|                      |           |                   |
|----------------------|-----------|-------------------|
| 2017 CURRENT ACCOUNT | \$        | 238,526.14        |
| PAYROLL AGENCY       | \$        | 227.50            |
| OTHER TRUST          | \$        | 83,982.03         |
| <b>TOTAL</b>         | <b>\$</b> | <b>322,735.67</b> |

Offered for adoption by Councilman Wilhelm, second by Councilwoman Sorensen

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

**Reports of Departments**  
**July 2017**

- Tax Collector
- Police Department
- Municipal Court

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

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 8:25 p.m. Danielle Cardiello and Gail Childs, Rumson-Fair Haven Rowing, showed the governing body a sample of the oars that were approved to be displayed on poles in Fair Haven. They have sold 40 out of 100 to date. A plaque was presented to the Mayor and Council showing appreciation.

Councilman Wilhelm read a letter advising that the Fair Haven Police Department received accreditation renewal until 2020. He said the department did a great job and we are the only department that is accredited on the peninsula.

Ruth Blaser, River Road, asked why the Borough is giving Mr. Carr back some of his money. A reduction was approved by resolution for the portion of the project that has been fulfilled. He completed obligations through the Developers Agreement and did extensive work to remove fallen trees from the pond.

Jennifer Spitz, William Street, said the entrance to Fair Haven Fields, has always been

clear and the grass has now grown to knee high. She said that she will address the area if the Borough does not. She was advised that the DPW will be advised to address it. If anyone sees anything like this, they should contact the Borough.

Kim Lewis, Allen and Third Streets, said she lives near the DPW and cannot get out of her driveway on bulk drop-off Saturday. Chief McGovern said the Special Officer has been trying to keep the cars moving. She also said that she is concerned that the Borough Administrator has been walking around the area near the DPW. The Mayor advised that the Borough is considering a reconfiguration of DPW and consolidation of the building. The building that is there now is from 1972 and was supposed to be temporary. The Borough will in the next few months have information on the DPW and its function. She asked about the Police Department; we are looking at the same thing (to renovate). At the end of the day, the Finance Committee felt that taxpayer dollars would be better spent on a knock down and rebuild of the Police Department and Community Center. The Borough is currently interviewing architects and once one is selected, there will be a concept plan. The Police Department will be done prior to the DPW because issues need to be addressed immediately. We hope the Police project will begin in early 2018 with the DPW property right behind.

Tina Brendel, Third Street, asked if the DPW property will be redone. She asked how much will be taken into account for the Safe Streets to Schools project? It is not inter-related and there will not be any layoffs.

Jim O'Donnell, Fisk Street, said he received a March 9<sup>th</sup> letter from Attorney Alfieri regarding an encroaching fence to be removed. He gave the history of construction on Fisk Street. Drainage and the grade of the property construction is causing a problem for his property and will void his fence's life time warranty and cause issues to his new pool. Mr. O'Donnell said that he needs help and the Borough Engineer has not answered his requests for help. Mayor Lucarelli asked if he was sure the new homes are causing the problem. He said that the dirt is so high that he can see the waists of the people across his fence. The Mayor said it seems like the problem described by Mr. O'Donnell is up to the contractor to correct. If it is not corrected or not in compliance, they will not be issued a CO. Mr. O'Donnell asked who he goes to if his basement floods and his pool is ruined. Administrator Casagrande said she spoke with the Borough Engineer and the property is at appropriate grade and they are following the plans as submitted. Mr. O'Donnell said that 30 cubic yards of material has been delivered; pictures of the area were provided. Mayor Lucarelli asked the Administrator to have the Construction Official go to the site and speak with the builder; it does not fall to the Engineer.

There being no further comments or questions, the meeting was closed to the public at 8:42 p.m.

Council went into executive session at 8:45 p.m. and this meeting was reconvened at 8:57 p.m.

#### **ADJOURNMENT**

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

Time of Adjournment: 8:58 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk