

FAIR HAVEN BOROUGH COUNCIL
SEPTEMBER 11, 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. The Mayor asked that everyone keep those affected by the hurricanes in their thoughts. The Sunshine Law Statement was read.

ROLL CALL

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

WORKSHOP SESSION

A tree removal appeal was received from 81 Chestnut Street. The tree the Leone family would like to remove is a significant specimen Red Oak tree. They submitted a letter providing their reasoning for removal (lifting the driveway and a potential hazard to the home) as well as photos showing the tree and the damage already being done. Motion to approve the appeal request moved by Councilman Marchese, second by Councilman Jaeger with Ayes by all present.

The Fair Haven Fire Police and Auxiliary submitted a request to display a 3'X8' banner advertising their annual car show which will be held on October 14th (rain date of October 15th). The banner will be displayed on their property. Motion to approve moved by Councilman Peters, second by Councilman Jaeger with Ayes by all present.

With regard to the 2018 Brush and Leaf Pick-Up Schedule, Administrator Casagrande reminded the governing body that we removed brush and leaf pick-up from the month of March and added it to July; this has been very successful and is recommended for 2018. The pick-up schedule for the year was reviewed. The Borough has not received any complaints as to the schedule to date. Councilwoman Sorensen said she has received concerns from residents in Zone C because they have to wait until the end of the month to be picked up. She asked if the schedule could be rotated so they could be at the beginning of the month from time to time. The consensus of Council was not to rotate because there will be confusion; there needs to be consistency. Administrator Casagrande will have the 2018 calendar prepared accordingly.

The 2018 Bulk Drop-Off Schedule was the next matter to be discussed. Bulk drop-off is currently the first Saturday of the month from 9 am-1 pm with additional hours the day of the town-wide yard sale (9 am-5 pm). The Administrative Assistant has not received any complaints about this service. The consensus of Council was to move forward with the schedule, as it has always been, with the possibility of a change if the DPW building/property rehabilitation begins.

Mayor Lucarelli said there was an addition to the agenda. The Jersey Shore Youth Rugby Association has requested permission to post 18"X24" lawn signs advertising registration for the upcoming season from now until the end of October. Motion to approve moved by Councilwoman Sorensen, second by Councilman Jaeger with Ayes by all present.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:12 p.m. Susan O'Brien, River Road, said there is a problem with no brush pick-up in August and felt there is no consistency with how brush is picked up. Many residents do not understand the system or the information that is out there and they have a lot of brush that needs to go out. She said there is not a lot of explanation as to what can go out, when it can go out, when it is actually picked up, etc. She asked why there are currently piles of brush out on River Road right now and why there is not a warning or summons left at the resident's doors. Administrator Casagrande reiterated where the information is posted (Borough website, municipal calendar, front message board, the Focus newsletter, Facebook, a banner across the website advising each week what Zone is scheduled for pick up). Mrs. O'Brien requested if a violation occurs that a notice is placed in the resident's mailbox or on the door. She mentioned that there were a lot of rowing signs posted on poles and thought they were only approved for a total of 10; she was advised that it was for 100 total between Fair Haven and Rumson.

Steven Trudel, Church Street, asked when and where the Community Center fields meeting would be. Administrator Casagrande said she has not had a chance to write and send the invitation to the chosen committee members. The fencing will be put back up for security for the baseball season. He asked if people have been chosen for the committee; yes, there are general categories where there will be 14 members including Borough personnel. He asked what the end goal would be; to review the Community Center project and make recommendations on the original concept plan to the full Mayor and Council. It was asked if this will be provided to the Shade Tree Commission; there will be a representative from Shade Tree on the committee. There will be metal fencing put up as a back stop only, not along the field's perimeter.

Ruth Blaser, River Road, asked what land the Borough is acquiring. She was advised that it is an Executive Session discussion and cannot be discussed in public.

Cindy Zipf, Clean Ocean Action, advised that she was there to speak with regard to Resolution No. 2017-186. She said she was thrilled to be leading the rally for the Navesink to address the water quality problems. She said that Fair Haven is so well represented on this with Councilman Jaeger and Brian Rice (Navesink River Municipalities Committee). The goal is to restore the Navesink by 2020. There is a citizen monitoring program as well where citizens go out every Wednesday from 8-9 am to take samples from the river so the State can test them. There is a pollution problem from Fourth Creek to McCarter Pond. The resolution listed on the agenda is to recognize and support the program. It is important to achieve the 2020 goal. On September 18th there is training for DPW to learn how to better implement Stormwater Management tools (i.e. no brush near the storm drains). There is volunteer training for resident on September 19th to learn how to take samples, if anyone is interested. Councilman Jaeger said that a benefit for Fair Haven is that human content has not been found in these samples; it is more animal feces. Councilwoman Sorensen thanked Ms. Zipf and said that Clean Ocean Action is doing a phenomenal job. Ms. Zipf said that Clean Ocean Action is trying to break the cycle of pollution and make the community aware on how to correct it. She thanked the governing body for their time and the resolution.

Mrs. O'Brien said she was looking at the ordinance listed on the agenda for introduction and asked if it was to clarify how a property can bump up a zone. She asked if an R-10 property would bump up to an R-15 or would they bump up to 10A or 10B. Attorney Alfieri said that the bump would be to the zone immediately above the current zone. This ordinance, if introduced, will go to the Planning Board for their review and recommendation. Mrs. O'Brien felt that this change will not accomplish what the Borough would like to do.

Mrs. Blaser questioned the figures in the total side yard section of the ordinance and asked if the property owner can configure a home where they want in an R-5. Attorney Alfieri reviewed and explained the ordinance to the public.

Jim O'Donnell, Fisk Street, asked if nine feet is wide enough to put a driveway. Attorney Alfieri said that the driveway has nothing to do with the side yard set-back.

Elizabeth O'Neill, Third Street, asked if the committee being formed is for the trees on Third Street and verified that nothing is taking place on Third Street. She was advised that there will be a public meeting to discuss what the committee has reviewed and recommends to the governing body.

Mr. Trudel asked if those who are interested in the Third Street matter would be notified of the meeting. Administrator Casagrande said a committee is best to discuss than having a meeting. Nothing will happen until the matter is well vetted.

There being no further comments or questions from the public, the meeting was closed at 7:35 pm.

APPROVAL OF MINUTES

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of August 21, 2017, second by Councilman Jaeger

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

Negative: None

Abstain: None

Absent: None

Councilwoman Sorensen made a motion to approve the Executive Session minutes of August 21, 2017, second by Councilman Jaeger

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

Negative: None

Abstain: None

Absent: None

OLD BUSINESS

There was no old business brought before the governing body.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

1. Ordinance No. 2017-09, Amend Code 30-5.1, Zoning Map and Schedule

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE
COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN BOROUGH CODE,
CHAPTER 30, LAND USE DEVELOPMENT REGULATIONS, SECTION 5.1, ZONING MAP**

AND SCHEDULES

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

I.

The purpose of this Ordinance is to amend from Chapter 30, Section 5.1, Zoning Map and Schedules.

NOTE: The section of Chapter 30 that is to be amended by Ordinance is Section 5.1 Zoning Map and Schedules, specifically amending Table C. All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics***. Sections of Chapter 30, Section 7.4 that will remain unchanged are shown in normal type.

II.

30-5.1 Zoning Map and Schedules

See attached Table C.

TABLE B. BOROUGH OF FAIR HAVEN SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS															
ZONE	MINIMUM LOT REQUIREMENTS				MINIMUM YARD REQUIREMENTS				MAXIMUM ALLOTMENTS						
	Interior Lot		Corner Lot		Principal Building & Structures (1)		Accessory Building & Structures		Maximum % Lot Coverage (1)		Maximum Habitable Floor Area (2)	Maximum Building or Storage Height (3)	Maximum Principal Building or Storage Height (3)	Maximum Accessory Building or Storage Height (3)	
	Frontage (feet)	Depth (feet)	Frontage (feet)	Depth (feet)	Frontage (feet)	Depth (feet)	Depth (feet)	Depth (feet)	Side (feet)	Side (feet)	Side (feet)	Side (feet)	Side (feet)	Side (feet)	Side (feet)
R-1a	40.00	150.00	40.00	150.00	90.00	30.00	25.00	25.00	10.00	25.00	30.00	0.15 : 6.00	20.00	35.00	25.00
R-1b	40.00	150.00	40.00	150.00	90.00	30.00	25.00	25.00	10.00	25.00	30.00	0.15 : 6.00	20.00	35.00	25.00
R-2a	40.00	150.00	40.00	150.00	90.00	30.00	14.00	10.00	10.00	35.00	0.15 : 4.00	20.00	35.00	25.00	15.00
R-2b	40.00	150.00	40.00	150.00	90.00	30.00	14.00	10.00	10.00	35.00	0.15 : 4.00	20.00	35.00	25.00	15.00
R-3a	40.00	150.00	40.00	150.00	90.00	30.00	12.00	10.00	10.00	35.00	0.2 : 3.40	20.00	35.00	25.00	15.00
R-3b	40.00	150.00	40.00	150.00	90.00	30.00	12.00	10.00	10.00	35.00	0.2 : 3.40	20.00	35.00	25.00	15.00
R-4a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	25.00	10.00	45.00	0.25 : 3.20	35.00	35.00	25.00	15.00
R-4b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	25.00	10.00	45.00	0.25 : 3.20	35.00	35.00	25.00	15.00
R-5a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	25.00	10.00	45.00	0.25 : 3.20	35.00	35.00	25.00	15.00
R-5b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	25.00	10.00	45.00	0.25 : 3.20	35.00	35.00	25.00	15.00
R-6a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-6b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-7a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-7b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-8a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-8b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-9a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-9b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-10a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-10b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-11a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-11b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-12a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-12b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-13a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-13b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-14a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-14b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-15a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-15b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-16a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-16b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-17a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-17b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-18a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-18b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-19a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-19b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-20a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-20b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-21a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-21b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-22a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-22b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-23a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-23b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-24a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-24b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-25a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-25b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-26a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-26b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-27a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-27b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-28a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-28b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-29a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-29b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-30a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-30b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-31a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-31b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-32a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-32b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-33a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-33b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-34a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-34b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-35a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-35b	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-36a	40.00	150.00	40.00	150.00	90.00	30.00	10.00	35.00	10.00	5.00	0.4 : 2.00	35.00	30.00	25.00	15.00
R-36b	40.00	150.00	40.00	150.00	90.00	30.00									

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2017-180, Approve Block Party Application – Poplar Avenue, September 30th

WHEREAS, a request was received to hold a Block Party on Poplar Avenue on Saturday, September 30, 2017 from 3 pm to 11 pm with a raindate of Saturday, October 7, 2017; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on August 22, 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 Poplar Avenue on Saturday, September 30, 2017 from 3 pm to 11 pm with a raindate of Saturday, October 7, 2017.

BE IT FURTHER RESOLVED that Permit No. BP 2017-08 will be issued for said event.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2017-181, Approve Block Party Application-Dartmouth Avenue, October 7th

WHEREAS, a request was received to hold a Block Party on Dartmouth Avenue on Saturday, October 7, 2017 from 4 pm to 10 pm with a raindate of Sunday, October 8, 2017; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 6, 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 Dartmouth Avenue on Saturday, October 7, 2017 from 4 pm to 10 pm with a rain date of Sunday, October 8, 2017.

BE IT FURTHER RESOLVED that Permit No. BP 2017-09 will be issued for said event.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2017-182, Approve Submission of Monmouth County Open Space Grant Application for Fair Haven Fields Trail Linkage and Expansion

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Fair Haven desires to obtain County Open Space Trust Funds in the amount of \$98,095.00 to fund trail linkage and expansion throughout Fair Haven Fields; and

WHEREAS, the total cost of the project including all matching funds is \$196,190.00; and

WHEREAS, the Borough of Fair Haven is the owner and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR OF THE BOROUGH OF FAIR HAVEN THAT:

1. Theresa Casagrande, Borough Administrator, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Borough of Fair Haven is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Theresa Casagrande, Borough Administrator is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2017-183, Approve Submission of NJDOT Grant Application – Improvements to Battin Road

NOW, THEREFORE BE IT RESOLVED that the Council of the Borough of Fair Haven formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Engineer and Borough Clerk are hereby authorized to submit electronic grant applications to the New Jersey Department of Transportation on behalf of the Borough of Fair Haven identified as follows:

Improvements to Battin Road

BE IT FURTHER RESOLVED that the Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fair Haven and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2017-184, Approve Refund of Unused Escrow – Wilson Homes – Third and William Streets (B45, L28 and 29)

WHEREAS, Wilson Homes submitted a minor subdivision application to the Planning Board for William Street/Third Street, Block 45 Lots 28 and 29; and

WHEREAS, escrow money was posted by the applicant; and

WHEREAS, minor subdivision approval was granted and Mr. Wilson 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 \$1,508.30.

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 Michael Wilson, Wilson Homes, 41 Bernard Terrace, Little Silver, NJ 07739.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2017-185, Approve Refund of Unused Escrow-Jeffrey Jarvis-167 Hunting Lane (B10, L22)

WHEREAS, Jeffrey Jarvis, 167 Hunting Lane, Block 102, Lot 22, submitted an application to the Zoning Board for an addition; and

WHEREAS, escrow money was posted by the applicant; and

WHEREAS, Mr. Jarvis withdrew his application and 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 \$1,322.84.

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. Jarvis.

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

8. Resolution No. 2017-186, Support the Efforts of the Navesink River Municipalities Committee and their Partners

WHEREAS, the Navesink River is an essential economic, social and environmental driver in the Two Rivers Region and provides for unparalleled aesthetic recreational and commercial value; and

WHEREAS, the Navesink River is listed as impaired on the US Environmental Protection Agency's 303(d) List of Impaired Waterways (as required by the Clean Water Act) for primary contact recreation, shellfishing and dissolved oxygen; and

WHEREAS, the Navesink River has a decade long history of both innovative and collaborative watershed focused remediation work and pathogen pollution impacts; and

WHEREAS, the continued impacts of pathogen pollution within the Navesink River detract from the ability of our communities and citizens to enjoy and profit from the river including the recent downgrade of over 565 areas of shellfishing area by the NJDEP; and

WHEREAS, the Navesink River Municipalities Committee has committed itself to the protection, rehabilitation and enjoyment of the river; and

WHEREAS, the Navesink River Municipalities Committee is the preeminent liaison between citizens and local governance and is tasked with facilitating the dispersal of information, action updates and data between citizens, local and state government and environmental organizations; and

WHEREAS, the Borough of Fair Haven is a leader in the effort to "find and fix" any damaged infrastructure, illegal connection or human impact that negatively effects the Navesink River through source tracking efforts, sampling and community outreach; and

WHEREAS, the Borough of Fair Haven has committed to work with the Navesink River

Municipalities Committee and other groups that champion their mission to protect, rehabilitate and enjoy the Navesink River including New Jersey Clean Ocean Action, members of “Rally for the Navesink” and the New Jersey Department of Environmental Protection.

NOW, THEREFORE BE IT RESOLVED that the Borough of Fair Haven reaffirms its support and commitment to the Navesink River Municipalities Committee, New Jersey Clean Ocean Action, members of “Rally for the Navesink” and the New Jersey Department of Environmental Protection in their efforts to protect, rehabilitate and enjoy the Navesink River; and

BE IT FURTHER RESOLVED that the Borough of Fair Haven, as members of the Navesink River Municipalities Committee commit to:

- Read and abide by the “Quality Assurance Project Plan (QAPP)”, Navesink River Ambient Bacterial Source Trackdown 2017.
- Remain familiar with the QAPP, as well as with any update or modifications to the QAPP by NJDEP and Clean Ocean Action (in its Project Field Organizer capacity).
- Work to facilitate and support the various components of the QAPP as written, particularly relating to facilitating access to site locations, sample collections and handling and field management between sampling participants and municipal entities.
- Fulfill its role as a key entity in this collaborative project to ensure that municipalities will remain engaged in this track down work through continued attendance of Citizen and Town Council representatives and by providing for opportunities for NJDEP, municipal entities, Clean Ocean Action and other “Rally for the Navesink” members to present and disseminate information to the Navesink River Municipalities Committee; and

BE IT FURTHER RESOLVED that the Borough of Fair Haven affirms its dedication to the goals set forth within the QAPP and within the charter of the Navesink River Municipalities Committee to improve water quality in the Navesink River and will leverage these water quality track down results to implement best practices, support citizen engagement and community support and encourage local and state government actions aimed at finding and eliminating sources of pollution that may be uncovered by this project.

Offered for adoption by Councilman Jaeger , second by Councilman Wilhelm

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

Negative: None

Abstain: None

Absent: None

9. Resolution No. 2017-187, Executive Session-Possible Litigation, Acquisition of Property 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:

Possible Litigation

1. Yachtworks
2. 20 Gillespie, LLC

Acquisition of Property

1. Police Headquarters

Contract Negotiations

1. Teamsters
2. Consulting Engineer: Boat Launch Ramp

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 Jaeger, second by Councilman Wilhelm

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

Negative: None
Abstain: None
Absent: None

10. Resolution No. 2017-188, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the September 11, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2016 CURRENT ACCOUNT	\$ 782.68
2017 CURRENT ACCOUNT	\$2,574,563.75
GENERAL CAPITAL	\$ 125,000.00
PAYROLL AGENCY	\$ 12,995.76
OTHER TRUST	\$ 12,259.90
TOTAL	\$2,725,602.09

The bill list was amended to this new amount (\$1,830 less than the original that was sent in the Council’s packet).

Offered for adoption by Councilman Jaeger, second by Councilman Wilhelm

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

Reports of Departments
August 2017

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

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

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:37 p.m. Jacob Rue, Planning Board Chairman, said the Re-examination Report was adopted a year ago and asked what the visibility of pedestrian status was. Councilman Peters said the Borough is strategically “attacking” visibility of pedestrians through town. He said he watched the kids walk to school and there are no sidewalks. Administrator Casagrande said there are multiple projects underway all around town being supervised by Engineer Gardella. The Third Street Project will be reworked up to McCarter Pond. There is a Pedestrian Safety Plan (88 pages) in draft format that was sent to the County because there are two county roads in Fair Haven that need to be addressed; we are awaiting their reply as to what they are willing to do. The Borough outsourced painting the crosswalk lines so that they are done properly and are highly reflective.

Councilman Jaeger said he passed the tennis courts and they look fantastic. He noticed that “dirt bombs” have been thrown on the new court. Administrator Casagrande said the contractor was at the site today and once the courts are opened, the police will be patrolling. Councilman Rodriguez asked when the trail will be reconnected. Administrator Casagrande spoke with Engineer Gardella who advised the project has been completed according to plan. The contractor is finishing the swale before the rest of the project is buttoned up. There is a concern about openings to every gate and preventing stones and dirt from getting on the courts.

Councilwoman Sorensen announced that Oktoberfest is this Saturday, September 16th, 4-10 pm at Fair Haven Fields. All of the proceeds will go towards next year’s Fair Haven Day.

Ruth Blaser, River Road, said she attended a meeting in Freehold last week and noticed how smooth the road out there was; River Road is very bumpy. She was advised that the county was contacted and asked to address River Road as it is their road. The County did work on Ridge Road and it is hoped they will address River Road.

Councilman Wilhelm said 16 years ago today, a lot of people were lost. We will Never Forget. He invited the public to visit the memorial site across the street in Memorial Park. There are also street signs along Hance Road that acknowledge those Fair Haven residents that were lost September 11, 2001.

Kim Lewis, Allen Street, asked if it was true that there will be affordable housing at the current DPW location and, if so, when will a decision be made. Mayor Lucarelli advised that this has not been discussed yet. The Borough is waiting on an Architect's proposal and site work to be done. There will be some residential sites and the DPW facility space will be reduced. No jobs will be lost.

Jim O'Donnell, Fisk Street, advised he was displeased with the Borough Engineer approving the site elevation for the project next door to him. He thanked Councilman Rodriguez for visiting the site this past weekend. Councilmembers Sorensen and Wilhelm said they visited the site as well. Mr. O'Donnell read a statement about the issues that have occurred since construction (damage to his new fence, dirt piled on his fence, fear of his pool having silt and dirt deposited in it) and asking for Mayor and Council's help. Mayor Lucarelli said that he visited the site and there has been some rain, he asked if there have been any issues. Water, silt and dirt have come under his fence. Councilman Wilhelm noted a freshly dug line along the fence. Mr. O'Donnell said that his new fence is being used as a retention base; it is six feet high and the dirt at the back of the property is as high as his fence. The developer is not adhering to the original site plan. The Mayor said none of the watershed will affect Mr. O'Donnell's property. The Borough Engineer has asked that they make some changes to the plan. Councilman Marchese asked if Mr. O'Donnell has retained an expert or his own engineer; no. There is a drastic visual change to what was there. The developer's engineer and Engineer Gardella have met to come up with a compromise. It was suggested Mr. O'Donnell wait and see what happens once the sod has been installed; it should keep the silt or soil from washing on to the neighboring property. The Borough has an approved plan that is under review by the Borough Engineer. Councilman Jaeger asked if the developer should be using Mr. O'Donnell's fence as a retaining wall. Councilman Rodriguez said he visited Mr. O'Donnell while campaigning door to door. Since the week of the fair, much of the work has been done and grass is growing. Mr. O'Donnell said there is a six foot drop off since the property has been redeveloped. Mayor Lucarelli asked that Administrator Casagrande have Engineer Gardella compare the topography and any grade changes that are there now compared to pre-construction and provide a report to the governing body.

Mrs. Blaser asked about the maximum height in the Zoning Ordinance and how high a ½ story is. She was advised that there are maximum height requirements and Attorney Alfieri explained it to her. The Borough is dealing with attic space being used as a third story. Councilman Marchese advised that ordinance amendments and other changes are coming.

There being no further comments or questions, the meeting was closed to the public at 8:05 p.m.

Council went into executive session at 8:10 p.m. and this meeting was reconvened at 8:53 p.m.

ADJOURNMENT

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

Time of Adjournment: 8:54 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk