

FAIR HAVEN BOROUGH COUNCIL
NOVEMBER 13, 2017

The meeting was called to order by Mayor Lucarelli at 7:00 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.

PRESENTATIONS

Mayor Lucarelli read a proclamation sent to the Borough from the Board of Chosen Freeholders acknowledging Chief McGovern's 30 years of service and declaring November 13th as Joseph P. McGovern Day.

Councilman Wilhelm arrived to the meeting at 7:05 p.m.

Administrator Casagrande reported that the Borough received a NJ Department of Transportation grant for a Pedestrian and Bike Active Transportation Plan. Steve Chiaramonte and Mike Kublanov, WSP, created and presented the plan from two open houses that were held (April and September), the Borough website and Wiki mapping as to the who, what, why and how which was built on work that Fair Haven had already done through the Master Plan Re-examination process. They have created this type of plan in 24 municipalities throughout the State of New Jersey over the past 20 years. A Steering Committee (municipal representatives, residents, Board of Education members and Monmouth County were involved in this plan) was key to help develop the plan. WSP walked, biked and drove through the Borough to identify key destinations and reviewed crash data. They detailed sidewalks, bike lanes and crosswalks for key spots and challenges while focusing on the four "Es" (education, engineering, encouragement and enforcement). The next step/phase would be to implement the physical improvements as documented in the report. The Borough is not bound to make all of the improvements; they can be done "piece meal". Councilman Peters said one of the ongoing challenges is the cost of implementation as bike users do not pay toward the expense. This Pedestrian and Bike program is a statewide program which makes it a challenge to secure funds. The Borough has made improvements already. Mr. Chiaramonte said that signage and striping are easy for the DPW to assist with.

Mike Kublanov said Fair Haven is doing great and WSP noted many 20 mph signs through town which is impressive; this speed is rare as well as the closing of Third Street for the school children. A lot of public outreach was done and attended by WSP i.e. hearings in the Borough as well as in the public (Oktoberfest). Many borough residents are on board with the plan. Mayor Lucarelli noted that there was positive feedback in WSP's report (well researched and written for the residents in town); it may be tough for outside riders. River Road will need repaving before anything is implemented. Mr. Kublanov asked how the 20 mph streets came about; the residents of the street(s) came before the governing body with their request and reasons and the police department researched and made recommendation. Councilman Peters said that it is not a revenue tool, but a public safety tool. WSP is interested in proper behaviors.

The presentation ended at 7:20 p.m.

WORKSHOP SESSION

Before approving the Pedestrian and Bicycle Transportation Plan, Mayor Lucarelli opened the meeting to the public for comments or questions. Susan O'Brien, River Road, said she attended the public presentations and asked if there was a link on the website regarding the plan; yes. She requested the speed limit on River Road be reduced. She was advised that the Borough would have to approach the County as River Road is a county road. Mrs. O'Brien said she broached the topic to the Freeholders when they held their meeting in Fair Haven and they bounced it to the Borough. Mr. Chiaramonte said that it is usually up to the County as it is their road and they have jurisdiction. When the paving of River Road is discussed with the County, the speed limit will be discussed as well. Mrs. O'Brien said in the plan the sidewalks appeared to be "hopscoched" in the Phase I Plan and suggested that it be done as one and not skipped around. Councilman Peters said there was a big meeting held in 2008 to discuss sidewalks and whether to have them or not. The Borough recently completed some sidewalks and connectivity through town. Mrs. O'Brien asked if someone would be getting back to her on the River Road speed limit; no, the Borough will be implementing the speed as it can, according to plan. She requested the electronic speed sign be placed in front of her house; Chief McGovern will take a look at the area.

Elizabeth O'Neill, Third Street, asked if the residents will be notified when the curbs are installed. She was advised that the Borough is waiting on the NJDOT for an answer to the drawings submitted; part of the process is to notify the residents affected by any work done in their neighborhood.

The meeting was closed to the public at 7:30 p.m. Motion to approve the Pedestrian and Bicycle Transportation Plan moved by Councilman Peters, second by Councilwoman Sorensen with Ayes by all present.

A request was received from the Fair Haven Business Association to post lawn signs and a banner advertising the upcoming holiday events as well as having them included on the Borough's electronic sign and social media. Motion to approve moved by Councilman Peters, second by Councilwoman Sorensen.

A request was received from Michael Criscola, 772 River Road, LLC., to waive the requirement for five (5) parking spaces and/or waive the parking fund fee ordinance. Information was provided in the Council packet. Mr. Criscola owns the building which is in the business district. According to his Planning Board approval resolution for change of use, he was required to provide 19 parking spaces and he has provided 14 and requested a waiver of the other five (5). Councilman Peters reviewed the reasoning and cost for a parking space in town (\$2,500 per space). Mr. Criscola was not in attendance at this meeting and should have been to present his case. It was noted that there is a problem with parking in this area as it is now. These spaces should be required to be installed because there will be more parking issues once the businesses at this location open. Mayor Lucarelli said once the Bike and Pedestrian Plan is in place, we will have a method to move forward. The parking fund ordinance and its purpose were explained to Councilman Rodriguez. Councilman Peters said it is intended as a resource to help us. There was brief discussion on the matter. Motion to deny Mr. Criscola's request moved by Councilman Peters, second by Councilman Wilhelm with Ayes by all present.

An update on Monmouth County Dispatch/Fire Notification Radio was given by Administrator Casagrande and Chief McGovern. The Borough has an interlocal agreement with the County for dispatch services; we have worked out issues through the years. We are currently connected through the internet. Improvements have been made to the towers and communications mechanisms for police and fire. Chief McGovern advised that the north tower equipment has been amended. The police department is connected via microwave that comes from Freehold to Fort Monmouth and over to us; it is working well for the police and fire departments.

At a summer Council meeting, a proposed amendment to the police special duty fee and rate schedule was discussed and Council tentatively agreed to change the rates. Administrator Casagrande said she met with Chief McGovern and Engineer Gardella to discuss the amendment and how it could affect the bottom line in the Borough's bid specifications. She also spoke with the Finance Committee and the Mayor and an analysis was done on what other town charge. The proposed new ordinance addresses differential in outside work and the various scenarios with some having no administrative fee.

Engineer Gardella arrived to the meeting at 7:45 p.m.

The amount in the bid specifications would show \$55.00 per hour for road detail and would require the contractor to post 50% of the assessed road detail which will assist in getting our officers paid in a timely manner. Mayor Lucarelli was concerned with taxpayer dollars being used to pay the officers for the jobs that were worked. The Borough has to pay the rate of outside towns (Red Bank, Rumson and Little Silver) for their officers, if used. Chief McGovern took a fair rate from the survey results and tried to keep it as affordable as possible. Statistics are available for what the Borough has paid in road detail. Councilman Jaeger asked, "Who determines when a detail is required, Chief McGovern or the contractor?" Usually it is the contractor who requests an officer. If they do not, but realize it is warranted, the police advise them that an officer is required. This ordinance will be listed on the November 27th agenda for introduction.

The next order of business was to designate the Environmental Commission as the body to review the Environmental Resource Inventory (ERI) and provide annual updates and review. Ralph Wyndrum, Environmental Commission Chairman, advised the governing body that the Commission updated the ERI (a 52 page document) as a body without using a professional organization. There are two members with PhDs who did a great job. The inventory will be updated each year. Councilman Peters, liaison to the Environmental Commission, said this is an administrative request for the Sustainable NJ grant which is due this week. The ERI will be presented to the Planning Board at their meeting tomorrow. Motion to approve the Environmental Commission as the body to update and review the Environmental Resource Inventory moved by Councilman Peters, second by Councilwoman Sorensen with Ayes by all present.

Administrator Casagrande updated the governing body as to where the Borough stands on the Community Center Fields Committee. There are multiple items related to the Community Center Fields that were reviewed by the Recreation Committee and Mayor and Council. Various people were selected for the Community Center Fields Committee, but no meeting date has been given as

some things have come up with the Borough's Recreational Open Space Inventory (ROSI). It is best to hold off on any discussions until the Borough has a handle on the larger "moving parts". In the mean time, the basketball courts have been improved and the fencing was fixed. Administrator Casagrande will e-mail the members and advise that the Committee is on hold until matters are settled and better reviewed. Councilman Rodriguez asked that the ROSI be clarified and how it affects the Borough. The Police Department and Community Center are one parcel on our ROSI. There is a process with the NJ Department of Environmental Protection to have the buildings removed from the ROSI.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 8:01 p.m. Susan O'Brien, River Road, asked if there was no clear title to the Police Department. She was advised that there are many parcels, title wise, that make up the property and some should not be on the ROSI. Attorney Alfieri said the Borough does not have all of the deeds for all of the parcels required for the process with the DEP. She asked if the Mayor and Council were voting on Ordinance No 2017-09. Councilman Marchese said he was surprised that she was not at the last Planning Board meeting, but he relayed her comments to the Board and they came back with recommendations to the Mayor and Council.

Ruth Blaser, River Road, had some questions regarding the bill list. She said the Borough is not a public company and asked why the Borough is paying for parties; there was a bill from a 2016 holiday party at Umbertos. Councilman Peters stated that he is a public employee in New York and there are certain reasonable and appropriate cultural norms in government and it is not unreasonable for a celebration for those who work hard for the residents; this is not out of practice. Mayor Lucarelli said it is an opportunity for the governing body to "break bread" with the paid employees. Mrs. Blaser asked about computer purchases for the First Aid Squad. This is a State requirement; two i-Pads with supporting equipment will be purchased. She asked what a Toro Slice Seeder is; it is a piece of DPW equipment used to seed the fields. She noted that the Borough is purchasing a lot of trash cans and asked if there are a lot of broken cans or just a lot more residents. She was advised that a lot of cans are "aging out" and need replacement. Councilman Rodriguez asked Councilman Peters what the useful life is for trash and/or recycling cans. He said that the cans are being looked at and we are strategically replacing some of them. Mrs. Blaser asked that the cans be more reflective and easier to see at night.

There being no further comments or questions, the meeting was closed to the public at 8:10 p.m.

APPROVAL OF MINUTES

Councilman Peters made a motion to approve the Regular Meeting minutes of October 23, 2017, second by Councilwoman Sorensen

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

Negative: None

Abstain: Councilman Wilhelm

Absent: None

Councilman Rodriguez made a motion to approve the Executive Session minutes of October 23, 2017, second by Councilwoman Sorensen

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

Negative: None

Abstain: Councilman Wilhelm

Absent: None

Councilman Peters made a motion to approve the Special Meeting minutes of October 26, 2017, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

Councilwoman Sorensen made a motion to approve the Executive Session minutes of October 26, 2017, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCE

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

Attorney Alfieri advised the governing body that the Planning Board reviewed the introduced ordinance and provided a recommendation which is a good correction. A motion to amend the ordinance would be required. Councilman Marchese said that he would bring the amended ordinance forward to the Planning Board at their November 14th meeting. Motion to amend Ordinance No 2017-09 moved by Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present. This matter will be relisted on the November 27th agenda for hearing and adoption.

NEW BUSINESS - CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2017-220, Appoint Ross Reed as Permanent, Full-time DPW Laborer

WHEREAS, Resolution No. 2017-68 appointed Ross Reed, Jr. as a full time Public Works employee with a six month probationary period; and

WHEREAS, the probationary period was completed on October 28, 2017, a performance evaluation was conducted by Richard Gardella, Director of Engineering and Public Works and Mr. Gardella has made a recommendation for Ross Reed, Jr. to become a permanent, full time, Public Works Laborer, retroactive to October 28, 2017; and

WHEREAS, the position/salary step for Ross Reed will be at the Grade 1 rate of \$35,016, in accordance with the 2013-2016 Teamsters Local 177 Memorandum of Agreement, effective January 1, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Ross Reed, Jr. be appointed as a permanent, full-time laborer for the Department of Public Works, in accordance with the salary schedule outlined above, retroactive to October 28, 2017.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

2. Resolution No. 2017-221, Appoint Joseph Mulé, Planning, Zoning and Code Compliance Assistant

WHEREAS, there is a need to hire a part time Planning, Zoning and Code Compliance Assistant to assist with an increased workload in these departments; and

WHEREAS, the position was advertised on the Borough's website and the New Jersey League of Municipalities website; and

WHEREAS, resumes were received and interviews were conducted for said position and the Borough Administrator and Director of Engineering and Public Works have confirmed that Joseph Mulé is qualified to fill said position and recommend his appointment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that Joseph Mulé is hereby appointed as part time Planning, Zoning and Code Compliance Assistant at an annual salary of \$15,000, pro-rated and in accordance with the terms in the Offer Letter attached hereto.

BE IT FURTHER RESOLVED, that the appointment of Mr. Mulé as Planning, Zoning and Code Compliance Assistant is effective November 14, 2017 based on 1,000 work hours per year, not to exceed 80 hours per month, at the discretion of the Director of Engineering and/or Borough Administrator.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2017-222, Executive Session – Personnel, Possible Litigation and Contract Negotiation

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. Borough Architect
2. 2018 Non-Aligned Employee Salaries

Possible Litigation

1. 20 Gillespie, LLC

Contract Negotiations

1. Teamsters: Memorandum of Agreement
2. PBA Contract
3. DPW Site Testing
4. Appraisal Services

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 Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2017-223, Approve Capital Purchase for First Aid Squad – Portable Computers

WHEREAS, Ordinance No. 2017-06 was adopted on May 22, 2017 and provides for the acquisition of various equipment, infrastructure improvements and improvements to public buildings and grounds; and

WHEREAS, Capital Item requests have been made as follows:

First Aid

- Two (2) Apple iPad Pros
- Two (2) Apple iPad Pro Smart Keyboards
- Two (2) Cases
- Chargers
- Apple Care (Maintenance Plan)

Total Purchase Amount	\$ 4,050.96
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WHEREAS, the above equipment will be purchased for the Fair Haven First Aid Squad and the Chief Financial Officer has certified available funds for said purchase.

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

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2017-224, Appoint Special Law Enforcement Officer, Class II – Michael P. Campanella

WHEREAS, a request was made by Police Chief Joseph P. McGovern to appoint a Special Law Enforcement Officer, Class II, effective November 14, 2017; and

WHEREAS, Joseph McGovern, Fair Haven Police Chief, has recommended Michael P. Campanella be appointed as a Special Law Enforcement Officer, Class II.

WHEREAS, the rate of pay for this position is \$17.25 per hour.

NOW, THEREFORE, BE IT RESOLVED that Michael P. Campanella be appointed to the position of Special Class II Officer.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2017-225, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the November 13, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2016 CURRENT ACCOUNT	\$ 581.00
2017 CURRENT ACCOUNT	\$ 137,187.05
GENERAL CAPITAL	\$ 280,503.55
GRANT FUND	\$ 11,353.00
PAYROLL AGENCY	\$ 13,176.96
OTHER TRUST	\$ 14,688.61

TOTAL \$ 457,490.17

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

7. Resolution No. 2017-226, Accept Performance Guarantees from Laval Home Development, LLC - 134 Third Street

WHEREAS, Laval Home Development, LLC obtained minor subdivision plan approval from the Fair Haven Planning Board pursuant to a Resolution adopted by the Planning Board on July 11, 2017; and

WHEREAS, the Planning Board Engineer prepared a bond estimate for this site plan by way of letter dated November 1, 2017; and

WHEREAS, Laval Home Development, LLC. has posted performance guarantees in compliance with the bond estimate, as follows:

Check No. 1075 in the amount of \$2,526.18 (10% Cash Deposit)

Check No. 1076 in the amount of \$1,052.58 (5% engineering and inspection fee)

Check No. 1078 in the amount of \$5,685.00 for sidewalk and right of way improvements

WHEREAS, Performance Bond No. 4414382 in the amount of \$22,735.62 issued by SureTec Insurance Company which represents the 90% Bond.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that the aforementioned performance guarantee is accepted by the Borough in order to secure performance by the property owner of a site plan to effectuate the terms and conditions of the Planning Board approval.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None
Abstain: None
Absent: None

Reports of Departments

August 2017

-Chief Financial Officer

September 2017

-Chief Financial Officer

October 2017

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Tax Collector

-Police Department

-Municipal Court

Motion to accept the reports as submitted moved by Councilman Marchese, 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 8:15 p.m. Councilman Marchese reported a lot of deer activity at night on Third Street and that it is becoming dangerous and needs to be looked into as far as options. Mayor Lucarelli said that the Borough can speak with the Environmental Commission and the NJDEP on what can be done to reduce the population or deter them from the area.

Susan O'Brien, River Road, asked Administrator Casagrande if the new assessment cards have been mailed out; yes, they were mailed in October. She never received one; she was referred to Greg Hutchinson, Tax Assessor. December 1st is the appeal period.

Josh Halpern, Buttonwood Drive, congratulated Councilmembers Sorensen and Rodriguez on their success during this past General Election. He asked when there will be paving done at the end of Buttonwood Drive. Administrator Casagrande said drainage was installed and we have to wait for the road to settle before it can be paved. Engineer Gardella said the drainage was finally completed and he has reached out to the contractor. Mr. Halpern stated that from Park Lane to Linden Drive there are no stop signs coming back to Buttonwood Drive which has led to a lot of confusion. Councilman Rodriguez agreed that it is an uncontrolled intersection and a problem not just for drivers, but children who walk and bike as well. Chief McGovern said that he would look at the area and review the Borough's ordinance. Mr. Halpern asked that the curfew be amended for Mischief Night and Halloween; he monitored his property with a flashlight to prevent any type of vandalism. He was advised that the curfew in the Borough's Code is 7:00 p.m. for ages 17 and under; there was not one vandalism call received this year. Chief McGovern will look into the curfew being 6:00 p.m. for next year.

Councilwoman Sorensen reported that DJ Breckenridge, Parks and Recreation Director, obtained basketball tickets (no charge) for a bunch of NCAA college games. He is going to put together an essay contest, for students (grades 3-8), on keeping the borough parks clean and will award the tickets at the November 27th Council meeting.

Councilman Wilhelm announced that it is bittersweet to announce that he is resigning his position on Council effective midnight tonight. The Borough deserves a Councilman who can spend the necessary time it takes and with his job commitments he cannot do this. He thanked the voters and Fair Haven Republican Committee for trusting him, as well as the governing body. He welcomed Councilman Rodriguez aboard. Councilwoman Sorensen was thanked for getting him involved and Administrator Casagrande and Borough Clerk Cinquegrana for making everyone on the dais look smart. He thanked the police department and fire department for making his job easy and Gail Mura for getting involved in keeping McCarter Pond clean. He suggested Mrs. O'Brien run for office and thanked her for her input every Council meeting.

Mayor Lucarelli announced that the Annual NJ League of Municipalities Conference starts November 14th and that he will have the honor of swearing in Theresa Casagrande as President of the NJ Municipal Managers Association.

Ruth Blaser, River Road, asked that if a board meeting conflicts, that it be rescheduled to a different night so there are not two meetings being held at the same time in different locations.

There being no further comments or questions, the meeting was closed to the public at 8:30 p.m.

Council went into executive session at 8:33 p.m. and this meeting was reconvened at 9:58 p.m.

ADJOURNMENT

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

Time of Adjournment: 9:59 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk