

**FAIR HAVEN BOROUGH COUNCIL
KNOLLWOOD SCHOOL
NOVEMBER 27, 2017**

The meeting was called to order by Mayor Lucarelli at 1:32 p.m. The Flag Salute was led by Alyssa Lucci, Student Council President, followed by a Moment of Silent Meditation. Mayor Lucarelli read the Sunshine Law Statement.

ROLL CALL

Faith Amabile, Student Council Secretary called the roll and the following were present: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen. Absent: Councilman Peters. Others present: Administrator Casagrande and Attorney Alfieri.

PRESENTATIONS

Mayor Lucarelli asked that Margot Ridgeway come forward to receive a proclamation for being selected to the 2017 High School Soccer All American Team. He read the proclamation and Ms. Lucci presented to Ms. Ridgeway.

Mayor Lucarelli welcomed everyone to the meeting which included the 8th grade class and Student Council sitting at the dais. He acknowledged former Councilman Rowland Wilhelm who was in the audience. Councilman Peters, who is a professor in Staten Island was unable to attend this day meeting. The Mayor briefly explained the government process.

WORKSHOP SESSION

Mayor Lucarelli advised that Councilman Wilhelm resigned his position as Councilman at the November 13th Council Meeting. By law, the Republican Committee submitted three names to be considered for filling the vacancy. The Mayor asked that Councilman Marchese who, out of those in attendance, had the most years served on Council make a nomination. Councilman Marchese deferred to Councilwoman Sorensen to make the nomination; she made a motion that Elizabeth Koch be appointed.

RESOLUTION

1. Resolution No. 2017-227, Appoint Councilperson to fill a vacant, unexpired term

WHEREAS, a vacancy exists on the Fair Haven Borough Council upon the resignation of Councilman Rowland Wilhelm; and

WHEREAS, the Municipal Vacancy Law of NJSA 40A:16-7 requires “An appointment to fill a vacancy in the membership of the Governing Body shall be by a majority vote of the membership of the remaining members of the Governing Body”; and

WHEREAS, pursuant to NJSA 40A:6-11, Municipal Vacancy Law, the Fair Haven Republican Committee has recommended **James Banahan, Elizabeth Koch and Erin Magovern** to fill the vacant seat until the General Election of 2018.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that pursuant to NJSA 40A:16-7, **Elizabeth Koch, 27 Sycamore Avenue, Fair Haven, NJ** is appointed as a Councilmember to fill the unexpired term of Rowland Wilhelm until the General Election of 2018.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: Councilman Peters

The Oath of Office was administered by Attorney Alfieri while Mrs. Koch’s daughter held the bible.

Councilwoman Sorensen advised the Mayor that she would like to sit next to him so that Councilwoman Koch could take the seat that was once occupied by former Councilman, Jerome Koch.

PUBLIC COMMENT ON AGENDA ITEMS AND STUDENT COUNCIL QUESTIONS

The meeting was opened to the public for comments or questions at 1:42 p.m. Alyssa Lucci gave the history of the eighth grade student council and introduced the officers. She reviewed the business that the student council has already undertaken.

Administrator Casagrande and Attorney Alfieri introduced themselves and explained their positions with the Borough.

Councilman Rodriguez introduced himself stating that he has been on Council for a year and has three kids in the school system (grades 8, 7 and 3).

Councilwoman Koch, newly appointed and an 8th grade Science teacher, said that she looks forward to working with Council.

Councilwoman Sorensen said she has served two full terms (3 years each) and was just re-elected to her third term. She is the liaison to Parks and Recreation, the Board of Education, Business Association and President to the Foundation of Fair Haven. She encouraged the students to get involved in the community.

Mayor Lucarelli advised that he is the head of Council. Fair Haven has a weak form of government so he does not vote unless there is a tie.

Councilman Marchese stated that he is serving his 3rd term (8th year) on Council. He is liaison to the Planning Board and Zoning Board as well as the Rumson-Fair Haven Municipal Alliance.

Councilman Jaeger advised that he has had two elected terms plus filling a vacancy on Council. His son, Connor, graduated from Knollwood School. He is a part of the Finance Committee and Facilities Committee. The Police Department and Public Works buildings are in disrepair and the Council is working on fixing the buildings. Borough Council are volunteers and work hard for the Borough.

Allyson Cinquegrana, Borough Clerk/Assistant Administrator, introduced herself and touched on her years of service and responsibilities.

There being no further comments or questions, the meeting was closed to the public at 1:49 p.m.

APPROVAL OF MINUTES

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of November 13, 2017, second by Councilwoman Sorensen

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

Councilman Jaeger made a motion to approve the Executive Session minutes of November 13, 2017, second by Councilwoman Sorensen

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

OLD BUSINESS

HEARING AND ADOPTION OF ORDINANCES

1. Ordinance No. 2017-09, Amend Table C 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

On motion of Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present, Mayor Lucarelli opened the meeting for comments or questions at 1:51 p.m. This ordinance was presented to the Planning Board for review and recommendation and has been accepted

There being no further comments or questions, the Hearing was closed to the public at 1:52 p.m. on motion of Councilwoman Sorensen, second by Councilman Marchese with Ayes by all present.

Offered for adoption by Councilman Marchese, second by Councilwoman Sorensen

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

NEW BUSINESS
INTRODUCTION OF ORDINANCES

1. Ordinance No. 2017-10, Amend Special Duty Rates for the Police Department

**ORDINANCE ADOPTING A FEE AND RATE SCHEDULE
FOR SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS
IN THE BOROUGH OF FAIR HAVEN**

WHEREAS, the Borough Council of the Borough of Fair Haven has authorized the establishment of guidelines for special duty assignments of police officers whereby said assignments are arranged by contract between the municipality and the private person or entity; and

WHEREAS, the compensation of special duty police officer services is to be channeled through a special trust fund to be established by the municipality under N.J.S.A. 40A:4-39 and the proceeds of said fund are to be dispersed through the Municipal Chief Financial Officer to the individual police officers performing such services, and

WHEREAS it is in the best interests of the Borough of Fair Haven and the police officers to establish uniform costs for the services of the police officers,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fair Haven that it does hereby establish the following rates and fees regarding special duty assignments for police officers in the Borough of Fair Haven:

A.	Traffic and Security	\$90/hour 4 hour minimum
B.	Fair Haven Taxing Entities Religious Fair Haven Volunteer Organizations Borough Events Officially Sanctioned by the Governing Body	\$50.00/hour or Predetermined Rate No Borough Fee
C.	Borough Road Projects	\$55.00/hour No Borough Fee

BE IT FURTHER ORDAINED that the above mentioned Traffic and Security rates and fees are allocated at \$70.00 per hour to the police officer, with a four hour (4) minimum, and a \$20.00 per hour surcharge for administrative and related costs to be retained by the Borough.

BE IT FURTHER ORDAINED that the rate or fee regarding special duty assignments for police officers for religious and Borough events shall be \$50.00 per hour, with a two (2) hour minimum and Borough Road Projects shall be \$55.00 per hour which both fees will be allocated totally to the police officer with no administrative and related costs allocation.

BE IT FURTHER ORDAINED that provisions of this ordinance shall take effect immediately.

BE IT FURTHER RESOLVED that the rates and authority given by this ordinance may be amended or revoked from time to time by the Governing Body.

BE IT FURTHER RESOLVED that any Borough officials required to take any action to implement this ordinance are hereby authorized to do so.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this ordinance to the Chief of Police and to the Chief Financial Officer.

Offered for introduction by Councilman Jaeger, second by Councilwoman Sorensen

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen
Negative: None
Abstain: Councilwoman Koch
Absent: Councilman Peters

CONSENT AGENDA
RESOLUTIONS

2. Resolution No. 2017-228, Executive Session: Personnel, Possible Litigation, Acquisition of Property, Contract Negotiations

WHEREAS, the Open Public Meetings, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body may wish to discuss the following matters:

Personnel

- 1. 2018 Non-Aligned Employee Salaries

Possible Litigation

- 1. 20 Gillespie, LLC
- 2. Possible Encroachment on Borough Property
- 3. Yacht Works

Acquisition of Property

- 1. Fair Haven Road

Contract Negotiations

- 1. Teamsters: Memorandum of Agreement

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 Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

- 3. Resolution No. 2017-229, Approve Fire Department Membership (First Aid Squad) Application: Mary Heins

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Mary M. Heins, 457 River Road, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

- 4. Resolution No. 2017-230, Approve Fire Department Membership (First Aid Squad) Application: Kelly Nitka

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Kelly A. Nitka, 50 Battin Road, Fair Haven, NJ having been duly accepted as an affiliate member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department/First Aid.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

- 5. Resolution No. 2017-231, 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 27, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2017 CURRENT ACCOUNT	\$ 60,237.13
GENERAL CAPITAL	\$ 30,682.47

PAYROLL AGENCY	\$	231.84
OTHER TRUST	\$	1,816.70
TOTAL	\$	92,968.14

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

6. Resolution No. 2017-232, Appoint Borough Architect-Eliot Goldstein/Goldstein Partnership-Borough Facilities

WHEREAS, the Borough of Fair Haven has a need to retain professional services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator has determined and certified that the value of some of the said services may exceed \$17,500 for the year 2017; and

WHEREAS, contract proposals for said professional services have been received by the Borough and interviews have been held; and

WHEREAS, said professionals have completed and submitted a Business Entity Disclosure Certification, which certifies that said professional has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit said professional from making any reportable contributions throughout the term of the contract; and

WHEREAS, funds for these purposes will be appropriated in the 2017 Municipal Budget; and

WHEREAS, said professionals have been duly appointed by the Borough Council of the Borough of Fair Haven pursuant to N.J.S.A. 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that the Borough Administrator is hereby authorized to execute a contract with the following;

- Eliot Goldstein, Goldstein Partnership

BE IT FURTHER RESOLVED that contracts for said services and the Business Disclosure Entity Certification and Determination of Value are on file with the Borough Clerk and available for public inspection; and

BE IT FUTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Eliot Goldstein of Goldstein Partnership
2. Chief Financial Officer
3. Borough Administrator
4. Director of Engineering and DPW
5. Police Chief

BE IT FUTHER RESOLVED that copy of this resolution shall be published in the Asbury Park Press as required by law within ten (10) days of its passage.

Councilwoman Sorensen advised the public that the governing body did an extensive search over for the past few months for this position. Mayor Lucarelli said there were different opinions on the matter, but in the end, majority rules.

Offered for adoption by Councilman Jaeger, second by Councilman Rodriguez

Affirmative: Councilmembers Jaeger, Rodriguez and Sorensen

Negative: Councilman Marchese

Abstain: Councilwoman Koch

Absent: Councilman Peters

7. Resolution No. 2017-233, Authorize Engineer to go out to bid for Fair Haven Fields Buffer Restoration

WHEREAS, the Borough of Fair Haven was awarded a Monmouth County Open Space Grant

for buffer restoration at Fair Haven Fields; and

WHEREAS, there is a need to advertise for receipt of bids for said project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that authorization is given to the Borough Administrator and Borough Engineer to advertise for receipt of bids to implement the Fair Haven Fields Buffer Restoration Project.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

8. Resolution No. 2017-234, Appoint Borough Planner - Heyer Gruel Associates for the remainder of 2017

WHEREAS, the Borough of Fair Haven has a need to retain professional services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator has determined and certified that the value of some of the said services may exceed \$17,500 for the remainder of 2017; and

WHEREAS, contract proposals for said professional services have been received by the Borough; and

WHEREAS, said professionals have completed and submitted a Business Entity Disclosure Certification, which certifies that said professional has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit said professional from making any reportable contributions throughout the term of the contract; and

WHEREAS, funds for these purposes will be appropriated in the 2017 Municipal Budget; and

WHEREAS, said professionals have been duly appointed by the Borough Council of the Borough of Fair Haven pursuant to N.J.S.A. 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that the Mayor and Municipal Clerk are hereby authorized to execute contracts with the following;

- Heyer and Gruel, Professional Planner

BE IT FURTHER RESOLVED that contracts for said services and the Business Disclosure Entity Certification and Determination of Value are on file with the Borough Clerk and available for public inspection; and

BE IT FUTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Heyer and Gruel, Professional Planner
2. Chief Financial Officer
3. Borough Administrator
4. Fair Haven Planning Board

BE IT FUTHER RESOLVED that copy of this resolution shall be published in the Asbury Park Press as required by law within ten (10) days of its passage.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: Councilwoman Koch

Absent: Councilman Peters

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 1:57 p.m. Ruth Blaser, River Road, said this is the second year in a row with the current leaf pick up program and asked if warnings are being issues. The system is not working because no one is paying attention to the schedule. There are three weeks until the next pick up for each zone and people already have their

debris out. Mayor Lucarelli explained the leaf zones and asked the residents to abide by the schedule to help assist the Borough. We have had a healthy compliance in town. Mrs. Blaser asked that warnings or summonses be written. She was advised that we are doing our best to educate and get the information out through our various sources (newsletter, website, front sign and code enforcement).

Susan O'Brien, River Road, asked what the average increase of assessed valuation was. Administrator Casagrande said she was not positive and would speak with the Tax Assessor and report back. Mrs. O'Brien said she just received her card last week. She asked why a different Planner was appointed. Mayor Lucarelli advised he will work with our Planning Board and Zoning Board. Goldstein Partnership was appointed as our Borough Architect for our borough facilities and Heyer Gruel was appointed as the borough's new planner because the previous planner did not work out.

Councilwoman Sorensen reported that last Saturday, November 25th, the Fair Haven Business Association had a great turn out for Small Business Saturday; everyone enjoyed the trolley ride and event. Santa is coming to town via fire truck on December 1st for the annual tree lighting at Memorial Park. An essay contest is being held by the Recreation Department. There were two topics: Sportsmanship and why you should not leave garbage behind at the fields. Responses are due on November 28th and the prize is tickets to the December 9th NCAA basketball games at the Prudential Center.

A student asked what status was of the old Sunoco station. It is private property that is currently for sale. The property owner has been non-responsive to phone calls. Investors Bank went before the Board, but the Planning Board did not approve their application.

Council was asked how much time it takes to be on Borough Council. It involves attending meetings depending on the committee each member is on. He said the Borough has a great Administrator, Clerk and Police Chief taking care of the day to day. It was estimated 15-20 hours per week, as Mayor, which includes answering phone calls and e-mails. Council spends about 5-10 hours, sometimes more.

Councilman Rodriguez "tipped his hat" to Elizabeth "Betsy" Koch who ran a great campaign for the General Election. He said it will be an honor to serve with her going forward.

The Mayor introduced Bill Brooks, Borough Arborist, who handles the approval or denial of tree removal permits for the Borough, depending on the circumstance.

Mayor Lucarelli spoke with another town's Mayor regarding bookmarks he had made for bike and pedestrian safety. Fair Haven adopted the same idea and had bookmarks made with Fair Haven's rules and regulations. He gave them to Alyssa Lucci, Student Council President, to distribute in school.

He thanked the Student Council for joining the governing body at the dais and thanked Sean O'Neill, Superintendent of Schools, for having us as well.

There being no further comments or questions, the meeting was closed to the public at 2:10 p.m.

Council went into executive session at 2:20 p.m. and this meeting was reconvened at 3:20 p.m.

RESOLUTION

9. Resolution No. 2017-235, Authorize Memorandum of Agreement with Teamsters Local 177

WHEREAS, the Borough has reached an agreement for years 2017 through 2021 with Teamsters Local 177 after extensive negotiations; and

WHEREAS, the parties have executed a Memorandum of Agreement, which has been ratified by Teamsters Local 177; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that the Mayor and Borough Administrator are hereby authorized to incorporate the terms of the Memorandum of Agreement and execute the Collective Bargaining Agreement reflective of the Memorandum of Agreement with the Teamsers for the years 2017 through 2021.

Offered for adoption by Councilwoman Sorensen, second by Councilman Jaeger

Affirmative: Councilmembers Jaeger, Marchese, Rodriguez and Sorensen

Negative: None

Abstain: None

Absent: Councilmembers Koch and Peters

ADJOURNMENT

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

Time of Adjournment: 3:25 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk