

**FAIR HAVEN BOROUGH COUNCIL
DECEMBER 18, 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, Koch, Marchese, Peters, Rodriguez and Sorensen. Others present: Administrator Casagrande, Engineer Gardella and Attorney Alfieri.

PRESENTATIONS

Administrator Casagrande supplied the governing body with a handout providing a 2017 Borough Project Review and 2018 Prioritization. She apologized for just getting the information to them, but the server was down over the weekend. Each pending project was listed with a description. The Borough is in good shape. It was asked if the governing body wanted to discuss any particular project or take time to review the information provided and discuss in 2018. Councilwoman Sorensen requested a review of each project listed.

Administrator Casagrande read from her Capital Project Update handout giving the status for the following: Tennis Courts, Micro-Project Road and Sidewalk Improvements, Facilities Upgrades, Police Department/Community Center, DPW, BIC Hall Renovations, Fair Haven Fields Buffer Restoration (MCOS Grant), River Access and Pocket Parks (MCOS Grant), 78 DeNormandie Bank Stabilization and Passive Park, Safe Routes to Schools (Knollwood to Sickles Schools - NJDOT Grant), 2018 Road Project Options, Community Center Field and Safety Upgrades, McCarter's Pond and Schwenker's Pond. A full copy of the report is on file with the Borough Administrator.

Engineer Gardella and Assistant Engineer Poruchynsky are working on plans for the boat ramp based on feedback from the NJDEP. There will be no trees removed from the 78 DeNormandie Avenue property. On December 11th, the Borough received feedback from the NJDOT regarding the Third Street Project and their comments are being addressed. The trend on asphalt and concrete was requested; Engineer Gardella did not have a good handle on the amounts because the last project done was the micro-projects (there was not one solid roadway). The road projects for 2018 will be determined. With regard to Schwenker's Pond, Engineer Gardella, Assistant Engineer Poruchynsky and Councilman Peters walked the site and a quick sketch was submitted to the NJDEP. The trail must be 25 feet from top of bank. There was a question as to whether it could become a natural trail with the public creating a path. Engineer Gardella provided an Engineer's Report on cost of projects and what came under the contract amount. Councilman Peters advised the Environmental Commission will have a Schwenker's Pond report in January 2018.

Engineer Gardella left the meeting at 7:35 p.m.

WORKSHOP SESSION

Mayor Lucarelli advised there was a tree removal appeal from the residents at 86 Hance Road. They are looking to remove a Hickory Tree which is a significant specimen tree. Motion to approve the appeal moved by Councilwoman Sorensen, second by Councilman Peters with Ayes by all present.

A tree mitigation plan was submitted for 84 Hance Road. A significant specimen tree was removed even though it was originally denied. The Borough's Forrester and the homeowner came to an agreement and four, 3 ½" diameter, at breast height, deciduous shade trees have been planted. Motion to approve moved by Councilwoman Sorensen, second by Councilman Peters with Ayes by all present.

A Fair Haven Baseball 2017 Banner Review and 2018 Forecast was received. Fair Haven Baseball came before the governing body in 2014 to originally request banner permission and received approval. As part of the permission/approval, they have to report back and provide a forecast of the 2018 expenditures. The 2017 report of expenditures was reviewed by the Recreation Committee. Councilwoman Sorensen said they can spend money on baseball and other projects that are not baseball related; in 2017, they paid for the Community Center Batting Cage rebuild. It is hoped that next year there will be a better insert/shield for the port-o-potty so the residents in the neighborhood do not have to see it sitting in the park. At the end of 2018, they will have to come before the governing body regarding the agreement we have.

The following street opening requests from NJ Natural Gas Company were received:

- Service Retirement at 12 McCarter Avenue
- Service Retirement at 254 Third Street

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

The following street opening requests from NJ American Water Company were received:

- Replace Water Service at 35 Church Street
- Replace Water Service at 254 Third Street
- Replace Water Service at 12 McCarter Avenue

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

With regard to the five-year Patrol Vehicle Replacement Plan, Administrator Casagrande said Councilman Peters had some comments. A meeting was held between the Finance Committee and the Police Chief regarding this matter. Councilman Peters requested the mileage of the police vehicles. This matter will be relisted for discussion on the January 22, 2018 agenda.

Administrator Casagrande advised that AT&T requested to swap equipment on the cell tower. This request was referred to FSD Enterprises and they recommend execution without additional revenue. It was requested that this be executed before December 31, 2017. A resolution will need to be added to this meeting agenda.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:44 p.m. Ruth Blaser, River Road, asked for a breakdown of the quarterly payments regarding the Interlocal Service Agreement with Rumson for construction services. She asked what contributes to the cost, what they do, etc. Mayor Lucarelli advised that the Borough receives quite a bit of profit from the building permits. Mrs. Blaser said she is concerned that the DPW is being sent out to do work without proper training; the Mayor advised these are two separate subjects.

Susan O'Brien, River Road, asked how projects are prioritized. The projects have been scheduled for a few years. She said that there are 300 open permits in town and asked how the Borough oversees the projects when there are open permits. She was advised that the report given tonight was with regard to what projects are in queue and what needs prioritization. The number of open permits is a different subject and falls under our shared service with Rumson. Fair Haven does the review the zoning applications. Mrs. O'Brien said she sits at the Zoning Board meetings and some of the numbers do not match what personnel has let through; she felt that Fair Haven's staff is overextended and there are errors. The Mayor advised that action was taken with a Consulting Engineer and additional staff being added to help relieve the workload. Councilman Peters said there is a balancing act with public and private investments; we are trying to manage it and the report was to give the governing body the progress and what we are waiting to move forward on, as well as financing for such. As things are getting done, we are adding to the list of projects. Mrs. O'Brien asked that nothing more be added until the Borough is caught up. Mayor Lucarelli advised that the Borough is addressing the aging infrastructure for public safety. We have been fortunate with the grants we have received through the County, State and Federal entities. Administrator Casagrande advised Mrs. O'Brien that the copy of the spreadsheet she was given shows the major projects that have been closed out. Councilman Rodriguez said there are projects that the governing body has declined to take on as well.

Mrs. Blaser noted that there are two bills for Animal Control Services on the bill list that are for the same amount. She was advised that they were two separate quarters being paid.

There being no further comments or questions, the meeting was closed to the public at 7:58 p.m.

APPROVAL OF MINUTES

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of November 27, 2017, second by Councilman Jaeger

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

Negative: None

Abstain: Councilman Peters

Absent: None

Councilman Rodriguez made a motion to approve the Executive Session minutes of November 27, 2017, second by Councilwoman Sorensen

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

Negative: None
Abstain: Councilman Peters
Absent: None

OLD BUSINESS
HEARING AND ADOPTION OF ORDINANCE

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**

On motion of Councilwoman Sorensen, second by Councilwoman Koch with Ayes by all present, Mayor Lucarelli opened the hearing for comments or questions at 7:59 p.m.

There being none, the hearing was closed to the public at 7:59 p.m. on motion of Councilman Rodriguez, second by Councilman Marchese with Ayes by all present.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

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

NEW BUSINESS - CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2017-236, Executive Session – 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. Clean Communities Coordinator

Possible Litigation

1. 20 Gillespie, LLC
2. Yacht Works
3. Gillespie/Clay Fence Agreement

Contract Negotiations

1. Architect Contract
2. Tilson Proposal (Cell Tower)
3. Fiore Paving (Micro Projects)

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 Councilwoman Sorensen

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

2. Resolution No. 2017-237, Approve 2018 Non-Aligned Employee Salaries

WHEREAS, Borough Salary Ordinance No. 2017-03, provides for salary ranges for designated municipal employees; and

WHEREAS, the exact amount of each salary is to be determined by the Borough

Council of the Borough of Fair Haven with the recommendation of the Borough Administrator.

NOW, THEREFORE, BE IT RESOLVED that the following non-contractual individuals shall be paid the regular base salary for the year 2018, for their services to the Borough of Fair Haven in the designated positions as follows:

EMPLOYEE	POSITION	2018
Allyson Cinquegrana	Borough Clerk	\$ 72,587.00
Allyson Cinquegrana	Assistant Administrator	11,164.00
Betty Ann Berube	Administrative Assistant/Registrar	32,022.00
Debbie Ozut	Tax and Finance Office Assistant	32,022.00
Gregory Hutchinson	Tax Assessor	23,028.00
James Newman	Municipal Court Judge	13,641.00
Darryl Breckenridge, Jr.	Director of Parks and Recreation, Events and Special Project Administrator	55,825.00
Donna Powers	Librarian	47,092.00
Annette Bufano	Assistant Librarian	33,487.00
Nicolas Poruchynsky	Assistant Director of Engineering and Public Works	72,573.00
Nicolas Poruchynsky	Zoning Officer	25,375.00
Nicolas Poruchynsky	Flood Plain Manager	6,500.00
Melissa Abrahamsen	Assistant Chief Financial Officer/Payroll Coordinator	60,900.00
Jason Clark	Municipal Alliance Coordinator	18,000.00
Various Employees	Permanent Crossing Guard	8,979.00
Jennifer Johnson	Engineering, Zoning, Code Enforcement, Records	17.00/hour
Judith Fuller	Engineering & Board Secretary	15.75/hour
John “Vinny” Feeney	Public Works Laborer – Recycling	13.75/hour
Catherine Palma	Part Time Library Assistant	14.75/hour
Maria Mitterando	Part Time Library Assistant	11.25/hour
Erin Henderson	Part Time Police Records Clerk	15.50/hour
Bonnie Ferris	Part Time Police Records Clerk	15.50/hour
Various Employees	Part Time Crossing Guards	14.50/hour
	Special Officers – Class I	14.00/hour
	Special Officers – Class II	17.50/hour
	Police Matron	16.50/hour
	DPW Seasonal	12.75/hour

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

3. Resolution No. 2017-238, Approve 2017 Budget Transfers

WHEREAS, pursuant to N.J.S.A. 40A:4-58, appropriation transfers are allowable during the last two months of a fiscal year; and

WHEREAS, it is deemed necessary that said transfers be done through various accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey that the following transfers are made in the 2017 budget appropriations:

FROM	ACCOUNT NAME	AMOUNT
7-01-20-165-101	Engineering Salaries	\$10,000.00
7-01-25-265-276	Fire Department-Fire Hydrants	\$ 1,700.00
7-01-26-290-101	Streets and Roads Salaries	\$35,000.00
7-01-26-307-101	Recycling Salaries	\$ 4,500.00
7-01-31-435-276	Street Lighting Utilities	\$10,000.00
7-01-26-310-257	Bldgs&Grds-Firehouse Rpr	\$ 3,100.00
Total		\$ 64,300.00

<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
7-01-20-165-101	Engineering Salaries	\$10,000.00
7-01-25-265-276	Fire Department-Fire Hydrants	\$ 1,700.00
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
7-01-20-100-224	Admin. IT Upgrades & Support	\$25,000.00
7-01-20-130-101	Finance Salaries	\$ 1,800.00
7-01-20-155-211	Legal	\$ 8,000.00
7-01-21-180-101	Planning Board Salaries	\$ 100.00
7-01-21-185-101	Zoning Board Salaries	\$ 100.00
7-01-21-186-101	Zoning Officer Salaries	\$ 300.00
7-01-22-209-101	Code Enforcement Salaries	\$ 3,000.00
7-01-23-220-231	Health Benefits-Medicare Reimb.	\$ 1,600.00
7-01-23-222-227	Waiver Medical	\$ 5,000.00
7-01-28-370-101	Recreation Salaries	\$ 6,000.00
7-01-29-390-101	Library Salaries	\$ 300.00
7-01-31-430-276	Electric Utilities	\$10,000.00
7-01-26-290-258	Streets & Roads: Salt & Sand	\$ 3,100.00
Total		\$64,300.00

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

4. Resolution No. 2017-239, Approve Chapter 159: Recycling Tonnage Report

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

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

WHEREAS, the Borough of Fair Haven has received a \$7,915.69 grant from the NJDEP for a 2015 Recycling Tonnage Grant and wishes to amend its 2017 budget to include this amount as revenue; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2017 in the amount of \$7,915.69 which items in now available as revenue from:

NJ Department of Environmental Protection
2015 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of \$7,915.69 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

NJ Department of Environmental Protection
2015 Recycling Tonnage Grant

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

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

5. Resolution No. 2017-240, Set 2018 Council Reorganization Date

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Annual Reorganization Meeting will be held on Tuesday, January 2, 2018 at 7:00 p.m. in the Council Chambers, 748 River Road.

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

6. Resolution No. 2017-241, Approve Fire Department/Social Membership Application – Ronald Finamore

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that Ronald Finamore, 32 Cedar Avenue, Fair Haven, NJ having been duly accepted as a social member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

7. Resolution No. 2017-242, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the December 18, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2017 CURRENT ACCOUNT	\$	205,959.10
PAYROLL AGENCY	\$	13,198.46
OTHER TRUST	\$	5,530.96
TOTAL	\$	224,688.52

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

8. Resolution No. 2017-243, Authorize Execution of Amended AT&T Cell Tower Contract

WHEREAS, the Borough’s Cell Tower Consultant, Declan O’Scanlon, reviewed a cell tower contract amendment from AT&T and recommends the execution of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough Administrator is hereby authorized to execute said contract amendment with AT&T on behalf of the Borough of Fair Haven in accordance with the approval of the Mayor and Borough Council Finance Committee.

Offered for adoption by Councilman Jaeger, second by Councilwoman Sorensen

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

Reports of Departments
October 2017
-Chief Financial Officer
November 2017
-Municipal Clerk
-Dog License
-Municipal Court

-Planning Board and Zoning Board
-Police Department
-Tax Collector

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

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 8:02 p.m. Mr. Gorenstein, Fair Haven Road, advised that the tree roots are pushing up the sidewalks and paving stones on his street. This is a hazard and an eyesore and he wanted to make the Borough aware of it. Mayor Lucarelli explained the process to remove trees. Administrator Casagrande will speak with Engineer Gardella and the Shade Tree Commission and have them review. Mr. Gorenstein said he could move the white picket fence and give the Borough the right of way to care for the tree, but there are other areas in his neighborhood as well. Administrator Casagrande said that street trees are an issue through town and are not uncommon; we will address the matter accordingly.

Ruth Blaser, River Road, said that leaves are a problem in town and Mother Nature will win. Her neighbor's leaves were not picked up. Since we had snow, the leaves were plowed onto her property. Administrator Casagrande said that a crew went out before the snow and cleaned all of the leaves that were on the roadways. Mrs. Blaser has not spoken to her neighbor about following the leaf and brush guidelines.

Councilman Marchese advised that one of our residents is being sworn in as a Superior Court Judge for Monmouth County on December 22nd; it will be a good addition to the bench. It has been a busy end of year with the Rumson-Fair Haven Municipal Alliance. A new program is being brought in beginning January 18, 2018.

Councilman Rodriguez said he attended a soccer game. There will be a professional team coming to the area started by Fair Haven resident Jocco Debruijn; the league is just below MLS. They will be playing at Rumson-Fair Haven and practicing in area fields.

There being no further comments or questions, the meeting was closed to the public at 8:11 p.m.

Council went into executive session at 8:15 p.m. and this meeting was reconvened at 9:06 p.m.

ADJOURNMENT

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

Time of Adjournment: 9:07 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk