

FAIR HAVEN BOROUGH COUNCIL
MAY 14, 2018

The meeting was called to order by Council President Peters at 7:03 p.m. The Flag Salute was followed by a Moment of Silent Meditation. The Sunshine Law Statement was read.

ROLL CALL

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

WORKSHOP SESSION

Street Opening Request from NJ Natural Gas for 120 Lake Avenue for new service. Lake Avenue is still under moratorium for another year; the Assistant Engineer reviewed the application and gave his OK. Motion to approve moved by Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present.

Request from FC Monmouth to place lawn signs (now until June 23rd). Councilwoman Sorensen explained that this matter was discussed at last week's Recreation meeting and they took no position. Councilman Rodriguez said that this is their inaugural season and they are trying to build a base. There was discussion on the organization being for profit and a need to set up some sort of guidelines or lawn sign protocol. Motion to deny the request moved by Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present.

Request from Jersey Shore Rugby to place lawn signs from May 15th until June 1st. Motion to approve moved by Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present.

The governing body was advised that they need to take online Storm Water Management Training no later than July 1st. Administrator Casagrande advised that the NJDEP determined elected officials and land use officials need Storm Water Management training. The Clerk advised that the video is 45 minutes long. Once it has been viewed, the governing body must sign off on it.

Attorney Alfieri advised Council that the Borough's Risk Manager picked up that the Borough calls its young auxiliary members "Future Firefighters" and a new statute wants them to be called Junior Fireman's Auxiliary. The Borough Attorney was asked to prepare an amending ordinance for introduction at the May 29th meeting.

At 7:13 p.m., Mayor Lucarelli arrived to the meeting.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:14 p.m. Paul Walsh asked for the status of Yacht Works. He was advised that it is an Executive Session matter and not releasable. The minutes will be released when the matter has been settled.

Chris Brenner, Maple Avenue, said Yacht Works has been on the Executive Session agenda for a while. He said the Borough is suing already which includes suing the State of NJ. Attorney Alfieri explained there are some actions being taken. Mr. Brenner asked that it not be listed as possible litigation, but litigation.

Neil Tiratto, River Road, asked what is going on with regard to acquisition of property. Attorney Alfieri advised that the governing body is looking into acquiring and a possible purchase of property. Minutes will be released when settled. Councilman Peters gave the example of when the Borough acquired the Masonic Temple property a few years back.

There being no further comments or questions, the meeting was closed to the public at 7:20 p.m.

APPROVAL OF MINUTES

Councilwoman Sorensen made a motion to approve the Regular Meeting minutes of April 23, 2018, second by Councilwoman Koch

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

Negative: None

Abstain: Councilman Jaeger

Absent: None

Councilwoman Sorensen made a motion to approve the Executive Session minutes of April 23, 2018, second by Councilman Marchese

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

OLD BUSINESS

With regard to a proposed escrow fee amendment, this matter was discussed at the April 23rd meeting and Attorney Alfieri was asked to provide a comparison of Fair Haven’s fees to surrounding town’s escrow fees. A chart and comparison was done. By amending the fees, it should help relieve the process of requesting escrow accounts be replenished. The Borough’s Planners received the information as well and provided a memo with their fee recommendations. Attorney Alfieri said if Council is in agreement, he can work on an amending ordinance for introduction at the May 29th meeting and the ordinance will then be provided to the Planning Board for review and recommendation.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

1. Ordinance No. 2018-13, Capital Ordinance for 2018

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE IMPROVEMENTS AND IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Fair Haven, in the County of Monmouth, New Jersey has determined to acquire various equipment, make improvements to infrastructure and public buildings and grounds; and

WHEREAS, the Borough of Fair Haven has \$215,000.00 in the Capital Improvement Fund.

NOW THEREFORE, BE IT ORDAINED and enacted by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, New Jersey, that:

SECTION 1. The purchase and/or procurement of services described in Section 2 of this ordinance is hereby authorized as a General Capital authorization to be undertaken in and by the Borough of Fair Haven, County of Monmouth, New Jersey.

SECTION 2. The acquisitions and improvements hereby authorized to be undertaken consist of:

- a. Any capital equipment, so determined as to be necessary
- b. Roadway and Infrastructure Improvements, so determined as to be necessary
- c. Buildings and Grounds Improvements, so determined as to be necessary
- d. Information technology hardware and software, so determined to be necessary

together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2018 General Capital Budget of the Borough of Fair Haven is hereby amended to conform to the provisions of this ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency

SECTION 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

Offered for introduction by Councilman Peters, second by Councilwoman Koch

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

Abstain: None

Absent: None

2. Ordinance No. 2018-14, Amend Building and Fire Code Fees

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN
BOROUGH CODES, CHAPTER 11: BUILDING AND CONSTRUCTION
AND CHAPTER 12: FIRE PREVENTION AND PROTECTION**

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 Chapter 11 (Building and Construction) and Chapter 12 (Fire Prevention and Protection) of The Code of the Borough of Fair Haven to amend various fees.

NOTE: All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics***. Sections of Chapter 11 and 12 that will remain unchanged are shown in normal type or designated as “No Change.”

II.

CHAPTER XI BUILDING AND CONSTRUCTION

11-1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY

11-1.1 Enforcing Agency Established.

No Change.

11-1.2 Smoke Alarm Inspection.

Every sale or rental of one family or two-family homes within the Borough of Fair Haven shall be inspected for smoke-sensitive alarm devices all in accordance with N.J.S.A. 52:27D-98.1 et seq., and a certificate of inspection shall be obtained for delivery to the tenant or the purchase of the structure involved, upon the payment of the inspection fee. ***The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected as follows: ~~under subsection 11-1.3n, 3(c).~~***

a. The fee for request for inspections received more than ten (10) business days prior to change of occupancy shall be forty-five (\$45.00) dollars.

b. The fee for request for inspections received fewer than ten (10) days prior to change of occupancy shall be ninety (\$90.00) dollars.

c. The fee for request for inspections received fewer than four (4) business days prior to change of occupancy shall be one hundred twenty-five (\$125.00) dollars.

11-1.3 Fee Schedule.

The fee for a construction permit shall be the sum of the subcode fees listed in a. through o. hereof shall be paid before the permit is issued as determined by the Construction Official.

a. General. The fees for various permits authorized pursuant to the Uniform Construction Code shall be in accordance with the provisions of Chapter 23 Uniform Construction Code, ~~N.J.S.A.~~ ***N.J.A.C.*** 5:23-1.1 et seq.

1. Plan Review. Twenty-five (25%) percent of the fee for a construction permit, which shall be paid at the time of the application.

2. Construction Permit. The fees shall be in the sum of all fees listed herein, plus any special fees.

3. The annual construction permit fee shall be the estimated cost of alterations as contained hereunder.

4. All fees to be rounded off to the nearest full dollars.

b. Basic Construction.

1. New Construction and Additions Fees.

(a) New construction and additions in all use groups classification except for signs and structures or buildings and special fees for which volume cannot be computed. The fee shall be ~~five~~~~three~~ hundredths (~~\$0.030~~ \$0.050) cents per cubic foot of volume of the building or structure.

(b) (1) Residential: One hundred (\$100.00) dollars minimum.

(2) Nonresidential: One hundred fifty (~~\$100.00~~ \$150.00) dollars minimum.

2. Renovations, Alterations, Repairs, Premanufactured Construction and Minor Work Fees.

(a) Renovations, alterations, installation of premanufactured units, foundation systems and all on-site work for premanufactured construction, repairs and/or minor work: The fee shall be ~~eighteen~~ twenty five (~~\$18.00~~ \$25.00) dollars per one thousand (\$1,000.00) dollars of estimated construction costs or part thereof.

(b) Roofing and non-residential siding: The fee shall be fifteen (\$15.00) dollars for each one thousand (\$1,000.00) dollars or part thereof based upon the value of the work.

(c) A combination of paragraphs (a), (b) and (c) shall be computed separately and a total fee shall be the total fees added together with any and all other applicable fees.

(d) Minimum fees.

(1) Residential: ~~Sixty~~ Seventy-five (~~\$60.00~~ \$75.00) dollars.

(2) Nonresidential fees: One hundred ten (\$110.00) dollars.

3. Special fees. Structures for which volume cannot easily be computed.

(a) Swimming pools.

(1) The fee for the installation of a private inground swimming pool at least 24 inches deep or having a surface area of at least 250 square feet shall be two hundred fifty (~~\$200.00~~ \$250.00) dollars.

(2) The fee for installation of an above ground swimming pool at least twenty-four (24) inches deep or having a surface area of at least two hundred fifty (250) square feet shall be ~~seventy-five~~ one hundred twenty-five (~~\$75.00~~ \$125.00) dollars.

(3) The fee for the installation and inspection of public inground swimming pools shall be ~~one hundred (\$100.00) and~~ two hundred fifty (~~\$200.00~~ \$250.00) dollars.

(4) The fee for the installation of a pool compliant fence shall be seventy-five (\$75.00) dollars.

(b) The permit fee for the installation of wood/coal burning stoves, fireplaces, and/or chimneys shall be ~~sixty~~ seventy-five (~~\$60.00~~ \$75.00) dollars.

(c) The permit fee to install, erect or construct all utility and miscellaneous structures classified as Use Groups (U) shall be computed at twenty five (~~\$18.00~~ \$25.00) dollars per one thousand (\$1,000.00) dollars estimated construction costs, with a minimum fee of:

(1) Residential: ~~Fifty~~ Seventy-five (~~\$50.00~~ \$75.00) dollars.

(2) Nonresidential: Seventy-five (\$75.00) dollars.

(d) The permit to erect roof-mounted radio, or television antennas exceeding twelve (12) feet in height shall be ~~fifteen (\$15.00) dollars, plus one (\$1.00) dollar for each additional foot exceeding twelve (12) feet~~ one hundred (\$100.00) dollars.

(e) The permit fee to erect radio, television, or other transceiving equipment shall be two hundred (\$200.00) dollars.

(f) The permit for elevators, escalators, dumbwaiters, and conveying equipment shall be as set by statute of the State of New Jersey.

(g) The fee for complete tent permits, including electrical/fire building permits, for charitable and nonprofit organizations shall be ~~Sixty~~ Seventy-five (~~\$60.00~~ \$75.00) dollars.

<u>(h) Retaining walls. The fees shall be:</u>		
<u>Less than 550 square feet</u>	<u>\$100.00</u>	
<u>More than 550 square feet</u>	<u>\$200.00</u>	

c. Fees for Continued Inspection of Equipment Subject to Limitations as Per N.J.A.C. 5:23-2.23(i).

1. Elevators: Fee shall be as set by statute of the State of New Jersey.
2. Platform lifts: Fee shall be as set by statute of the State of New Jersey.
3. Dumbwaiters: Fee shall be set by statute of the State of New Jersey.
4. Hazard uses and places of assembly: One hundred fifty (\$150.00) dollars.
5. Cross-connections and back flow preventers: Seventy-five (\$75.00) dollars.
6. Sprinklers: One hundred fifty (\$150.00) dollars.

d. State of New Jersey Training Fees.

1. This fee shall be in the amount of \$0.00334 per cubic foot volume of new construction. The fee for alterations and renovations shall be calculated based on ~~\$0.00170~~ \$0.00190 per one thousand (\$1,000.00) dollars of estimated cost computed in accordance with N.J.A.C. 5:23-2.28.

e. Demolition, Removal, or Moving of Building and/or Structure. The fee shall be:

1. Demolition:

(a) Minor accessory buildings, structures and inground pools: One hundred (\$100.00) dollars.

(b) One or two family dwellings not exceeding thirty (30) feet in height: ~~Three Two~~ hundred (~~\$200.00~~ \$300.00) dollars.

(c) All other use groups, buildings or structures: ~~Two Three~~ hundred ~~fifty~~ (~~\$250.00~~ \$300.00) dollars.

2. Removal of a building or structure from a lot within the Borough of Fair Haven to a location outside the borders of the Borough: The fee shall be thirty-five (\$35.00) dollars for the first one thousand (\$1,000.00) dollars of estimated cost of removal, plus fifteen (\$15.00) dollars for each additional one thousand (\$1,000.00) dollars of estimated costs or any part thereof. The minimum for the removal of a building or structure shall be ~~sixty~~ seventy-five (~~\$60.00~~ \$75.00) dollars.

3. Moving a building or structure from one lot to another or to a new location on the same lot: The fee shall be fifty (\$50.00) dollars for the first one thousand (\$1,000.00) dollars of estimated costs, plus fifty (\$50.00) dollars for each additional one thousand (\$1,000.00) dollars of cost or any part thereof. Estimated cost shall be the sum of the following: The cost of moving, plus the cost of the new foundation and all work required to place the building or structure in its completed condition in the new location. The minimum fee shall be sixty (\$60.00) dollars.

f. Estimated Costs. For the purpose of determining estimated costs, when referred to in this fee schedule the applicant shall submit to the department cost data produced by the architect or engineer of record or by a recognized estimatory firm or by the contractor. A copy of the contractor's bid shall be submitted when available. The Construction Official will make the final decision regarding estimated cost based upon recommendations of the appropriate subcode officials.

g. Signs, Excluding Traffic Control Devices Meeting State Motor Vehicle Standards. The fee shall be five (\$5.00) per square foot of the surface area of the sign, computed on one (1) side only for double faced signs. The minimum fee shall be ~~sixty~~ seventy-five (~~\$60.00~~ \$75.00) dollars.

h. Bulkheads and Piers for New Construction and Repair of the Structure. Permit fee shall be forty (\$40.00) dollars for the first one thousand (\$1,000.00) dollars of estimated cost and twenty (\$20.00) dollars for each additional one thousand (\$1,000.00) dollars of estimated cost or part thereof.

i. Construction Trailers. The permit fee for a construction trailer to be used at a permitted construction site shall be seventy-five (\$75.00) dollars.

j. Certificate of Occupancy Per U.C.C.

k. The fee for a certificate of occupancy for new construction shall be one hundred (\$100.00) dollars.

- (a) Use group R-3, per principal dwelling unit shall be fifty (\$50.00) dollars.
R-3 additions and alterations shall be ~~forty~~ fifty (~~\$40.00~~ \$50.00) dollars.
R-3 accessory uses shall be twenty-five (\$25.00) dollars.
Each additional tenant space or separate unit shall be fifty (\$50.00) dollars.

(b) The fees for a temporary certificate of occupancy for each structure shall be

seventy-five (\$75.00) dollars for residential and one hundred (\$100.00) dollars for commercial.

(c) The fee for a multiple temporary certificate of occupancy shall be one hundred (\$100.00) dollars for each unit.

(d) The fee for a certificate of occupancy permit pursuant to a change in use shall be one hundred fifty (\$150.00) dollars.

(e) The fee for a certificate of continued occupancy shall be one hundred (\$100.00) dollars.

k. Plumbing Subcode Fees.

1. Fixtures and stacks, including but not limited to sinks, urinals, water closets, bathtubs, shower stalls, floor drains, laundry tubs, sump pumps, drinking fountains, hose bibs, water conditioning systems, humidifiers, dishwashers, garbage disposals, clothes washers, and similar devices. The fee shall be ~~fifteen~~ twenty (~~\$15.00~~\$20.00) dollars each.

(a) Gas piping to each appliance The fee shall be fifty (\$50.00) dollars.

2. Hot Water Heaters. The fee shall be:

(a) Residential: ~~Fifty~~ Seventy-five (~~\$50.00~~\$75.00) dollars each.

(b) Nonresidential: ~~Sixty-five~~ eighty (~~\$65.00~~\$80.00) dollars each.

3. Oil or Gas Fired Boilers.

(a) Boilers up to and including 250,000 BTU: The fee shall be ~~seventy-five~~ one hundred (~~\$75.00~~\$100.00) dollars.

(b) Boilers over 250,000 BTU: The fee shall be one hundred fifty (\$150.00) dollars.

(c) Radiant heat: Seventy-five (\$75.00) dollars. An additional fee of ten (\$10.00) dollars per zone of each zone of the radiant system.

4. Sewer. The fee shall be:

(a) Residential: ~~seventy-five~~ one hundred (~~\$75.00~~\$100.00) dollars each.

(b) Nonresidential: One twenty-five hundred (~~\$100.00~~\$125.00) dollars each.

5. Special Devices, Including but Not Limited to Gas Fireplaces, Pool Drains, Grease Traps, Oil Separators, Water-Cooled Air Conditioner Units, Pumps and Similar Pump Devices. The fee shall be ~~Fifty~~ Seventy-five (~~\$50.00~~\$75.00) dollars each.

6. Yard Irrigation Systems. The fee shall be:

(a) Single-family homes: Sixty (\$60.00) dollars each.

(b) Other than single-family homes: One hundred (\$100.00) dollars each.

7. Roof Drains. The fee shall be ~~ten~~ twenty (~~\$10.00~~\$20.00) dollars each.

8. Back Flow Prevention Devices. The fee shall be ~~Fifty~~ Seventy-five (~~\$50.00~~\$75.00) dollars each.

9. Indirect Connections. The fee shall be ~~thirty-five~~ fifty (~~\$35.00~~\$50.00) dollars each.

10. Footing Drains and Window Wells. The fee shall be:

(a) Single-family homes: ~~Fifty~~ Seventy-five (~~\$50.00~~\$75.00) dollars each.

(b) Other than single-family homes: One hundred (\$100.00) dollars each.

11. Water Service Lines. The fee shall be:

(a) Residential ~~seventy-five~~ one hundred (~~\$75.00~~\$100.00) dollars each.

(b) Nonresidential: One twenty-five hundred (~~\$100.00~~\$125.00) dollars each.

12. Air-Conditioner Condensate Drains. The fee shall be:

(a) 3/4 inch drain: ~~thirty-five~~ Fifty (~~\$35.00~~\$50.00) dollars each.

(b) 1 inch drain: ~~Fifty~~ Sixty (~~\$50.00~~\$60.00) dollars each.

- (c) 1 1/4 inch **and larger** drain: ~~Fifty~~ **Seventy-five** (~~\$50.00~~**\$75.00**) dollars each.
- ~~(d) Over 1 1/4 inch and larger drain: Fifty (\$50.00) dollars each.~~
- ~~(d) HVAC Ducts: Seventy-five (\$75.00) dollars each per zone (residential) and one hundred fifty (\$150.00) dollars per zone (non-residential).~~
- ~~(e) Furnaces: The fee shall be fifty (\$50.00) dollars each.~~

13. Cross Connections. The fee shall be twenty-five (\$25.00) dollars each.

14. Trench Inspections. The fee shall be ~~twenty-five~~ **thirty-five** (~~\$25.00~~**\$35.00**) dollars each.

15. The minimum plumbing subcode fee shall be:

- (a) Residential: ~~Sixty~~ **Eighty-five** (~~\$60.00~~**\$85.00**) dollars.
- (b) Nonresidential: ~~Eighty-five~~ **One hundred** (~~\$85.00~~**\$100.00**) dollars.

1. Fire Protection Subcode Fees.

1. New Construction, Renovations, Alterations or Repairs. The minimum fee shall be:

- (a) Residential: ~~Sixty~~ **Seventy-five** (~~\$60.00~~**\$75.00**) dollars for each system.
- (b) Nonresidential: One hundred fifty (\$150.00) dollars for each system.

2. Each gas or oil fired appliances such as furnaces, ranges, stoves, generators and fireplaces not connected to the plumbing system shall be fifty (\$50.00) dollars.

3. Special Fixtures and Equipment.

- (a) Fire suppression systems, sprinkler systems, hood systems, and all other applications of fire suppression systems. The fees for a permit shall be ~~forty-five~~ **two hundred** (~~\$45.00~~**\$200.00**) dollars plus four (\$4.00) dollars per head.
- (b) The fee for a permit and inspection of fire pumps shall be one hundred (\$100.00) dollars.
- (c) The fee for a permit and inspection of fire escapes shall be sixty (\$60.00) dollars each.
- (d) The fee for a permit and inspection for the installation or removal of above or underground storage tanks shall be:
- (1) Up to 1,000 gallons: One hundred (\$100.00) dollars each.
 - (2) Over 1,000 gallons and not exceeding 3,000 gallons: Two hundred (\$200.00) dollars each.
 - (3) Over 3,000 gallons: Three hundred (\$300.00) dollars each.
- (e) The fee for a permit inspection of gas pumps shall be ~~thirty-five~~ **one hundred** (~~\$35.00~~**\$100.00**) dollars per nozzle.
- (f) Standpipes: The fee shall be one hundred fifty (\$150.00) dollars each.
- (g) Fees for smoke and heat detectors:
- (1) The fee for one to ten detectors shall be ~~Sixty~~ **Seventy-five** (~~\$60.00~~**\$75.00**) dollars.
 - (2) The fee for 11-20 detectors shall be one hundred ~~twenty~~ **fifty** (~~\$120.00~~**\$150.00**) dollars.
 - (3) The fee for 21-100 detectors shall be two hundred (\$200.00) dollars.
 - (4) The fee for 101-500 detectors shall be three hundred (\$300.00) dollars.
 - (5) The fee for over 500 detectors shall be five hundred (\$500.00) dollars.

4. The minimum fire subcode fee shall be:

- (a) Residential: ~~Sixty~~ **Seventy-five** (~~\$60.00~~**\$75.00**) dollars.
- (b) Nonresidential: Eighty-five (\$85.00) dollars.

m. Electrical Subcode Fees. Required for the installation, removal, alteration and/or replacement of all listed items.

1. **Common** Electrical fixtures and devices, including, but not limited to lighting outlets, wall switches, fluorescent fixtures, convenience receptacles, ~~smoke detectors~~ and similar fixtures or devices and are not listed elsewhere in this schedule and connected to nominal 240/120 VAC, 20 amperes (or less) branch circuits: The fee shall be:

- (a) For one to ten fixtures or devices: Thirty-five (\$35.00) dollars.
- (b) For each increment of 20 additional fixtures and devices, or part thereof: Twenty-five (\$25.00) dollars.

NOTE: Every gang of a fixture box or outlet box including splice boxes shall count as a device. Each recessed lighting fixture in an insulated space shall add one unit to the fixture count.

2. ~~Special electrical fixtures and devices for~~ **All other electrical product**, but not limited to

electrical heating, cooling, service conductors, feeders, disconnect switches, switchboards, panel boards, motors, control equipment, generators, transformers, smoke detectors, air conditioners, cooling equipment, lighting standards, swimming pools, hot tubs, hydromassage bathtubs, spas, steam baths and similar fixtures and devices. The fee shall be:

- (a) Residential steam room, sauna, indoor installation of hot tub, and similar devices: The fee shall be ~~sixty one hundred (\$60.00)~~ \$100.00 dollars each.
- (b) Indoor installations of hydromassage bathtubs: Twenty-five (\$25.00) dollars each.
- (c) ~~Ceiling fan assemblies less than 35 pounds in weight and rates less than one horsepower; and kitchen and bathroom exhaust fans rates less than one horsepower: The fees shall be ten (\$10.00) dollars each.~~ Ceiling Fans and Exhaust Fans:
 - (1) Ceiling fan assemblies less than 35 pounds in weight and rates less than one horsepower shall be ten (\$10.00) dollars each.
 - (2) Kitchen and bathroom exhaust fans rates less than one horsepower shall be twenty (\$20.00) dollars each.
- (d) Circulator, pump and blowers that are part of a fossil fuel furnace system and are rated less than one horsepower: The fee shall be twenty (\$20.00) dollars each.
- (e) Service, feeder and branch circuit trenches: The fee for each trench shall be twenty-five (\$25.00) dollars for the first 100 feet of trench plus ten (\$10.00) dollars for each additional 100 feet or part thereof.
- (f) Transformers with 16 ampere or less output for low voltage lighting or annunciation: The fee shall be twenty (\$20.00) dollars each. If greater than 16 ampere output, the fee shall be sixty (\$60.00) dollars each.
- (g) Swimming pools and ~~outdoor installation~~ of hot tubs.
 - (1) Motors and pumps shall be twenty-five (\$25.00) dollars each.
 - (2) Timers, low voltage transformers and similar devices, including a single receptacle shall be fifteen (\$15.00) dollars each.
 - (3) Bonding: The fee shall be twenty (\$20.00) dollars each.
 - (4) Underwater lights: The fee shall be thirty (\$30.00) dollars each.
 - (5) Underwater sound equipment: The fee shall be seventy-five (\$75.00) dollars each.
 - ~~(6) Feeders, receptacles, switches and panels: The fee shall be found elsewhere in this schedule.~~
 - ~~(7) Water heating units shall be as per paragraph n,2(h) through n,2(k).~~

NOTE: ~~Use (h) through (m) fees when item is not specifically listed elsewhere.~~

- (h) Each motor or electrical device less than or equal to ten hp; and for each transformer, generator, and device less than or equal to ten kW: The fee shall be twenty (\$20.00) dollars each. Air conditioning condensers shall be priced at twenty (\$20.00) dollars.
- (i) Each motor or electrical device greater than ten hp and less than or equal to fifty hp; and for each transformer, generator, and device greater than ten kW and less than or equal to thirty kW: The fee shall be ~~forty ninety (\$40.00)~~ \$90.00 dollars each. Air conditioning condensers shall be priced at forty (\$40.00) dollars.
- (j) Each motor or electrical device greater than 50 hp and less than or equal to 100 hp; and for each transformer, generator, and device greater than 35 kW and less than or equal to 112.5 kW: The fee shall be one hundred (\$100.00) dollars each.
- (k) Each motor or electrical device greater than 100 hp; and for each transformer, generator, and each device greater than 112.5 kW: The fee shall be three hundred (\$300.00) dollars each.
- (l) Service panels, subpanels, automated transfer switches (ATS) or like components. The fees for each shall be:

100 amps or less	\$100.00
101 amps – 200 amps	\$150.00
201 amps – 300 amps	\$200.00
301 amps – 400 amps	\$250.00
401 amps or more	\$300.00

- (m) Radiant heat (electric): The fee shall be twenty (\$20.00) dollars each.
- (n) Solar Systems. New installations greater than one kW and less than or equal to twenty (20) kW - The fee shall be one hundred fifty (\$150.00) dollars. New installations greater than twenty (20) kW – The fee shall be three hundred (\$300.00) dollars.
- 3. Protective Signaling Systems. This includes, but is not limited to fire alarms, smoke alarms, nurse call systems, video systems, communications outlets and other monitoring systems. The fee shall be:
 - (a) For one (1) to fifteen (15) devices: ~~Sixty~~ Seventy-five (\$60.00\$75.00) dollars.
 - (b) For each additional one (1) to five (5) devices: Ten (\$10.00) dollars.
 - (c) In accordance with N.J.S.A. 52:27D-198.1 et seq., the fee for fire alarm inspections required for the sale or rental of all one-family and two-family homes shall be sixty (\$60.00) dollars per inspection.
- 4. For weekend or other than normal work hour shut downs and/or inspections such as service shut downs: The fee shall be three hundred fifty (\$350.00) dollars.
- 5. The minimum electrical subcode shall be:
 - Residential: ~~Sixty~~ Seventy-five (\$60.00\$75.00) dollars.
 - Nonresidential: Eighty-Five (\$85.00) dollars.
- 6. The minimum fee for amending or changing a permit shall be ~~Fifty~~ Sixty (\$50.00\$60.00) dollars.
- 7. The minimum fee for a swimming pool or outdoor hot tub and pool compliant fence barriers, which shall apply only to a swimming pool or the outdoor hot tub portion of the permit, shall be:
 - (a) Seventy-five (\$75.00) dollars when underwater lighting is not to be used or when fiber optic lighting provides the light source.
 - (b) Two hundred fifty (\$250.00) dollars when underwater lighting is to be used.
 - (c) Pool compliant fence and gate barrier enclosures. The fee shall be seventy-five (\$75.00) dollars.

- n. Miscellaneous.
 - 1. The fee of one hundred (\$100.00) dollars for each application for variation per N.J.A.C. 5:23-2.10.

11-1.4 BIENNIAL REPORT: RECOMMENDING NEW FEE SCHEDULE through 11-7 UTILITY INSTALLATIONS.

No Change.

III

Chapter XX, Section 1.9, “Permits; Smoke Detectors” shall be amended to as follows:

12-1.9 Permits; Smoke Detectors.

The permit fees established by the Uniform Fire Code are adopted as follows:

(Fees are restated at 2-56.1, Fee Schedule.)

Type 1	\$42.00	<u>54.00</u>
Type 2	\$166.00	<u>214.00</u>
Type 3	\$331.00	<u>427.00</u>
Type 4	\$497.00	<u>641.00</u>
Type 5	\$1,000.00	

~~Smoke detector fee: \$35.00~~

Offered for introduction by Councilman Jaeger, second by Councilman Marchese

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

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2018-98, Authorize Extension of Realty Data Systems, LLC Contract for an additional year

WHEREAS, Resolution No. 2013-209 awarded a contract to Realty Data Systems, LLC for real property data collection and verification services as required by the Assessment Demonstration Program; and

WHEREAS, the contract period began January 1, 2014 and expired on December 31, 2016 with an option to extend the contract with two, one-year extensions in the amount of \$9,177 annually; and

WHEREAS, the Borough Administrator, Borough Attorney and Tax Assessor recommend that the Borough extend the present contract for the second, one-year extension.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that approval of the final, one-year contract extension to the Realty Data Systems, LLC is hereby given at an annual amount of \$9,177.

Councilman Peters said that he reviewed the Tax Assessor's report and made a comparison. He wants 100% of the lots reviewed by the end of this five-year cycle.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

2. Resolution No. 2018-110, Confirm Annual Salary for Borough Prosecutor – Anthony Vecchio

WHEREAS, Anthony Vecchio was appointed as the Municipal Prosecutor for the Borough of Fair Haven at the January 2, 2018 Reorganization Meeting (Resolution No. 2018-01A) for the year 2018; and

WHEREAS, the annual salary established for said position is \$12,000.

NOW, THEREFORE, BE IT FURTHER by the Mayor and Council of the Borough of Fair Haven that the annual salary of \$12,000 be paid quarterly to Anthony Vecchio, Municipal Prosecutor.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

3. Resolution No. 2018-111, Appoint 2018 Summer Rec N Crew Camp Counselors

WHEREAS, the Borough of Fair Haven will be offering a Rec-N-Crew Summer Camp Program through the Parks and Recreation Department for the 2018 summer season; and

WHEREAS, DJ Breckenridge, Parks and Recreation Director has recommended the following individuals be appointed as part time Counselors for the 2018 program:

Camp Employee	Hourly Salary	Title/Notes	Term
Alex Componile	\$17.00	Head Counselor	June 25 – July 27
Stephanie Schmidt	\$17.00	Head Counselor	June 25 – July 27
Jacob Black	\$10.00	Assistant Head Counselor	June 25 – July 27
Cam Lewis	\$10.00	Assistant Head Counselor	June 25 – July 27
Bailey Taft	\$10.00	Dual Camp Supervisor	June 25 – July 27
TJ Bull	\$ 8.00	Trip Supervisor Counselor	June 25 – July 27
Kelly Danaher	\$ 8.00	Trip Supervisor Counselor	June 25 – July 27
Kelly Cusick	\$ 8.00	Counselor	June 25 – July 27
Christian Danielczyk	\$ 8.00	Counselor	June 25 – July 27
Giavonna Darcy	\$ 8.00	Counselor	June 25 – July 27

Francesca Darcy	\$ 8.00	Counselor	June 25 – July 27
Thomas Friedman	\$ 8.00	Counselor	June 25 – July 27
Jason Hall	\$ 8.00	Counselor	June 25 - July 27
Declan Kearns	\$ 8.00	Counselor	June 25 – July 27
Dana Liberi	\$ 8.00	Counselor	June 25 – July 27
Natalie Livingston	\$ 8.00	Counselor	June 25 – July 27
Madison Maher	\$ 8.00	Counselor	June 25 – July 27
Grace Niro	\$ 8.00	Counselor	June 25 – July 27
Mike Piperno	\$ 8.00	Counselor	June 25 – July 27
Emily Pozzuto	\$ 8.00	Counselor	June 25 – July 27
William Stein	\$ 8.00	Counselor	June 25 – July 27
Luke Alex Turoczi	\$ 8.00	Counselor	June 25 – July 27

WHEREAS, the Summer Playground Program is offset through the fees paid by participants of the programs by way of the Recreation Trust Fund.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that the above Counselors be appointed for the 2018 Summer Rec-N-Crew Camp Program at the program salaries listed above for the program beginning June 25, 2018 through July 27, 2018.

Offered for adoption by Councilman Peters, second by Councilman Rodriguez

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

Negative: None

Abstain: Councilwoman Sorensen

Absent: None

4. Resolution No. 2018-112, Executive Session - Personnel, 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:

Personnel

1. DPW Staff Update
2. DCRP

Possible Litigation

1. Yacht Works

Acquisition of Property

1. River Road

Contract Negotiations

1. M&S Waste Contract
2. ILSA with Middletown
3. ILSA with Rumson
4. PBA Contract
5. Cell Tower Co-location
6. Change Order – 2017 Road and Sidewalk Program

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 Councilwoman Koch

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

5. Resolution No. 2018-113, Authorize Reappointment of Tax Assessor, Gregory Hutchinson

WHEREAS, pursuant to N.J.S.A. 40A:9-146, the governing body or chief executive, as shall be the appropriate form of government of the municipality, shall provide for the appointment of a Municipal Tax Assessor; and

WHEREAS, pursuant to N.J.S.A. 40A:9-148, every Municipal Tax Assessor and deputy municipal assessor shall hold his office for a term of four years from the first day of July next following his or her appointment and vacancies other than due to expiration of term shall be filled by appointment for the unexpired term; and

WHEREAS, upon the conclusion of its search for an Assessor, the Borough Administrator found that Gregory T. Hutchinson, possessed all necessary certifications pursuant to N.J.S.A. 54:1-35.30 and had recommended to the Borough Council that Gregory T. Hutchinson was the best candidate to carry out the duties of this position; and,

WHEREAS, pursuant to N.J.S.A. 54:1-35.31, every Municipal Tax Assessor who is reappointed for a second, full, four-year term shall receive tenure and shall hold his or her position during good behavior and he shall not be removed therefrom for political reasons but only for good cause shown and after a proper hearing before the Director or his designee after due notice.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, that it hereby reappoints Gregory T. Hutchinson as Tax Assessor of the Borough of Fair Haven for a second term and said reappointment thereby provides tenure; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Matthew S. Clark, County Tax Administrator, Monmouth County Board of Taxation

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

6. Resolution No. 2018-114, Authorize Appointment of Two, Part-Time Seasonal DPW Laborers

WHEREAS, there is a need for part-time Seasonal Public Works Laborers; and

WHEREAS, Richard Gardella, Director of Engineering and Public Works reviewed the applications submitted and submitted his recommendation for Jonathan Bevacqua and Liam Stephens be appointed as part-time Seasonal Laborers with hours not to exceed the number of hours required to be considered full time; and

WHEREAS, the rate of pay for this position is \$12.75 per hour.

NOW, THEREFORE, BE IT RESOLVED that the appointments of Jonathan Bevacqua and Liam Stephens as part-time Seasonal Laborers are hereby confirmed and effective May 15, 2018.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

7. Resolution No. 2018-115, Authorize a portion of a Performance Guarantee for David Carr be released

WHEREAS, David Carr, is the owner of the real property known as Block 12.1, Lots 9,

10, 20 and 21; and

WHEREAS, Resolution No. 2017-147 adopted July 24, 2017 reduced the amount of the performance guarantees that were posted pursuant to NJSA 40:55D-1, et seq.; and

WHEREAS, the Borough Engineer authorized the release of the remained performance guarantees in exchange for a two-year maintenance bond; and

WHEREAS, the developer has requested, in writing, that the Borough release 15% or \$16,612.74 from the original performance guarantee posted and hold the remaining 15% or \$16,612.74 as the two-year maintenance bond.

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 Chief Financial Officer be authorized to release \$16,612.74 to the Developer and hold \$16,612.74 as a two-year maintenance bond.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

8. Resolution No. 2018-116, Award Bid: Brush Grinding, Transportation and Disposal - Britton Industries, Inc.

WHEREAS, the Borough of Fair Haven received bids for Brush Grinding, Transportation and Disposal and publicly opened them on May 9, 2018 as advertised; and

WHEREAS, the Borough received bids from three (3) bidders in response to bid

	<i>Bidder</i>	<i>Base Bid Amount</i>	<i>Option 1 Amount</i>	<i>Option 2 Amount</i>	<i>Option 3 Amount</i>
1.	Britton Industries, Inc. Lawrenceville, NJ	\$30,000.00	\$18,750.00	\$18,750.00	\$18,750.00
2.	Mazza Mulch Inc., Tinton Falls, NJ	\$33,200.00	\$20,750.00	\$20,750.00	\$20,750.00
3.	Atlantic Tree Materials and Grindings Co., Inc. Holmdel, NJ	\$30,960.00	\$19,350.00	\$19,350.00	\$19,350.00

specifications prepared by the Borough Engineer; and

WHEREAS, the bidders are as follows:

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the above bids and have determined that the bid conforms to the specifications and that Britton Industries, Inc. was the lowest bidder and recommends the Brush, Grinding, Transportation and Disposal bid be awarded accordingly for the Base Bid, Options #1 and #2 for a total amount of \$ 67,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey that the Brush Grinding, Transportation and Disposal bid be awarded to Britton Industries, Inc. pursuant to the bid specifications.

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to enter into contract with Britton Industries, Inc. for the purposes of completing Brush Grinding, Transportation and Disposal.

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

9. Resolution No. 2018-117, Chapter 159: Sustainable New Jersey Grant (\$2,000)

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 \$2,000.00 grant from PSE&G Foundation for a Sustainable Jersey Grant and wishes to amend its 2018 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 2018 in the amount of \$2,000.00 which items in now available as revenue from:

PSE&G Foundation
Sustainable Jersey Grant

BE IT FURTHER RESOLVED that a like sum of \$2,000.00 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

PSE&G Foundation
Sustainable Jersey 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 Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

10. Resolution No. 2018-118, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the May 14, 2018 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2017 CURRENT ACCOUNT	\$ 89,150.80
2018 CURRENT ACCOUNT	\$2,642,009.35
GENERAL CAPITAL	\$ 21,590.59
GRANT FUND	\$ 1,000.00
PAYROLL AGENCY	\$ 13,650.02
OTHER TRUST	\$ 21,772.16
DOG TRUST	\$ 6.00
TOTAL	\$2,789,178.92

Offered for adoption by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

Reports of Departments

2017 Year End

-Environmental Commission

March 2018

-Chief Financial Officer

April 2018

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Tax Collector
-Police Department

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 7:27 p.m. Ruth Blaser, River Road, asked for the status of the five-year Assessment Demonstration contract. It was a three-year contract that allows for two, one-year extensions. This extension is for the final year. She asked what the time period is for brush grinding since a new contract was awarded this evening; until the task is completed. Mrs. Blaser asked why the resolution to release funds for the Schwenker Pond project is to David Carr who sold the property; she was advised that he was the developer who posted the bond with the Borough and Mr. Carr is still listed as owner of the property in our tax system. The two-year maintenance bond is being posted by holding 15% of the money.

John Lorenz, Church Street, asked if the Management Rights Agreement for DeNormandie Avenue has been granted. He was advised that an application was filed with the Tidelands Bureau by the Littoral Society on the Borough's behalf and has not been acted on. There is a process so we are waiting. The NJDEP granted riparian rights, but did away with that. Management Rights can be granted for 25 years.

Neil Tiratto, River Road, said that the last set of executive session minutes he received was from January 22nd. He was advised that the minutes can be released once a matter has been finalized and the minutes are approved by the governing body.

Laura Kuras, William Street, asked about brush grinding. She said in 2016 there was a discussion regarding the operation and there were supposed to be schedule adjustments. It was asked if hours of operation were specified in the bid specification so that there are no trucks when children are coming and going to school. She asked if the trucks and the loads to be taken were specified, what is in the contract and when the brush site is being relocated. Administrator Casagrande advised that the timing on the grinding is at the Borough's discretion and it will be worked out with the contractor. There needs to be a grinding before Fair Haven Day due to the fireworks. A grind that takes place in June lasts until the fall. She advised that the bid documents are available for inspection in the Clerk's office. The police department will be at the brush site to ensure the operation is safe. Mayor Lucarelli said that with regard to relocating the brush site, he had preliminary conversations with the County regarding a joint site, but the state will not issue any more Class B licenses. Unfortunately, there is not a lot of hope in moving the site.

There being no further comments or questions, the meeting was closed to the public at 7:36 p.m. The public was advised that formal action will be taken after the executive session meeting.

Council went into executive session at 7:46 p.m. and this meeting was reconvened at 9:20 p.m.

Administrator Casagrande said that as part of the evening's executive session agenda, there were two recommendations on the Assistant Mechanic and Mechanic. Both employees (Bryce Leonard and Dave Becker) were given a Rice Notice. Dave Becker opted to have the discussion regarding him in public. She advised that she has been working with the Director of Engineering and Public Works and the DPW Council liaison regarding the Mechanics. It was recommended that a temporary assignment for a period of six months be made. Dave Becker will be a Laborer at his current salary (\$72,476) and Bryce Leonard is being reassigned as Mechanic at Step 3 salary of the 2018 Teamsters contract (\$49,663). Administrator Casagrande said that she can reassign personnel for effective operations of the department and felt this was warranted for a six-month period. She and the Director of Engineering and Public Works will reassess the reassignment and make further recommendation(s) to the governing body. Attorney Alfieri confirmed that Bryce Leonard was discussed during executive session and Dave Becker was not.

Dave Becker said this was the first he was hearing of this reassignment and he would like to understand why it is being done. Administrator Casagrande said that she makes recommendations based on observations and it is best to move forward like this for the Borough. This is the most effective assignment of personnel at this time and it is recommended by both

Rich Gardella and herself. Mr. Becker felt that this decision is “out of left field” and would like to understand how it was made. Mayor Lucarelli confirmed that the salary was not going to be affected and that Mr. Becker’s tasks are being reassigned; this will be re-evaluated in six months. Mr. Becker said that he will agree to it because it is the smartest thing for him to do. He asked if this reassignment begins tomorrow; he will be advised by his department head.

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting for public comments and questions at 9:26 p.m. Jim Moody, Gillespie Avenue, said that he was speaking on behalf of the Gillespie Avenue residents who were pleased with the governing body’s action in March 2018 directing the Borough Engineer to give 20 Gillespie, LLC 30-days, notice to complete their project including driveways. The letter was never sent to the applicant and he asked why. The Engineer sent a letter in December 2017 to the developer with information regarding the need for a surveyor. Mr. Moody could not believe that he could not get an answer or that the Borough has not gotten them to proceed. The developer is continually delaying the process. There is currently a tree falling down and a fence that is in disrepair. The Borough needs to call the bond; the Developer’s Agreement was signed in 2014. Attorney Alfieri said that the Borough Engineer was supposed to send the letter to the developer and has not; he planned on doing it this week. Mayor Lucarelli said that both the Borough Administrator and Borough Engineer were advised to get the letter out. This matter has nothing to do with the Planning Board as the application is incomplete. Mr. Moody asked that code enforcement address the grass height.

There being no further comments or questions, the meeting was closed to the public at 9:33 p.m.

RESOLUTIONS

11. Resolution No. 2018-119, Approve Change Order for 2017 Road and Sidewalk Program

WHEREAS, Resolution No. 2017-65 awarded a contract for the 2017 Road and Sidewalk Program to Fiore Paving, Oceanport, NJ 07757 in and amount not to exceed \$403,652.50; and

WHEREAS, the Director of Engineering and Public Works requested a change order for additional items increasing the final contract amount by \$50,792.85.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven that Change Order #1 to the 2017 Road and Sidewalk Program contract authorizes an increase to the contract between the Borough of Fair Haven and Fiore Paving for a total contract amount of \$454,445.35.

BE IT FURTHER RESOLVED, that the Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount appropriated in the above paragraph (\$454,445.35) of this resolution and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in the above paragraph. This paragraph is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of Federal Income Tax Law.

Offered for adoption by Councilman Jaeger, second by Councilwoman Koch

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

12. Resolution No. 2018-120, Appoint Special Counsel for Property Acquisition

WHEREAS, there is a need for an Attorney to handle property acquisition; and

WHEREAS, Ansell, Grimm and Aaron’s professional service contract has been reviewed by the Borough Administrator and Borough Attorney who have determined that all of the paperwork is in compliance with what is required according to law; and

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

WHEREAS, funds for this purpose will be appropriated in the 2018 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that the Mayor and Borough Clerk are hereby authorized to execute said contract with Ansell, Grimm and Aaron, Special Counsel.

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

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

1. Ansell, Grimm and Aaron, P.C.
2. Mr. Salvatore Alfieri, Esq., Borough Attorney
3. Colleen Lapp, Chief Financial Officer
4. Theresa Casagrande, Borough Administrator

BE IT FURTHER RESOLVED that a 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 Councilman Jaeger, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

13. Resolution No. 2018-121, Reassign Borough Mechanic as a Laborer

WHEREAS, the Director of Public Works and the Borough Administrator are jointly recommending a trial realignment of certain Department of Public Works employees; and

WHEREAS, it is recommended that Borough Mechanic, David Becker, be temporarily reassigned as a Laborer, with his 2018 salary to remain at \$72,476.00, in accordance with the Agreement between the Borough of Fair Haven and Teamsters, Local 177; and

WHEREAS, this reassignment will be reviewed and evaluated by the Director of Public Works in six months' time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the recommendation of the Director of Public Works and Borough Administrator is hereby approved.

Offered for adoption by Councilman Jaeger, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

14. Resolution No. 2018-122, Reassign the Assistant Borough Mechanic as the Borough Mechanic

WHEREAS, the Director of Public Works and the Borough Administrator are jointly recommending a trial realignment of certain Department of Public Works employees; and

WHEREAS, it is recommended that Laborer and Assistant Borough Mechanic, Bryce Leonard, be temporarily reassigned as the Borough Mechanic, at Step 3 of the Mechanic's Salary Guide, (\$49,663.00), in accordance with the Agreement between The Borough of Fair Haven and Teamsters, Local 177; and

WHEREAS, this assignment will be reviewed and evaluated by the Director of Public Works, in six months' time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the recommendation of the Director of Public Works and Borough Administrator is hereby approved.

Offered for adoption by Councilman Jaeger, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: None

ADJOURNMENT

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

Time of Adjournment: 9:35 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk