

FAIR HAVEN BOROUGH COUNCIL
SEPTEMBER 10, 2018

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. The Mayor asked that those who lost someone during the tragic events of 9/11 be kept in everyone's thoughts. The Sunshine Law Statement was read.

ROLL CALL

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

WORKSHOP SESSION

A tree appeal was received from Matthew and Nathalie Rapp, 25 Laurel Drive. Bill Brooks, Borough Arborist, provided a memo with a little background and a recommendation that the homeowner be given permission to remove the trees. Motion to approve the tree appeal moved by Councilman Jaeger, second by Councilwoman Koch with Ayes by all present.

A street opening request was received from NJ Natural Gas for new service at 92 Lake Avenue which is under moratorium. The Clerk advised that the Assistant Director of Engineering and Public Works reviewed the application and gave his approval. Motion to approve the request moved by Councilman Peters, second by Councilman Jaeger with Ayes by all present.

Cub Scout Pack 127 requested permission to post lawn signs from September 11th until September 14th advertising registration. Motion to approve moved by Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present.

Jersey Shore Youth Rugby requested permission to post lawn signs for fall registration. They have spring and fall registration each year. Motion to approve 25 lawn signs be displayed moved by Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present.

Administrator Casagrande reported that she has been part of meetings with Councilwomen Sorensen and Koch, Engineer Gardella and Parks and Recreation Director Breckenridge regarding park improvements. A request was received for a Lacrosse wall at Fair Haven Fields. The students of Rumson-Fair Haven Regional High School have a plan and have raised money for the cause. The proposed plan was provided to the governing body. Councilwoman Sorensen said that the purpose for the student attendance is to advise that there will be no burden on the Borough. Peter Ardolino, Lewis Lane, a 14-year resident, works with the Senior students at Rumson-Fair Haven Regional High School and they have formed a charitable organization, Long Live Lax. The wall to be built is a multi-sport wall being paid for by the organization and it can be used by all ages. Jamie Goodman advised that it will be a 30X12' wall with reinforced rebar over quarry dust (similar to Borden Stadium). It has a life span of 50-100 years and there is a maintenance fund. The wall could be used for soccer, baseball, softball not just lacrosse. The committee met with DJ Breckenridge, Engineer Gardella and other Borough Officials at Fair Haven Fields and would like to install the wall near the tree line so that it does not interfere with anything; there will be trees installed near Meadow Ridge as well as a split rail fence. As of this date, there is \$45,000 pledged by 100 donors and this money will be used to fully fund the wall (\$42,000) with the remainder as the maintenance fund. Councilwoman Sorensen said that there were meetings held at the fields several times to find the right spot. It will be a one-sided wall that will be permanent. Mayor Lucarelli confirmed the maintenance amount; \$2,500 because there should be little damage and the wall is warrantied for 10-15 years. Councilman Marchese asked if they were going to continue fundraising and who will take over if this year's seniors spearheaded the project? They do not expect anything over \$2,500 for maintenance over the ten (10) year time period; just power washing from time to time as the wall will be dyed, not painted. Councilman Jaeger asked if tennis people would be able to use it. He can see lacrosse, soccer, softball and field hockey. James Hempstead said that they experienced a loss at the high school due to suicide; the wall is not to be considered a memorial for those students who have passed. The wall is meant to represent love, hope and joy and if the wall helps one struggling person in the area, it will have done its job. Councilman Peters said that details are needed as to exactly where it will be and asked if it could be a two-sided wall. Councilwoman Koch said that during one of the meetings at the field, Megan Douty, US Female World Cup Lacrosse Champion, was at the fields practicing drills with a student and when she was asked to give her thoughts about the wall, she agreed with location for the wall and that it be one-sided with trees on the northside. Councilwoman Sorensen said that the wall would allow some young ladies to practice at the fields instead of having to go to Rumson. Councilman Jaeger felt that it should not be branded a

lacrosse wall and suggested it be called a multi-purpose sports wall. He asked how solid the numbers provided are and who estimated it. Mr. Ardolino said that they estimated high and they are willing to raise more money, if required. Administrator Casagrande said that it would be best if the Borough were the contractor for this and we can create a Trust Account for it. Once the organization is ready to roll it out, the Borough can work with them on the funding portion. They hope to construct the wall by the fall for use in the spring season. Councilman Peters said that he would like to go out and look at the area with Councilwoman Sorensen. Mayor Lucarelli asked that Engineer Gardella or the DPW mark out the area with temporary paint so that Council can view it. This matter will be relisted on the September 24th agenda.

Councilwoman Sorensen said that there is a need for a playground for ages 2-5 years. A meeting was held between Administrator Casagrande, Parks and Recreation Director Breckenridge and Councilwoman Koch and a resident who has made the request, at Fair Haven Fields to look at and assess the area. Tina Iglesias-Stanley, Forman Street, said that a play structure for young children is missing at Fair Haven Fields. She has corresponded with DJ Breckenridge and reached out to different vendors for equipment proposals. Only one vendor responded to her and she met with him to discuss location and the type of equipment. She said there are approximately 450 children in Fair Haven are between the ages of 2-5 years old and they would benefit by age appropriate playground equipment for their height creating less liability to the Borough. The goal is to have the equipment installed and a ground opening at Fair Haven Day 2019. If Council approves this idea, Ms. Stanley will start to fundraise. She provided the governing body with a handout showing a sample structure which includes a school house for days that are extremely sunny and hot. This equipment is quite expensive (40% of the cost is for installation and there are also shipping fees beside the structure itself). The structure and area in Fair Haven Fields is all compliant with safety regulations and Engineer Gardella agreed with what has been presented. The vendor mapped out the area. Council consensus was for Mrs. Stanley to move forward and for Administrator Casagrande to present the information to the Borough's JIF for their review. It was suggested that Ms. Stanley reach out to Parents for Parks; she already had. Councilman Peters said he was supportive of the idea/concept and happy that the area fits in with what is already there. Councilwoman Koch asked Ms. Stanley if she felt the funds could be raised; yes, she was waiting for the governing body's approval first. She plans to raise \$35,000 plus maintenance costs. Administrator Casagrande advised that both Ms. Stanley and Long Live Lax will need to provide two quotes for their project(s) because of the estimated amounts given this evening.

Administrator Casagrande reported that, in queue, for the Borough is upgrade of the parks for DeNormandie Avenue with bank stabilization with the Littoral Society. Park signs at the top of the property with a separate dedication sign for the Robards/Williams family. The trees on the property will be addressed such as removal or trimming. Council previously authorized funds for this through a parks ordinance. The sidewalks in the area need to be addressed as well. Engineer Gardella is working on a design to keep trucks from driving on the sidewalks. Specific benches will be ordered so they don't wash away in bad weather. Councilman Jaeger asked if there would be water access from the park. Administrator Casagrande said this stage does not include changes to the street; this would just be for the land area. Schwenker Pond will have a simple trail connecting Glen Place to River Road, split rail fencing will be installed in the back of the new properties that are there and the DPW will mow and lay shred for the trail.

With regard to the William Street entrance to Fair Haven Fields, there will be a trail without harming the trees in the area; a good plan was created. There will be a 10' entrance to the park with split rail fencing on both sides including our standard entrance sign "Fair Haven Fields Entrance". It will become a 6' wide trail that will meet up with the Third Street trail. There are park ordinance funds available. A lot of the work will be done in-house so it should be inexpensive. We can also pull funds from the 2018 budget, if needed.

The stone dust trails have been successful for the past 5-10 years at McCarter Park and Fair Haven Fields. We need \$5,000-7,000 to outsource the project to have the trails groomed and reapplied. We are trying to have a productive fall so that we are good for the spring season.

Councilwoman Sorensen reported that Bicentennial Hall is close to being opened. There is all new lighting, ceiling fans and a few items that still need to be completed. We would like the opening to be with the school and Historic Preservation Commission present. She said she worked with Administrator Casagrande, the Historic Preservation Commission and Recreation to come up with rules for the building. The committee met with the Garden Club as well to go through the rules because they would like to use the building ASAP. Councilman

Peters asked that more information be included i.e. allowing for lectures and such so people do not assume that we are only allowing what is listed in the usage and rules policy. Councilwoman Koch said that the building is only for passive use. The fire code will be updated for the building so that it is current. There will be a facility form to be filled out to use the building. Councilman Marchese asked that the request form advise of the maximum number of people allowed. Council was advised that, by ordinance, the Historic Preservation Commission has jurisdiction over BIC Hall. Any funds collected for use of the building would go to Recreation Trust. Administrator Casagrande said she would send a copy of the Historic Preservation Commission ordinance to the governing body for their review. Processes will need to be in place for usage, cleaning the facility and the fee structure.

Administrator Casagrande advised that an announcement was posted on the Borough's website about the Monmouth County Assessment Demonstration Program (year 5); Realty Data Service will be starting the last of our inspections for year 5. The information has also been posted on the Borough Facebook Page. This will close out the contract with RDS, once the inspections have been completed. The numbers are close to what we have had before; there has been a lot of construction in the Borough since year 1. Once the last phase is done, we will have to go out to bid for a new contract. A special emergency appropriation was done in the budget for this work. Councilman Peters asked if there was any guidance from Matt Clark, County Tax Administrator, on whether we would have to continue the process after year 5. There were some municipalities in the county that opted out and we participated in the entire program. Middlesex County hasn't assessed or had a revaluation in 20 years. Attorney Alfieri said that Wall and Marlboro opted out of the process. Administrator Casagrande said that she could invite the County Tax Administrator to a meeting to present the program to the Mayor and Council or she could request a memo from him regarding the process and why it has to be done. There was discussion on the process and whether we are shouldering an undue burden. Fair Haven is incurring costs and larger towns are not. Mayor Lucarelli said that Fair Haven is the 5th hottest municipality on the market.

PUBLIC COMMENT ON AGENDA ITEMS

The meeting was opened to the public for comments or questions at 7:53 p.m. Susan O'Brien, River Road, had a question about Capital Bond Ordinance 2018-21 and what the properties were in downtown Fair Haven. She was advised that we are not allocating funds, we are authorizing them. Administrator Casagrande said that there is no thought of taking a private home. Mrs. O'Brien asked the governing body to look at Little Silver's process which seems much better. Mayor Lucarelli said that it is an unfair comparison; we are not at the point to publicly disclose information, but we will when the time comes and there will be public debate, but now is not the time. Administrator Casagrande said the area has been identified with four blocks; we are working with the property owner(s) and once there is a decision, it will be brought before the public for comments and questions. The Mayor said that Little Silver is doing overlay zoning for fair share housing.

Ruth Blaser, River Road, gave a little history regarding the William Street lot. She said when the Borough took ownership of the lot, footage of 17 feet, each was sold to the adjoining properties and the Borough maintained 16 feet. She said the taxpayers are entitled to the 16 feet and she wants it; the path is supposed to be wide enough to drive a Borough maintenance vehicle through it. Administrator Casagrande said that the Borough has no desire to clear cut the area. The goal was to have a foot path into the park and engineering is confident in the plan presented. Mrs. Blaser said there is plenty of other access to Fair Haven Fields. Mayor Lucarelli said that our Engineering and DPW departments are comfortable with the design which will serve the purpose. Mrs. Blaser asked about BIC Hall and the seniors stating that the building is not configured for the seniors who need to have 4-5 tables but cannot because of the pews. Councilwoman Sorensen said that there will only be two pews installed and there is an area for tables which should be more than comfortable for the seniors.

Lori Marrone, William Street, said that she believes the residents of William Street are on a residential street with children with no parking in the area for vehicles. William Street has small children throughout the area where the path starts and there should be consideration of where the 16 feet is. Ms. Marrone said that the Borough is considering and respecting the residents who live there and they came up with a fair plan. Mrs. Blaser said the split rail fence should be wider. Ms. Marrone said she will sit with Administrator Casagrande to review the plan. Mayor Lucarelli asked Administrator Casagrande for the sketch; Nick Poruchynsky, Assistant Director of Engineering and Public Works, created something and she will request it for review. The Borough has to maintain a public access way. Ms. Marrone said that she is worried there will be a parking problem when the access way is opened up. She was advised that

there are two existing parking lots in the area; we are opening the area as a local entry for residents.

Evan Hughes, DeNormandie Avenue, asked if the park hours are listed and suggested the hours be shown to enforce the rules.

Mrs. O'Brien commented that she is surprised the Borough is pursuing an encroachment on the river and not pursuing it for this matter. She was advised that they are two different matters; one involves a business and the other is Borough property. The business owner is aware of being on Borough property and the encroachment. Councilman Peters said that the Borough is pursuing public access to the river which has been encroached.

Mrs. Blaser advised that Schwenker Pond and McCarter Pond both need attention because they look disgusting and suggested Council go to Plan C. She does not want taxpayer money authorized unless there is a more specific approach/plan. Administrator Casagrande said McCarter Pond has vegetation on it and our pond treatment company has been contacted. Due to lack of rain and high temperature, an issue has occurred; we opted to not treat the pond because of the weather conditions. She contacted the treatment company today and they will be testing the oxygen level and monitoring it. The pond is being monitored. Councilwoman Koch, who is a Science teacher at Knollwood School, gave the scientific facts for the appearance of vegetation. The ponds heat quickly during the day and any chemicals are going to make the situation worse and/or effect the oxygen in the pond.

Administrator Casagrande gave the process for a bond ordinance. Mayor and Council authorized funds for a dump truck to be purchased for DPW and road projects. We have to make sure that the governing body is on board with the expenditure(s). Further action will be taken at a meeting on a case by case basis. Authorizing a bond ordinance allows administration to create plans or obtain specifications. Mrs. Blaser asked if the governing body can de-authorize an expenditure; yes.

Shervyn von Hoerl, River Road, confirmed that Fair Haven has not issued bonds directly. He was advised that the Borough issues BANS first and then go through Bond Counsel. Councilman Peters said that the Borough is in discussions with Bond Counsel on the best processes for our finances. The goal is to not have a spike in the tax rate so we use a bond or debt type instrument.

There being no further comments or questions, the meeting was closed to the public at 8:20 p.m.

APPROVAL OF MINUTES

Councilwoman Koch made a motion to approve the Regular Meeting minutes of August 20, 2018, second by Councilwoman Sorensen

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

Councilwoman Sorensen made a motion to approve the Executive Session minutes of August 20, 2018, second by Councilwoman Koch

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

OLD BUSINESS

There was no old business brought before the governing body.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

- 1. Ordinance No. 2018-20, Amend Borough Code 3-24.1, Halloween Regulations

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN BOROUGH CODE,

**CHAPTER 3, POLICE REGULATIONS, SECTION 24, HALLOWEEN
REGULATIONS, SUBSECTION 1, PROHIBITED ACTS**

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 3, Section 24, Subsection 1, Prohibited Acts.

NOTE: The section of Chapter 3 that is to be supplemented by Ordinance is Section 24.1. All additions are shown in **bold italics with underlines**. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 3, Section 24.1 that will remain unchanged are shown in normal type.

II.

3-24.1 Prohibited Acts.

Upon October 30 and October 31, popularly known and designated as "Mischief Night" and "Halloween Eve" in each year, it is unlawful:

a. For any person to engage or participate in so-called "trick or treat" activities, parades or other Halloween celebrations upon any public street, park or other publicly owned property or upon any property not their own and not the property of such person's parent or guardian in the Borough except upon **October 31, ~~Halloween Eve~~, and before the hour of 8:00 p.m. and Halloween Eve (October 30th) before the hour of 6:00 p.m.**

b. For any person under the age of eighteen (18) years to appear or be upon any public street, park or other publicly owned property not their own or not the property of their parent or guardian after 8:00 p.m. unless accompanied by the parent or guardian.

c. For any person under the age of eighteen (18) years to drive or operate a motor vehicle upon any public street or highway or upon any private property not their own or not the property of their parent or guardian after 7:00 p.m. on Mischief Night, October 30, in the Borough unless such person can clearly state and explain his starting point, route, destination and the purpose for which he is driving or operating such vehicle to any inquiring officer charged with the enforcement of the law or unless accompanied by a parent, guardian or other responsible adult.

d. For any person over the age of fourteen (14) years to wear any false face or mask for the purpose of eluding or evading officers properly charged with the enforcement of the law or for the purpose of concealing his identity, provided, however, that this provision shall not apply to a person actually participating in a parade or celebration sanctioned by and under the supervision of the Recreation Commission of the Borough.

e. For any person to sell eggs, pressurized spray cans of any content, such as paint, shaving cream or dangerous or flammable liquid or material, to any person under the age of eighteen (18) years unless such person gives to the seller a reasonable explanation of his intended use or consumption of such materials

Offered for introduction by Councilwoman Sorensen, second by Councilman Marchese

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

2. Ordinance No. 2018-21, 2018 Capital Bond Ordinance

**BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL
IMPROVEMENTS AND THE ACQUISITION AND THE PAYMENT
OF THE PURCHASE PRICE(S) OF REAL PROPERTIES LOCATED
ON RIVER ROAD, BY AND IN THE BOROUGH OF FAIR HAVEN,
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY;
APPROPRIATING \$3,218,750 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$3,057,812 BONDS OR NOTES OF THE
BOROUGH TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Fair Haven, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$3,218,750, which sum includes \$160,938 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$3,218,750 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$3,057,812 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$3,057,812 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Department of Public Works</u> - Acquisition Of A Dump Truck;	\$180,250	\$171,237	\$9,013	10 years
(ii) <u>Buildings and Grounds</u> – Phase II Of Various Waterfront Improvements Including, But Not Limited To, The Construction Or Improvement Of A Boat Ramp, The Construction Or Improvement Of A Bulkhead, And The Construction Of Two Pocket Parks; And Acquisition And The Payment Of The Purchase Price(s) Of Real Properties, Lawful Public Purposes, Such Real Properties Located On River Road In The Borough Including, But Not Limited To, Blocks 25, 29, 30 And 31, On The Official Tax Map Of The Borough, And All Improvements Thereon (collectively, the “Properties”);	\$2,420,500	\$2,299,475	\$121,025	37.02 years
(iii) <u>Drainage Improvements</u> – Borough-Wide Drainage Improvements Including, But Not Limited To,	\$103,000	\$97,850	\$5,150	15 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Improvements to Outfalls, Catch Basins, And Pipes; and				
(iv) <u>Roads Department</u> – Various Road And Curb Improvements Throughout The Borough Including, But Not Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, The Repairing And/Or Installation Of Or Improvements To Curbs, Sidewalks And Driveway Aprons, Curb Ramps In Compliance With ADA, Resetting Utility Castings, And Associated Drainage Work, Roadway Painting, Landscaping And Aesthetic Improvements.	\$515,000	\$489,250	\$25,750	15 years
TOTAL	<u>\$3,218,750</u>	<u>\$3,057,812</u>	<u>\$160,938</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$3,057,812.

(d) The estimated cost of said improvement or purpose is \$3,218,750, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$160,938, is the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The

notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 31.28 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,057,812 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$243,750 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 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.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough is hereby authorized to acquire the Properties and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Business Administrator, Chief Financial Officer, Borough Attorney and the Borough Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said Property.

SECTION 12. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Offered for introduction by Councilman Jaeger, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

CONSENT AGENDA
RESOLUTIONS

1. Resolution No. 2018-175, Authorize Refund to Sonia Reevey-Smoke Detector Inspection Fee

WHEREAS, on June 11, 2018, Sonia Reevey, 82 Jackson Street, submitted and application and check no. 1039 in the amount of \$35.00 for a smoke detector inspection for her home; and

WHEREAS, Mrs. Reevey advised that she sold her home to a developer who would be demolishing the home so there was no inspection to be done.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the refund request of \$35.00 from Mrs. Reevey is hereby approved and the Finance Department is hereby authorized to process said refund.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

2. Resolution No. 2018-176, Authorize Execution of Commodity Resale Agreement with Monmouth County

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into a Commodity Resale Agreement for the purchase of certain commodities for other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174-MCCRS) for the period of October 1, 2018 through September 30, 2023; and

WHEREAS, it would be in the best interest of the Borough of Fair Haven to remain a member of the Monmouth County Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the Borough Administrator and Borough Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Board of Chosen Freeholders, County of Monmouth, Hall of Records Annex, First Floor, 1 East Main Street, Freehold, New Jersey 07728.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

3. Resolution No. 2018-177, Authorize Execution of Municipal Assistance/Shared Service Agreement with Monmouth County

WHEREAS, N.J.S.A. 40A:65-1, et. seq., governs the New Jersey Uniform Shared Services and Consolidation Act which allows for shared or consolidated services between local government entities; and

WHEREAS, the County of Monmouth has offered municipal assistance/shared services for use of various equipment and services listed as Exhibit A; and

WHEREAS, it would be in the best interest of the Borough of Fair Haven to enter into an agreement with Monmouth County for these services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the Borough Administrator and Borough Clerk are hereby authorized to execute the attached Municipal Assistance/Shared Service Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified copy of this resolution, along with the executed Municipal Assistance/Shared Service Agreement to the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 East Main Street, Freehold, New Jersey 07728.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

4. Resolution No. 2018-178, Executive Session – Personnel, Pending 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. Police Patrolman
2. Staffing – Construction and Planning/Zoning Offices

Pending Litigation

1. Yacht Works
2. Community Center Fields

Acquisition of Property

1. River Road

Contract Negotiations

1. Architect Contract

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 introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

5. Resolution No. 2018-179, Adopt Donated Leave Program Policies for the Police Department, Department of Public Works and Non-Aligned Employees

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that policies have been created for the Fair Haven Police Department, Fair Haven Public Works Department and Non-Aligned Employees with regard to a Donated Leave Program in the event of a serious health condition or injury.

BE IT FURTHER RESOLVED that the attached policies are hereby adopted and will be implemented by the respective department heads, as the need arises.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

6. Resolution No. 2018-180, Appoint Deputy Office of Emergency Management Coordinator – Jeffrey Jarvis

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Jeffrey Jarvis be appointed as the Deputy Emergency Management Coordinator under the direction of Police Chief, Joseph McGovern, Emergency Management Coordinator, for the Borough of Fair Haven.

BE IT FURTHER RESOLVED that the term for this position will expire the same time the Emergency Management Coordinator’s term expires, December 31, 2019 with no compensation.

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

7. Resolution No. 2018-181, Payment of Vouchers

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the September 12, 2018 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$ 2,603,935.28
GENERAL CAPITAL	\$ 3,358.37
GRANT FUND	\$ 200.00
PAYROLL AGENCY	\$ 13,646.52
OTHER TRUST	\$ 24,460.67
DOG TRUST	\$ 6.00
TOTAL	\$ 2,645,606.84

Offered for introduction by Councilwoman Sorensen, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

Reports of Departments

July 2018

-Chief Financial Officer

-Municipal Court

August 2018

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Police Department

-Tax Collector

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

GOOD OF THE BOROUGH

Mayor Lucarelli opened the meeting to the public for comments or questions at 8:25 p.m. Susan O'Brien, River Road, said there is construction of a new home across the street from her and there are huge trucks pulling in and out of the site; she was concerned because school has started and students walk and bike to school by using Doughty Lane. Chief McGovern said that he will speak with the contractor. Mrs. O'Brien said that she is concerned for the student's safety as well as the time of material deliveries. Councilwoman Koch agreed with Mrs. O'Brien's statements and said that she lives up the street from the construction and the Borough and developer need to make sure that the site and area is handled with care. There are now two retaining walls that are at the end of Doughty leading on to River Road. Mrs. O'Brien felt that the school should make an announcement about the area and public safety.

Laurie McManus, Hillcrest Road, said there is a loose dog problem in the fields near Sickles Park. She was advised that Animal Control has been ticketing and monitoring the situation. She said that it is not getting any better. Her puppy was attacked a while ago by a dog off leash and it seems that there are more dogs off leash. Mayor Lucarelli said that tickets will work and eventually it will slow down. There are quite a few dog parks in the surrounding towns that will help also. It was suggested that Recreation look into a few acres for a dog park in town to help alleviate the concerns. Councilman Jaeger said there are plenty of dog parks in other towns that can be accessed and was against carving out land from our parks. Another suggestion of designating a time frame that allows dogs to be off leash in the parks. Administrator Casagrande said that complaints were reviewed last week so the Police Department and Animal Control Officer were going to monitor the parks at earlier hours. Chief McGovern said his department will monitor the area if a complaint is received. Ms. McManus said that Henry (Animal Control) is doing the best that he can, but he needs to hide his van because when people see him, they leash their dogs.

Evan Hughes, DeNormandie Avenue, said that there should be fines for this violation that start low and become increasingly higher for each subsequent violation.

Ruth Blaser, River Road, said that if the dog is an offender, he/she should be banned from use of the park.

Shervyn von Hoerl, River Road, said that there should be signs installed around town so people know what the law is. Administrator Casagrande said that there is information on the Borough's website, Facebook Page and on the front message board sign.

Councilman Marchese reported large deer at Community Center Park. There were 10 deer a week ago and last night he counted 6-7 deer. He warned the public to be careful at night, when driving, because they are all over. Administrator Casagrande said that we have provided information regarding deer ticks and preventatives. Mrs. O'Brien said that River Road is just as bad with deer.

Michelle Mason, Cambridge Avenue, asked if the parks are treated for ticks. The Borough does not treat the parks for deer ticks because there are animals and children in the parks. Mayor Lucarelli said that there are essential oil sprays that can be used. Ms. Mason was advised that the County sprays the area for mosquitoes. DPW treats and fertilizes the fields; we try to keep our use of pesticides to a minimum (those who treat the area are certified).

Mrs. O'Brien noted that not all of the crosswalks have been completed and school has begun; there is no crosswalk at Gillespie Avenue. Administrator Casagrande said that the crosswalk at Gillespie Avenue is part of an offsite improvement from the Forefront project; they are going to have to address it. It was asked why brick crosswalks were installed again since the Transportation Plan does not recommend them. She was advised that the brick crosswalks were part of the Streetscape Project and stamping was used vs. inlaying because it lasts longer; we also had the crosswalk border painted white. Mayor Lucarelli read page 32 of the Transportation Plan that states what we currently did complies with the plan. Mrs. O'Brien said that River Road is a dangerous street and we need to have the best visibility possible.

Councilwoman Koch announced that Senior Fitness classes have begun; and will continue until December in the Community Center. The Annual Townwide Camp Out will take place on Saturday, September 22nd at 6 p.m. with a concert, games and a movie. Tinkergarden for parents and kids 18 months to 8 years has started. There is a Lego Mania weekly class. Tai Chi for adults will take place the months of October and November from 6-7 p.m. Mad Science will take place after school on Tuesdays from October 16th through December 4th, 3:30-4:30 p.m. at the Community Center. There are also fall sports programs (soccer, tennis, pickleball open play).

Councilwoman Sorensen reminded everyone that Octoberfest, sponsored by the Foundation of Fair Haven, will take place on Saturday, September 15th from 4-10 pm at Fair Haven Fields; there will be food trucks, vendors and craft beers.

There being no further comments or questions, the meeting was closed to the public at 8:48 p.m.

Council went into executive session at 8:52 p.m. and this meeting was reconvened at 9:48 p.m.

RESOLUTION

8. Resolution No. 2018-182, Hire Police Patrolman, Michael Joseph Volker

WHEREAS, Detective Jeffrey Jarvis is retiring effective November 1, 2018 which will leave a vacancy within patrol in the Fair Haven Police Department; and

WHEREAS, Police Chief Joseph McGovern recommends the vacancy be filled by Michael Joseph Volker to maintain the Department staffing model; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Michael Joseph Volker is hereby appointed as a Probationary Police Officer in the Fair Haven Police Department effective September 24, 2018, upon swearing in.

BE IT FURTHER RESOLVED that the annual salary will be \$40,662.00.

Offered for adoption by Councilwoman Sorensen, second by Councilman Marchese

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

Negative: None

Abstain: None

Absent: Councilman Rodriguez

ADJOURNMENT

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

Time of Adjournment: 9:51 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk