

**FAIR HAVEN BOROUGH COUNCIL**  
**APRIL 24, 2017**

The meeting was called to order by Council President Peters at 7:01 p.m. The Flag Salute was followed by a Moment of Silent Meditation. He read the Sunshine Law Statement.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Marchese, Peters, Rodriguez and Sorensen. Absent: Councilmembers Jaeger and Wilhelm. Others present: Administrator Casagrande and Bruce Padula, Borough Attorney's Office.

**PROCLAMATIONS**

Council President Peters read a proclamation for National Bike Month which is the month of May. About two-thirds of the children in town bike or walk to school. We are also working on bike lanes in town.

Councilman Wilhelm arrived to the meeting at 7:04 p.m.

Council President Peters read a proclamation for National Police Week which is the week of May 15<sup>th</sup> through the 21<sup>st</sup>. He said that the police see and deal with a lot that they do not speak about. All were encouraged to visit the Police Memorial in Washington, DC; it is shocking to see the number of names on there. The Municipal Clerk advised that Officer John Waltz will be riding in the Unity Tour from Monmouth County to Washington, DC; he will leave on May 9<sup>th</sup>. This is his 3<sup>rd</sup> tour.

**PRESENTATIONS**

Dr. Righi and Frank Gripp of Rumson-Fair Haven Regional High School were invited to the front of the room to give their annual budget presentation. Dr. Righi spoke about student's SAT scores and the school's initiatives. There is a writing program that has been partnered with Rutgers University. One new staff member (Physical Education teacher) is being added to the budget. Class sizes are around 20 students. Enrollment is increasing. Teachers have a flex schedule where some arrive early and leave early and other arrive late and leave later. There will be STEM related field trips. Dr. Righi recognized Chuck Volker and Lourdes Lucas, Board of Education members, who were in the audience.

Frank Gripp provided a handout which will be advertised and on their website. There will be two retirements this year. Money will be taken from Capital Reserves this year. Approximately \$450,000 in State Aid will be received. He advised that 97% of the budget is funded by the taxpayers of Rumson and Fair Haven which is both good (allows more flexibility) and bad (falls on the taxpayer). There will be a 2.99% increase in the tax levy for this budget.

Councilman Jaeger arrived to the meeting at 7:14 p.m.

There are 40 students who attend vocational schools and 15 special education students being sent out of district. Insurance benefits are just under \$3 million of the overall budget; the experience rating is very good. There is a strong focus on student wellness (weight lifting, fitness activities, sports participation) which helps with the rating and prevention of accidents. Maintenance is done in cycles for classes, technology and equipment. There are bids being accepted on April 25<sup>th</sup> for site improvements to the stadium (to be done in two phases with a total cost of \$400,000). Since there is no longer a vote on the budget by the taxpayers, the high school broadcasts the budget to give everyone an opportunity to hear about it. Information is advertised in the newspapers and on the school's website.

The percentage share is that Fair Haven is increasing slightly to 30.7% and Rumson is 69.3%. There are quite a bit of shared services that help benefit everyone.

Sean McNeil and Valery Petrone, Fair Haven Schools, were invited to the front of the room to make their budget presentation. Mr. McNeil recognized Board Members Karen Saad, Bruce Padula and Carol Lang who were in attendance. He said Fair Haven is excited to help the high school with the curriculum and getting students to reach the goals set. They instituted an intervention/innovation program. Some math courses will be changed to fulfill the needs of the students. They are filling kindergarten and ELA program vacancies with reallocated positions for more efficiency. Test scores for the school are not where they expected them to be and adjustments are being made.

Valery Petrone said that Fair Haven relies on the budgeted fund balance for their budget. The budget has a 2% tax levy cap; this information was advertised last week. Insurance costs are at \$200,000 which is not shown in the budget. State Aid has remained flat. She said a bond has been retired so the request for taxes will go down by \$400,000. There will be three retirements this year. About 85% of the budget is contracted (salaries and benefits). There is also a new administration that has come in and they had to justify their budget requests which they did a great job with. Roof top

units will be replaced slowly and the school is on a five year painting cycle. Sidewalks and paving are done, as needed.

Councilman Jaeger asked what the goals for improving test scores are. Mr. McNeil said he would like Fair Haven to be equivalent to Rumson and Little Silver (each are in the 90<sup>th</sup> percentile). They will start using new strategies and are looking to rewrite the entire curriculum and make changes in teaching strategies. Councilman Rodriguez asked if there was a handle on what was lacking previously (i.e. teaching methods, technology); Mr. McNeil said curriculum. There were holes in what was being taught compared to what was then being assessed. They are working with the high school to meet expectations for the “finish line”. Councilwoman Sorensen asked where the school is with the Strategic Planning project. Mr. McNeil said that in the beginning the referendum came up and then strategic planning came into play. Currently, the referendum is on the “back burner”, but could be discussed in the near future. Councilman Peters said that the Borough has offered to work with the school on a lease for \$1.00 for Willow Street property to help with spatial issues. Today there was an Asbury Park Press article about Lakewood stating that a solution to their finances is more State Aid; he said we need to change funding formulas at the State level. The school boards were thanked for their presentations.

Councilman Wilhelm left the meeting at 7:39 p.m. and returned at 7:41 p.m.

### **WORKSHOP SESSION**

Council President Peters said there is a lawn sign request from Fair Haven Girls Lacrosse Camp to post them from May 1<sup>st</sup> to June 1<sup>st</sup> at Fair Haven Fields. Motion to approve moved by Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present.

With regard to a proposed amendment for medical and dental office parking requirements, Councilman Marchese advised that he was approached by the Fair Haven Business Association and he recommended moving forward with the draft ordinance prepared for introduction on May 8<sup>th</sup>. Medical and dental offices will then become part of the professional category. The consensus of Council was to introduce the ordinance at this meeting.

The Jersey Shore Youth Rugby Association submitted a lawn sign request for their spring sign-ups for one month through town. Motion to approve moved by Councilwoman Sorensen, second by Councilman Peters with Ayes by all present.

With regard to amending Chapter 30-7.8, Accessory Buildings and Structures, Councilmembers Marchese and Peters will send Attorney Alfieri something to be considered at the May 8<sup>th</sup> meeting.

### **PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 7:45 p.m. Chris Brenner, Maple Avenue, said that Yacht Works has been listed as possible litigation for quite a few meetings. He asked why and if the information will be public once it has been resolved. He was advised there is a document available at the DEP. Administrator Casagrande said that the Mayor and Council have been discussing a matter that was brought to their attention; as there are updates, it is discussed in Executive Session. He asked if there is a time frame for information to be released; no. Councilman Wilhelm said that we are acting on the taxpayers behalf. Mr. Brenner asked if funds are being spent on this? Yes, the bills are public record.

Ruth Blaser, River Road, questioned the bill for testing of officers; as part of the promotion process, there was testing and interviews. We have five police officers who are going through the process. She asked about the bill for the garage door at the Concession Stand; an electric door needed repair. She asked about the extension of the RDS contract for revaluation inspections. Councilman Peters said that we are required to have a tax inspection process through the County and State Tax Board. We are extending the contract for an additional year which is allowable under the current agreement we have. Mrs. Blaser asked what a duplicate Tax Sale Certificate is; Administrator Casagrande said that someone has to produce the original certificate to redeem the tax sale. She asked what property it is for; 259 Third Street. She asked about the award of contract for irrigation services and how long it is for; it is to water Borough properties and expires in one year.

Susan O'Brien, River Road, questioned the bond reduction for 20 Gillespie and why it is being done. She was advised that the developer can make a request to reduce their bond based on the work that has been done to date. Engineer Gardella received the request, made his inspection and gave recommendation.

There being no further comments or questions, the meeting was closed to the public at 7:41 p.m.

**APPROVAL OF MINUTES**

Councilman Marchese made a motion to approve the Regular Meeting minutes of April 10, 2017, second by Councilman Rodriguez.

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen

Negative: None

Abstain: Councilmembers Jaeger and Wilhelm

Absent: None

Councilman Marchese made a motion to approve the Executive Session minutes of April 10, 2017, second by Councilman Rodriguez.

Affirmative: Councilmembers Marchese, Peters, Rodriguez, Sorensen

Negative: None

Abstain: Councilmembers Jaeger and Wilhelm

Absent: None

The consensus of Council was to table both the Special Meeting and Executive Session minutes of April 17, 2017. Councilwoman Sorensen made a motion, second by Councilman Peters with Ayes by all present.

**OLD BUSINESS**

**HEARING ON 2017 MUNICIPAL BUDGET**

Councilwoman Sorensen made a motion to open the hearing at 7:53 p.m., second by Councilman Marchese with Ayes by all present. Administrator Casagrande explained the budget, debt service, notes, etc. There is an 11% increase in health benefits due to change in family statuses (marriage, children). We received \$405,000 from a sale of Borough property which is included in this budget as revenue.

There being no further comments or questions, the hearing was closed to the public at 7:56 p.m. on motion of Councilwoman Sorensen, second by Councilman Jaeger with Ayes by all present.

**HEARING AND ADOPTION OF ORDINANCES**

1. Ordinance No. 2017-02, Amend Chapter 30:2-4, Definition of Habitable Attic

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN  
BOROUGH CODE, CHAPTER 30, LAND USE DEVELOPMENT  
REGULATIONS, SECTION 2.4, DEFINITIONS, SPECIFICALLY  
“ATTIC, HABITABLE”**

On motion of Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present, Council President Peters opened the meeting for comments or questions at 7:56 p.m.

There being none, the Hearing was closed to the public at 7:56 p.m. on motion of Councilman Marchese, second by Councilwoman Sorensen with Ayes by all present.

Offered for adoption by Councilman Marchese, second by Councilwoman Sorensen

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

Negative: None

Abstain: None

Absent: None

2. Ordinance No. 2017-04, Amend Membership for the Recreation Committee

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN  
BOROUGH CODE, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS,  
COMMISSIONS AND COMMITTEES, SECTION 34, RECREATION  
COMMITTEE, SUB-SECTION, 34.2 MEMBERSHIP**

On motion of Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present, Council President Peters opened the meeting for comments or questions at 7:57 p.m.

There being no comments or questions, the Hearing was closed to the public at 7:57 p.m. on motion of Councilwoman Sorensen, second by Councilman Rodriguez with Ayes by all present.

Offered for adoption by Councilwoman Sorensen, second by Councilman Wilhelm

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

**NEW BUSINESS – INTRODUCTION OF ORDINANCE**

1. Ordinance No. 2017-05, Amend Chapter 30-9.2 Delete Medical and Dental Offices from Exhibit B

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH AMENDING THE FAIR HAVEN BOROUGH CODE, CHAPTER 30, LAND USE DEVELOPMENT REGULATIONS, SECTION 9, IMPROVEMENTS STANDARDS, SPECIFIC CRITERIA AND CONSTRUCTION SPECIFICATIONS, SUBSECTION 9.2, IMPROVEMENT STANDARDS, EXHIBIT B**

**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 30, Section 30-9.2, Improvement Standards, Exhibit B.

**NOTE:** The section of Chapter 30 that is to be amended by Ordinance is Section 30-9.2 Improvement Standards, Exhibit B. All additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 30, Section 9.2 that will remain unchanged are shown in normal type.

**II.**

**30-9.2(B) Exhibit B**

**GUIDELINES FOR OFF-STREET PARKING REQUIREMENTS FOR NONRESIDENTIAL LAND USES\***

<b>NONRESIDENTIAL LAND USES</b>	<b>REQUIRED OFF-STREET PARKING SPACES PER INDICATED AREA</b>
Banks, savings and loan associations	1 per 200 sq. ft. GFA plus room for 12 automobiles per drive-in window and/or land for queuing purposes
Bar, tavern or similar	1 per 2 seats or 10 per 1,000 sq. ft. GFA whichever is greater
Church/synagogue	1 per 3 seats or 22 inches of pew length
Community center, museum, art gallery	1 per 200 sq. ft. GFA
Community club, private club, lodge	1 per 100 sq. ft. GFA
<del><b><i>Dental or medical office</i></b></del>	<del><b><i>1 per 100 sq. ft. GFA</i></b></del>
Library	1 per 300 sq. ft. GFA
Marina, boat yard, boat sales	1.0 boat slip and 1 per 300 sq. ft. GFA of sales or office space**
Meeting rooms, assembly or exhibition hall	1 per 50 sq. ft. GFA
Business and Professional offices	4.0 per 1,000 sq. ft. GFA
Restaurant	15 per 1,000 sq. ft. per GFA whichever is greater
Retail store	4 per 1,000 sq. ft. GFA
Schools	
Elementary	1 per 200 sq. ft. GFA
Intermediate	2 per classroom, but not less than 1 per teacher and staff
Secondary	1.5 per classroom, but not less than 1 per teacher and staff
Motor vehicle service station	4 per bay and work area
Shopping center	4 per 1,000 sq. ft. GFA****

Studio—art, music, dance, gymnastics for the purpose of giving instruction	1 per 200 sq. ft. GFA
Theater	1 per 3 seats
In shopping center	1 per 4 seats

GFA = Gross floor area

Notes:

- \* In computing the number of required parking spaces, the following shall apply:
  - (1) Where fractional spaces result, the required number shall be construed to be the next highest whole number.
  - (2) The parking space requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Municipal Agency.
  - (3) If there is not use enumerated herein having sufficient similarity to the use proposed to enable the Municipal Agency to establish rational parking requirements, the Municipal Agency may, in its discretion, direct the applicant to furnish the Municipal Agency with such data as may be necessary to enable the Municipal Agency to establish rational parking requirements.

\*\* Bar, restaurant, or similar uses shall be calculated separately.

\*\*\* A building of mixed office uses may include a maximum of one-third (1/3) medical or dental floor area. If medical or dental uses exceed one-third (1/3) of the gross floor area, their parking requirement shall be computed separately.

\*\*\*\* If more than twenty-five (25) percent of the total floor area is occupied by a nonretail use which has off-street parking requirements greater than those required for a shopping center, then off-street parking for the center shall be the same as the required minimum for the nonretail use plus the required minimum for the balance of the shopping center floor area.

Offered for introduction by Councilwoman Sorensen, second by Councilman Marchese

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

This ordinance will be referred to the Planning Board for their review and recommendation. The hearing will be held on June 12, 2017.

**CONSENT AGENDA - RESOLUTIONS**

1. Resolution No. 2017-85, Executive Session – Possible Litigation and Acquisition of Property

**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:

**Possible Litigation**

1. Yacht Works

**Acquisition of Property**

1. Fair Haven Road

**WHEREAS**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW THEREFORE BE IT RESOLVED** that the public be excluded from this meeting.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

2. Resolution No. 2017-86, Self-Examination of 2017 Municipal Budget

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the **Borough of Fair Haven** has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the **Borough of Fair Haven** that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

3. Resolution No. 2017-87, Adoption of 2017 Municipal Budget

See full copy of this resolution attached to these minutes

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

4. Resolution No. 2017-88, Approve Sidewalk Café Permit – Umberto’s Pizzeria

**WHEREAS**, Chapter 4-2.1 governs Sidewalk Cafes and Restaurants in the Borough of Fair Haven; and

**WHEREAS**, Umberto’s Pizzeria, 583 River Road, has filed the appropriate Sidewalk Café License Application and paid the appropriate fee to the Borough Clerk; and

**WHEREAS**, the Police Chief and Fire Chief have reviewed said application and submitted approval for said permit as follows:

4 Tables and 12 chairs to accommodate 12 patrons with the possibility of adding a third table.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the Sidewalk Café Permit is hereby approved and shall be issued by the Municipal Clerk with an expiration date of December 1, 2017.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

5. Resolution No. 2017-89, Appoint Recycling Coordinator – Adam Hubeny

**WHEREAS**, the Borough of Fair Haven is required to employ a recycling coordinator; and

**WHEREAS**, Adam Hubeny holds the position of Recycling Coordinator in various Monmouth County municipalities; and

**WHEREAS**, it is the desire of the Mayor and Council that Adam Hubeny be appointed to the position of Recycling Coordinator for the year 2017; and

**WHEREAS**, the Recycling Coordinator is to be paid, as an independent contractor, \$1,000.00 per year for his services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven, that Adam Hubeny is hereby appointed Recycling Coordinator for a term to expire December 31, 2017.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

6. Resolution No. 2017-90, Extend Contract with Realty Data Systems

**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 an additional one year.

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

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None  
Abstain: None  
Absent: None

7. Resolution No. 2017-91, Authorize the submission of a DEP Grant application for McCarter Pond

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) recently issued a Request for Proposals for 2017 Water Quality Restoration Grants for Nonpoint Source Pollution; and

**WHEREAS**, the restoration of McCarter Pond has been a priority of the Mayor and Council for many years; and

**WHEREAS**, McCarter Pond has been negatively impacted by the accumulation of sediment from stormwater outfalls to the Pond; and

**WHEREAS**, the Council wishes to apply for a grant for the installation of manufactured stormwater treatment devices as part of the ongoing restoration efforts at McCarter Pond; and

**WHEREAS**, the Borough and its consultants have considerable expertise in grant administration, project management as well as the design and construction of manufactured stormwater treatment devices; and

**WHEREAS**, the Fair Haven Borough Department of Public Works will incorporate the regular ongoing maintenance of the stormwater treatment devices into the Borough's Stormwater Pollution Prevention Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that it hereby authorizes the Borough Administrator to submit a grant proposal.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

8. Resolution No. 2017-92, Approve Block Party for Forrest Avenue – May 13, 2017, 4-8 pm

**WHEREAS**, a request was received to hold a Block Party on Forrest Avenue on Saturday, May 13, 2017 from 4 pm to 8 pm with a rain date of May 21, 2017; and

**WHEREAS**, Police Chief Joseph McGovern reviewed the application and submitted his approval on April 19, 2017; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Forrest Avenue on Saturday, May 13, 2017 from 4 pm to 8 pm with a rain date of May 21, 2017.

**BE IT FURTHER RESOLVED** that Permit No. BP 2017-02 will be issued for said event.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

9. Resolution No. 2017-93, Establish Duplicate Tax Sale Certificate

**WHEREAS**, Chapter 99 Public Laws of 1997 was signed into law by Governor Whitman in May, 1997; and

**WHEREAS**, this law provides for the issuance and fees for duplicate Tax Lien Certificates; and

**WHEREAS**, TWR as Cust for Ebury Fund 1 NJ has indicated that one (1) original Certificate of Sale for Unpaid Municipal Liens on one (1) property located in Fair Haven Borough; Tax Sale held November 29, 2016, Unrecorded Tax Sale Certificate 16-00020 has been deemed "lost".



**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council that the Tax Collector be authorized, upon receipt of an Affidavit of Loss and payment of a fee of \$100.00, to issue a duplicate certificate to said TWR as Cust for Ebury Fund 1 NJ for the original Certificate of Sale for Unpaid Municipal Liens.

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be provided to each of the following:

1. Judith Vassallo, Tax Collector
2. Nekay Quinn  
TWR as Cust for Ebury Fund 1 NJ  
PO Box 37695 Baltimore MD, 21297

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

10. Resolution No. 2017-94, Payment of Vouchers

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the April 24, 2017 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2017 CURRENT ACCOUNT	\$	28,005.70
2016 CURRENT ACCOUNT	\$	504.00
OTHER TRUST	\$	52.70

<b>TOTAL</b>	<b>\$</b>	<b>28,562.40</b>
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Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

11. Resolution No. 2017-95, Increase Cell Phone Reimbursement for Assistant Director of Engineering and DPW

**WHEREAS**, Resolution No. 2017-16 authorized cell phone reimbursements to various municipal employees that are required to be available by cell phone for daily access in order to assist with the day to day operations in the Borough of Fair Haven; and

**WHEREAS**, the resolution authorized reimbursement to the Assistant Director of Engineering and Public Works in the amount of \$50.00 on a monthly basis; and

**WHEREAS**, due to the rising costs for data, it has been requested that Nicolas Poruchynsky, Assistant Director of Engineering and Public Works be reimbursed **\$75.00** on a monthly basis for use of his personal cell phone.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Finance Department is hereby authorized to reimburse the above employee for his cell phone use.

**BE IT FURTHER RESOLVED** that this authorization is effective beginning the second quarter of 2017.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

12. Resolution No. 2017-96, Authorize Bond Reduction for 20 Gillespie Avenue, LLC

**WHEREAS**, 20 Gillespie Avenue, LLC (“Developer”), is the owner of the real property known as Block 51, Lots 27 and 30 upon which a five (5) lot subdivision known as Block 51, Lots 27.01, 30.01, 30.02, 30.03 and 30.04, has been approved; and

**WHEREAS**, the Developer has posted a performance guarantee pursuant to NJSA 40:55D-1, et seq. and has partially completed the bonded site improvements; and

**WHEREAS**, the Borough Engineer has conducted an inspection and issued a report dated April 11, 2017 (a copy of which is attached hereto) authorizing a reduction of the performance guarantee to 35% of the original sum posted with the Borough.

**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 performance guarantee of the Developer be reduced to \$231,617.40.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

13. Resolution No. 2017-97, Award Irrigation Maintenance Service RFP to Middletown Sprinkler Company

**WHEREAS**, on April 17, 2017 one (1) proposal was received by the Director of Engineering and Public Works for Irrigation Maintenance Services; and

**WHEREAS**, the proposal received was from Middletown Sprinkler Company, Port Monmouth, NJ as per the attached Borough Engineer’s memo:

**WHEREAS**, the Borough Administrator, and Borough Engineer have reviewed the proposal and recommend an award be made to the sole bidder, Middletown Sprinkler Company.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that it hereby awards a contract for Irrigation Maintenance Services to Middletown Sprinkler Company of Port Monmouth, New Jersey; and

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute an Agreement and the Borough Engineer is directed to implement a process for the monitoring and oversight of the Irrigation Maintenance Services with Middletown Sprinkler Company.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

14. Resolution No. 2017-98, Authorize Capital Purchase – DPW – Tink 520 Claw with ACS Adapter

**WHEREAS**, there is a need for a Tink 520 Claw with ACS Adapter to replace the existing claw and adapter; and

**WHEREAS**, the Department of Public Works received two quotes for said equipment; and

**WHEREAS**, the Borough Administrator and Borough Engineer have submitted a Capital Item purchase authorization request as follows:

**DEPARTMENT OF PUBLIC WORKS**

Tink 520 Claw with an ACS Adapter	\$11,874
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<b>TOTAL</b>	<b>\$11,874</b>
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**WHEREAS**, the above equipment will be purchased through the National Joint Power Alliance (NJPA) Cooperative Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of

Fair Haven that this Capital Item Expenditure is hereby approved and will be charged to the Recycling Trust Fund where funds have been certified by the Chief Financial Officer.

It was asked if this equipment is American made. At first it was unknown, but it was found on-line to be from California. It was asked that a caveat be included in the proposals and bid specifications that the materials be American made. If there is no other alternative, then it should be noted.

Offered for adoption by Councilwoman Sorensen, second by Councilman Rodriguez

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

Negative: None

Abstain: None

Absent: None

### **Reports of Departments**

#### **March 2017**

-Police Department

-Tax Collector

-Municipal Court

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

### **GOOD OF THE BOROUGH**

Council President Peters opened the meeting to the public for comments or questions at 8:03 p.m. Ruth Blaser, River Road, brought up brush pick up. She said that DPW picked up Zone B last week and her neighbor's landscaper put out a huge pile on Friday. She said she advised them that the debris had to be pulled back in until next collection. It was requested that code enforcement enforce landscaper violations.

Council President Peters noted that there was a Boy Scout in the audience. It was a young man from Rumson (Troop 201) and he was attending a government meeting to work toward a badge.

Councilman Rodriguez reported that there was a great turn out last Thursday, April 20<sup>th</sup> for the Tree Talk held at Rumson-Fair Haven Regional High School presented by Rutgers. There was a tremendous turn out for the Fair Haven Fields Earth Day clean up (Key Club, Scouts, residents and volunteers). The Shade Tree Commission is holding an art contest at Knollwood; the deadline was last Friday. Each grade will have a winner chosen. On May 6<sup>th</sup>, the Annual Tree give away will take place. May 6<sup>th</sup> is also bulk drop off at DPW and the town wide yard sale. The Garden Club will have their annual sale in May as well.

Councilwoman Sorensen said that May 6<sup>th</sup> is the Fishing Derby at McCarter Pond beginning at 9:00 a.m.

Ruth Blaser, River Road, said that the town wide yard sale should have a rain date. Councilman Peters addressed Mrs. Blaser's concern about the reassessment contract. He advised that Fair Haven is one of the most critical and precise critics of this County program and we are still paying off our prior reassessment. He gave a long term capital synopsis.

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

Council went into executive session at 8:14 p.m. and this meeting was reconvened at 8:29 p.m.

### **ADJOURNMENT**

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

Time of Adjournment: 8:30 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk