

BOROUGH OF FAIR HAVEN PLANNING BOARD

Regular Meeting Minutes – February 22, 2022 - Virtual Meeting via Zoom Platform due to the COVID-19/Coronavirus Pandemic

The meeting was called to order at 7:35 pm by the Chairman, Mr. Lehder, with a reading of the Open Public Meetings Act statement (see attached) and salute to the flag.

Roll Call

Present: Bordelon, Busch, Koch, Paolo, Rolf, Nitka, Olson, D'Angelo, Burkhardt, Lehder

Absent: Newell

Also Present: Mr. Kovats, Board Attorney; Ms. Gable, Heyer Gruel & Associates, Board Planner; Mr. Gardella, Borough Engineer

Mr. Rolff, Vice Chairman introduced the administrative items on the agenda.

MOTION by Mr. Rolff and second by Mr. Lehder to approve of the minutes from January 18, 2022 meeting.

In favor: Busch, Koch, Paolo, Rolff, Olson, D'Angelo, Burkhardt, Lehder

Opposed: none

The M&M Realty Resolution for Preliminary and Final Site Plan Approval was reviewed and discussed. Comments were received from the applicant's attorney, the Board attorney, the Borough attorney, the Borough engineer, and the Borough Planner.

Mr. Lehder shared the M&M resolution with the comments from the applicant's attorney and solicited comments from the Board regarding the proposed language in the resolution.

The applicant's attorney, Ms. Irina Elgart, was on the call. She expressed that she would like the resolution completed at the meeting.

Mr. Lehder then shared comments by the Borough engineer and Borough planner regarding the M&M resolution. There was discussion and comments were incorporated into the resolution.

The Board decided to table the resolution until the next meeting.

Mr. Rolff introduced the next agenda item, Ilvento Builders, LLC – Minor Subdivision. Mr. Kovats explained that the applicant's resolution requires demolition of the building prior to the subdivision being perfected. As the applicant is a contract purchaser, they cannot demolish the home on the property until they take ownership after the property is subdivided. It is proposed that a cash guarantee

be posted in the amount of \$18,000 and demolition be accomplished within 90 days of taking title of the property. There was discussion regarding the price calculation of the cash guarantee. The applicant provided a quote for the demolition for the amount requested.

Mr. Brodsky, the applicant's attorney, was brought into the meeting. Mr. Brodsky confirmed that the applicant is a contract purchaser.

MOTION by Mr. Bordelon and second by Mrs. Busch to revise the resolution for Ilvento Builders to include a cash guarantee be posted for demolition, with demolition accomplished within 90 days once the applicant takes title of the property.

In Favor: Bordelon, Busch, Koch, Paolo, Rolff, Nitka, Olson, D'Angelo

Opposed: None

Abstain: Lehder

MOTION by Mr. Lehder and second by Mr. Burkhardt to move to closed session to discuss personnel matters.

In favor: Bordelon, Busch, Koch, Paolo, Rolff, Olson, Lehder

The Board went into closed session at 9:37 pm. The Board returned from closed session at 11:18 pm.

Roll call

Present: Bordelon, Busch, Koch, Paolo, Rolff, Nitka, Olson, D'Angelo, Burkhardt, Lehder

Absent: Newell

MOTION by Mr. Rolff and second by Mr. Bordelon to appoint Mr. Kovats as Board attorney.

In favor: Bordelon, Busch, Koch, Paolo, Rolff, Nitka, Olson, D'Angelo, Lehder

Opposed: none

MOTION by Mr. Rolff and second by Mr. Olson to appoint Richard Gardella as Borough engineer subject to terms agreed to by the Board and Mr. Gardella.

In favor: Bordelon, Busch, Koch, Paolo, Rolff, Nitka, Olson, D'Angelo, Lehder

Opposed: none

A decision was not made regarding the Planner. The discussion regarding the planner is deferred to a later date.

The meeting was opened to the public. There were no comments from the public.

A motion was made to adjourn by Mr. Lehder that was carried by voice vote. The meeting was adjourned at 11:22 pm.

Respectfully submitted,
Sandi Papa
Board Secretary

Public Announcement of Compliance

This is a regular meeting of the Fair Haven Planning Board. Adequate notice of this meeting has been given pursuant to the provisions of the Open Public Meetings Act. At the time of the Board reorganization in January of this year, the Board adopted its regular meeting schedule for the year. Notice of the schedule was sent to and published in the Asbury Park Press on February 2, 2022 and the Two River Times on February 3, 2022. That Notice was also posted on the bulletin board in Borough Hall, and has remained continuously posted there as required by the Statute. A copy of the Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of the Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Adequate notice having been given, the Board Secretary is directed to include this statement in the minutes of this meeting.