

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
SEPTEMBER 23, 2019, 7:00 P.M.**

1. **Call to Order:** pm

2. **Salute to the Flag:**

3. **Moment of Meditation:**

4. **Sunshine Law Notice:**

5. **Roll Call:** Councilmembers Banahan Koch Peters
Rice Rodriguez Sorensen

6. **Proclamation**

-Random Acts of Beauty

7. **Workshop Session**

-Tree Removal Appeal from 88 Parker Avenue
-Proposed Dates for the Annual Marchese Meeting

8. **Public Comment on Agenda Items**

9. **Approval of Minutes**

-September 9, 2019 Regular Meeting
-September 9, 2019 Executive Session

10. **Old Business**

-Path to Progress

11. **New Business**

Consent Agenda

Resolutions

2019-190 Amend Resolution No. 2019-184, Awarding Public Relations Contract
2019-191 Amend Resolution No. 2019-186 to add Restaurant Ordinance Review Committee
Appointments
2019-192 Appointments to the River Road Bike and Pedestrian Safety Committee
2019-193 Approve 3rd Quarter Tax Overpayment Refund - 123 Lake Avenue
2019-194 Approve Block Party on Poplar Avenue - October 19th, 3 pm – 11 pm
2019-195 Approve 2nd Extension of Time to Complete Improvements for 119 Hance Road (B33
L16/35)
2019-196 Executive Session – Pending Litigation and Acquisition of Property
2019-197 Award Contract for Brush Grinding, Transportation and Disposal-Mazza Mulch, Inc.
2019-198 Approve Refund of fee for Tree Removal Permit – Lyman Spalding
2019-199 Payment of Vouchers

Department Reports

2018 Year End

-Zoning Board of Adjustment

August 2019

-Police Department

-Tax Collector

12. **Good of the Borough - Please stand and identify yourself by clearly stating your name and address for the record** (*Please observe a time limit of three minutes*)
13. **Adjournment**

PROCEDURE FOR CITIZEN PARTICIPATION AT COUNCIL MEETINGS

The Fair Haven Borough Council and the Mayor welcome comments, suggestions and inquiries from residents of Fair Haven. To that end, provision is made for a public discussion period at each meeting. It is listed as:

“Public Discussion” – near the end of the meeting where any topic may be addressed.

You must wait to be recognized by the Mayor. **IDENTIFY YOURSELF BY CLEARLY STATING YOUR NAME AND ADDRESS FOR THE RECORD.** Limit your comments to three (3) minutes. Once a particular topic has been addressed by a member of the public, he/she will not be recognized to talk again on the same topic until all others have been heard a first time.

If you wish to reserve time to speak in advance, you may address your request to Allyson Cinquegrana at 732-747-0241 extension 221, by noon on the Friday preceding the meeting.

You will **NOT** be recognized, **NOR SHOULD YOU COMMENT OR CARRY ON A DEBATE OR DIALOGUE WHILE BUSINESS OF THE BOROUGH IS BEING ADDRESSED BY MAYOR AND COUNCIL.**

THE SPECIAL SCHOOL ELECTION WILL BE HELD 9/24, 2-8 PM–KNOLLWOOD APR

THE NEXT COUNCIL MEETING WILL BE TUESDAY, OCTOBER 15, 2019

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-190

**TITLE: AMENDED RESOLUTION TO AWARD CONTRACT FOR PUBLIC
RELATIONS SERVICES – LAURA BISHOP COMMUNICATIONS, LLC**

WHEREAS, the Borough of Fair Haven has determined that a Public Relations firm would be beneficial to the residents and businesses in Fair Haven as well as the greater community; and

WHEREAS, there are many Borough projects that will commence in the near future and it is important to communicate to public through news releases, social media postings, information sessions, etc.; and

WHEREAS, proposals were solicited and received; and

WHEREAS, a resolution appointing a Public Relations firm was adopted on September 9, 2019; and

WHEREAS, such services constitute a professional service exempt from public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this Resolution is adopted to amend the prior Resolution to award the Contract as a Professional Service Contract as opposed to Extraordinary Service Contract; and

WHEREAS, the Borough Administrator and Communications Committee have reviewed the proposals and determined that Laura Bishop Communications, LLC with an office at 1111 The Woods, Cherry Hill, New Jersey 08003; and

WHEREAS, this contract being awarded will be reviewed for reappointment beginning January 1, 2020 for one year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that it hereby awards a contract for Public Relations Services to Laura Bishop Communications, LLC.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-191

**TITLE: AMEND RESOLUTION NO. 2019-186 TO INCLUDE ADDITIONAL
APPOINTMENTS TO THE RESTAURANT ORDINANCE REVIEW COMMITTEE**

WHEREAS, Resolution No. 2019-186 appointed a Restaurant Ordinance Review Committee as follows:

Mayor Lucarelli
Councilwoman Elizabeth Koch
Councilman James Banahan
Carolyn Ferguson, Fair Haven Business Association
Gary Leasor, Business Owner

Borough Professionals

Theresa S. Casagrande, Borough Administrator
Richard Gardella, Director of Engineering
Nicolas Poruchynsky, Assistant Director of Engineering
Heyer Gruel Associates, Borough Planner; and

WHEREAS, there has been a request for additional members to be appointed to the Committee and the Mayor has advised that the following persons be added to the Restaurant Ordinance Review Committee:

Todd Lehder
Michael Nitka
Leigh Ricker
Daniel Busch

Borough Professional

Michael Irene, Esq., Land Use Counsel

BE IT RESOLVED that the Borough Attorney and Special Counsel for Fair Share Housing will be consulted, as needed.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-192

**TITLE: APPOINTMENT OF THE RIVER ROAD BIKE AND PEDESTRIAN SAFETY
 COMMITTEE**

WHEREAS, there is a need to appoint members to the River Road Bike and Pedestrian Safety Committee for the Borough of Fair Haven.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the following persons be appointed to the River Road Bike and Pedestrian Safety Committee:

Mayor Lucarelli

Gail O'Reilly

John McCormack

Corporal John Waltz

Richard Gardella, Director of Engineering and Public Works

Nicolas Poruchynsky, Assistant Director of Engineering and Public Works

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-193

TITLE: REFUND OF 3RD QUARTER 2019 PROPERTY TAX OVERPAYMENT

WHEREAS, Debra Marchetti, Tax Collector, has provided a request for a tax overpayment refund for 3rd quarter of 2019 and advises that the following property owners qualify for a refund as follows:

<u>Owner</u>	<u>Address</u>	<u>Block</u>	<u>Lot</u>	<u>Refund</u>
Todd and Joanna Lehder	123 Lake Avenue	6	7	\$3,710.67

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Tax Collector and Chief Financial Officer are hereby authorized to pay said refunds in the amounts listed above to Ansell, Grimm and Aaron, 1500 Lawrence Avenue, CN 7807, Ocean, New Jersey 07712.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-194

**TITLE: APPROVING A BLOCK PARTY TO BE HELD ON
 POPLAR AVENUE – OCTOBER 19TH**

WHEREAS, a request was received to hold a Block Party on Poplar Avenue on Saturday, October 19, 2019 from 3 pm to 11 pm with a raindate of Sunday, October 20, 2019; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 16, 2019; 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 Poplar Avenue on Saturday, October 19, 2019 from 3 pm to 11 pm with a raindate of Sunday, October 20, 2019.

BE IT FURTHER RESOLVED that Permit No. BP 2019-13 will be issued for said event.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-195

**TITLE: EXTENDING THE TIME PERIOD FOR COMPLETION OF IMPROVEMENTS FOR
 BLOCK 33, LOTS 16 AND 35**

WHEREAS, K.M. Hughes and the Borough entered into a Developer's Agreement relating to the subdivision of property known as Block 33, Lots 16 and 35; and

WHEREAS, the Developer's Agreement contained a deadline for the Developer to complete the site improvements by March 1, 2019 which was extended to September 1, 2019 by Resolution No. 2019-78; and

WHEREAS, the Developer requires an additional six (6) month extension to finalize the improvements; and

WHEREAS, the Borough Engineer has reviewed and recommended that the request for a second extension be granted by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that K.M. Hughes is granted a second extension through March 1, 2020 in which to complete the site improvements as required in the Developer's Agreement.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-196

TITLE: EXECUTIVE SESSION

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:

Pending Litigation

1. Yacht Works

Acquisition of Property

1. River 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.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-197

**TITLE: AWARD BID FOR BRUSH GRINDING, TRANSPORTATION AND DISPOSAL – MAZZA
 MULCH, INC.**

WHEREAS, the Borough of Fair Haven received bids for Brush Grinding, Transportation and Disposal and publicly opened them on September 18, 2019 as advertised; and

WHEREAS, the Borough received bids from five (5) bidders in response to bid specifications prepared by the Borough Engineer; and

WHEREAS, the bidders were as follows:

	<i>Bidder</i>	<i>Base Bid Amount</i>	<i>Option 1 Amount</i>	<i>Option 2 Amount</i>	<i>Option 3 Amount</i>	<i>Base Bid + Options 1, 2, 3 Amount</i>
1	Mazza Mulch, Inc., . Tinton Falls, NJ	\$18,200.00	\$18,200.00	\$18,200.00	\$18,200.00	\$72,800.00
2	Britton Industries, Inc., . Lawrenceville, NJ	\$23,750.00	\$23,750.00	\$23,750.00	\$23,750.00	\$95,000.00
3	Nature's Choice Corporation, Middlesex, . NJ	\$47,150.00	\$47,150.00	\$47,150.00	\$47,150.00	\$188,600.00
4	Wild Heart Industries, . Hillsborough, NJ	\$72,500.00	\$72,500.00	\$72,500.00	\$72,500.00	\$290,000.00
5	Seminole Construction, . West Creek, NJ	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$300,000.00

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the above bids and have determined that the bid conforms to the specifications and that Mazza Mulch, Inc. was the lowest bidder and recommends the Brush, Grinding, Transportation and Disposal bid be awarded accordingly for the Base Bid, Options #1, #2 and #3 for a total amount of \$72,800.

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 Mazza Mulch, Inc., Tinton Falls, NJ pursuant to the bid specifications.

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

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-198

TITLE: APPROVE REFUND OF TREE REMOVAL PERMIT FEE – 58 OAKLAWN DRIVE

WHEREAS, a tree removal permit for 58 Oaklawn Drive was approved by the Borough's Forrester; and

WHEREAS, a permit fee in the amount of \$25.00 was charged and paid for by Mr. Lyman Spalding on behalf of his neighbor in order to remove the tree; and

WHEREAS, the tree was diseased so a fee should not have been charged for removal.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that a refund in the amount of \$25.00 should be given to:

Lyman Spalding
66 Oaklawn Drive
Fair Haven, NJ 07704

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-199

TITLE: 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 23, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$	113.82
2019 CURRENT ACCOUNT	\$	195,762.59
GENERAL CAPITAL	\$	9,076.35
OTHER TRUST	\$	6,832.05
DOG TRUST	\$	1,295.02
TOTAL	\$	213,079.83