

**FAIR HAVEN BOROUGH COUNCIL**  
**MARCH 22, 2021**

The meeting was called to order by Mayor Lucarelli at 7:07 p.m. The Flag Salute was led by Councilman McCue followed by a Moment of Silent Meditation. The Mayor asked that the family of Jack Butler and all of those we have lost to COVID in thought. The following Sunshine Law Statement was read:

IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, PUBLIC MEETINGS MAY BE HELD IN PERSON OR BY MEANS OF COMMUNICATION EQUIPMENT TO INCLUDE STREAMING SERVICES AND OTHER ONLINE MEETING PLATFORMS (NJSA 10:4-8(b)).

DUE TO THE COVID-19 SITUATION, THE BOROUGH OF FAIR HAVEN'S MUNICIPAL FACILITIES ARE CLOSED TO THE PUBLIC. THIS MEETING IS BEING PRESENTED THROUGH THE ZOOM MEETING PLATFORM AND BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS COUNCIL MEETING OF MARCH 22, 2021 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL PUBLIC QUESTIONS/COMMENT TIME, WHICH WILL BE ANNOUNCED. AT THAT TIME THE PUBLIC HAS THE OPPORTUNITY TO QUESTION/COMMENT BY PHONE OR THROUGH ZOOM BY THE "RAISE HAND" BUTTON AND WILL BE CALLED ON AT THE APPROPRIATE TIME.

NOTICE OF THIS MEETING WAS INCLUDED IN A SCHEDULE OF MEETINGS WHICH WAS ADOPTED BY RESOLUTION NO. 2021-13 AND SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES, THE HUB AND THE STAR LEDGER ON JANUARY 7, 2021 POSTED ON THE BOROUGH WEBSITE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

WITH ADEQUATE NOTICE HAVING BEEN GIVEN, THE BOROUGH CLERK IS DIRECTED TO INCLUDE THIS STATEMENT IN THE MINUTES OF THIS MEETING.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Koch, McCue and Rodriguez. Absent: Councilmembers Banahan, Chrisner-Keefe and Neff. Others present: Administrator Casagrande, Attorney Cannon, Engineer Gardella and Chief McGovern.

**WORKSHOP SESSION**

Mayor Lucarelli advised that there was a tree appeal from 188 Oxford Avenue. Seth and Lauren Weiner were in attendance. The Mayor said the governing body received the application and supporting paperwork that goes back two years with attempts to save the tree and/or trim the tree not remedying the situation. Mr. Weiner said that the limbs are falling and damaging his patio and house and he is fearful that a limb is going to fall on his children or the next storm will cause the tree to destroy his house. Ken Foxworth, landscaper, provided a replanting plan with 36 Arborvitae trees along the perimeter of the property.

Councilwoman Chrisner-Keefe arrived at 7:12 p.m.

The Borough Clerk asked if the 4" diameter at breast height tree per the Forrester's letter was also being planted to replace a significant specimen tree (2<sup>nd</sup> largest oak in Fair Haven) besides the other landscaping; yes. She also advised that there would be a \$25.00 fee due. Motion to approve the waiver moved by Councilwoman Koch, second by Councilman Rodriguez with Ayes by all present.

A tree appeal letter was received from 50 Oak Place. Barbara Shedden was in attendance and said that she is willing to plant replacement trees (two, 3 -3 ½" diameter at breast height, replacement trees). There is a \$50.00 fee associated with this tree removal. Motion to approve the appeal moved by Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

The next matter discussed was a Sidewalk Café License Waiver. Administrator Casagrande said that last year there were accommodations made where we allowed our businesses to hold outdoor dining without the permitting process (application and fee). The governing body was asked if they want to return to the former policy with the fee or extend the waiver from last year? Mayor Lucarelli said he was in favor of waiving the permitting process and fee until we resolutions adopted last year can be listed on the April 12<sup>th</sup> meeting. The Mayor asked that those resolutions from last year be provided to the governing body for their review, listed under the April 12<sup>th</sup> Workshop and resolutions for action. Councilwoman Koch asked Chief McGovern if there were any issues or concerns with last year's process; no. The Clerk advised that the three resolutions were for

sidewalk dining, sidewalk sales and use of our parks for yoga and other recreational classes/activities. Councilman McCue asked what the application fee amount is, normally; \$50 and we have 5 establishments that are issued the Sidewalk Dining Permit. Councilman Rodriguez said that we should do what it takes to help our businesses grow and keep our residents local. Councilman McCue asked about the fee as there may be another round associated with the CARES Act where we can claim loss of revenue. Councilwoman Neff also liked that the waivers went beyond the food establishments, but to our yoga businesses and other businesses to provide our residents with options. The Clerk was asked to provide the resolutions as soon as possible to the governing body and then list it on the April 12<sup>th</sup> agenda under resolutions.

There are CDL Clearinghouse requirements that have come down through the State; a policy was provided through the State and our Joint Insurance Fund (Attorney Cannon has already taken a look at it). It makes sense for the governing body to adopt the policy at our next meeting. The Borough will set up the CDL Clearinghouse and enter all of our CDL employees into it, including different policies and procedures regarding testing and how we address issues using different professionals.

Administrator Casagrande gave an update and historical background on the budget process and how it was done in the past. She accepts the department head’s requests and populates the budget with those requests. She provided the process for this year’s budget process. We will introduce our budget in the near future; until then, we will list this matter on the agendas going forward. The first round of numbers were provided, as an FYI, to the governing body, not to raise flags; it is a clean, beginning point. The Federal Government passed the American Rescue Plan (a work in progress as to how it will affect local governments and how it impacts budgets). The Borough is waiting on the Department of Community Affairs and other source guidance with regard to funding or any changes in the process. We will not be introducing our budget the first meeting in April. The Finance Committee is meeting via Zoom to review and tighten the numbers. Mayor Lucarelli said that Administrator Casagrande and CFO Lapp do the heavy lifting on the document and the Finance Committee provides input. Budgeting capital and capital ordinance are handled separately and will be addressed later in the year. Councilwoman Neff thanked Administrator Casagrande and CFO Lapp for an informative and helpful finance meeting; it helped her, as a new Councilperson, understand the process, line items, number, etc. There will be some challenges as we are a small municipality.

**PUBLIC COMMENT ON AGENDA ITEMS**

The meeting was opened to the public for comments or questions at 7:38 p.m. Paul Ferguson, Colonial Court, asked about the sidewalk café resolution and suggested that the businesses that submitted their plan last year not have to resubmit their plans for reapproval. They businesses should submit a letter certifying there is no change to their sidewalk dining plan. Attorney Cannon said that there should be a letter certifying no change or deviation to the plan on file.

There being no further comments or questions, the meeting was closed to the public at 7:40 p.m.

**APPROVAL OF MINUTES**

Councilman Rodriguez made a motion to approve the Regular Meeting minutes of March 8, 2021, second by Councilwoman Koch

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

Councilman Rodriguez made a motion to approve the Executive Session minutes of March 8, 2021, second by Councilwoman Koch

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

**OLD BUSINESS**

There was no old business brought before the governing body.

**NEW BUSINESS**

**Council Committee Reports**

**Finance** - Councilman Banahan was absent; the 2021 Budget process was discussed.

**Personnel** - Councilwoman Chrisner-Keefe did not have any updates.

**Parks and Recreation and Communications** - Councilwoman Koch said the summer camp schedule will be released. She thanked the Board of Education and Borough of Fair Haven for upgrading McCarter Park. She thanked the Board of Education for contributing to the future turf field within the park.

**Planning & Zoning** - Councilwoman Koch said that April 8<sup>th</sup> is the next Zoning Board meeting. On March 16<sup>th</sup>, the Planning Board looked at the proposed Police Department plans; Mayor and Council and its professionals attended. Excellent suggestions were made at the meeting. The Planning Board will compile a letter to the Facilities Committee for their review and response. At the April 20<sup>th</sup> Planning Board meeting, the DPW facility will be presented. Mayor Lucarelli thanked the Planning Board and Chairman Lehder for the process and those involved for their hard work; it was an excellent process and he is satisfied with the outcome.

**Police, Fire & OEM** - Councilman McCue said there are 63 active COVID cases. He thanked the Chief and Mayor for organizing a Senior Citizen vaccination registration on Sunday; there were 67 seniors registered for the vaccine. The program is starting tomorrow. The VNA was thanked for their assistance and accommodating the seniors. The Mayor thanked Chief and the Police Department for the excellent job they did and for the relief on the resident’s faces. Chief McGovern said that his department followed up with residents to make sure they received their appointment date.

**Engineering, DPW and Borough Facilities** - Councilman Rodriguez said the Police Department capital review took place last week at the Planning Board meeting. There was a lot of preliminary plans and discussion prior to moving forward and before the expenses start. He hopes for the same turn out for the DPW Facility with similar discussions.

The Brush Committee met in the beginning of March. He thanked the people serving on the Committee; they will provide Council with some solutions/recommendations for discussion at the April 12<sup>th</sup> meeting.

Administrator Casagrande said the Mount Laurel Committee met and there were some last-minute changes today to the M&M Realty ordinance; we are still working out the details, so all of the Borough professionals are on the same page. Mike Edwards, Esq., recommended the ordinance and resolution for settlement listed on the agenda be tabled. Mr. Edwards spoke with the Court Master and asked for a postponement for the ordinance and agreement; the court agreed.

**INTRODUCTION OF ORDINANCES**

1. Ordinance No. 2021-05, Amend Salary Ordinance No. 2021-04

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH SETTING THE SALARY RANGES OF OFFICERS, EMPLOYEES AND ADMINISTRATIVE AND EXEMPT MEMBER OF THE BOROUGH OF FAIR HAVEN**

**BE IT ORDAINED** by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey that the purpose of this Ordinance is to amend Ordinance 2019-04 to alter and reflect current salary ranges paid within the Borough, as last revised and passed May 13, 2019.

**NOTE:** Additions are in ***bold italics with underlines***, deletions are shown as ***~~strikeovers in bold italics~~***.

**SECTION 1. ADMINISTRATIVE OFFICE AND EMPLOYEES**

<b><u>TITLE</u></b>	<b><u>MINIMUM - MAXIMUM</u></b>
Borough Administrator	\$ 60,000.00 - 165,000.00
Assistant Borough Administrator	\$ 500.00 - 25,000.00
Borough Clerk	\$ 40,000.00 - 90,000.00
Deputy Borough Clerk	\$ 2,000.00 - 5,000.00
Chief Financial Officer	\$ 20,000.00 - 40,000.00*
Assistant Chief Financial Officer	\$ 25,000.00 - 70,000.00
Payroll Coordinator	\$ 3,500.00 - 7,500.00
Tax Collector	\$ 35,000.00 - 60,000.00*
Tax Search Officer	\$ 1,000.00 - 3,500.00*
Municipal Court Administrator	\$ 5,000.00 - 25,000.00*
Tax Assessor	\$ 15,000.00 - 30,000.00
Administrative Assistant	\$ 18,000.00 - 45,000.00
Registrar	\$ 2,000.00 - 4,000.00
Librarian	\$ 30,000.00 - 55,000.00
Assistant Librarian	\$ 20,000.00 - 40,000.00

Municipal Judge	\$ 10,000.00 - 20,000.00
Municipal Prosecutor	\$ 7,500.00 - 20,000.00
Parks and Recreation Director	\$ 30,000.00 - 70,000.00
<b><u>Assistant to the Administrator</u></b>	
<b><u>for Special Projects</u></b>	<b><u>\$ 10,000.00 - 20,000.00</u></b>
Chief of Police	\$ 85,000.00 - 165,000.00
Police Officer	\$ 30,000.00 - 135,000.00
Code Enforcement Officer	\$ 10,000.00 - 25,000.00
Zoning Officer	\$ 10,000.00 - 35,000.00
Construction Official	\$ 20,000.00 - 45,000.00*
Fire Sub-Code Officer	\$ 4,000.00 - 15,000.00*
Fire Prevention Officer	\$ 4,000.00 - 8,000.00*
Plumbing Inspector	\$ 3,000.00 - 15,000.00*
Electrical Inspector	\$ 5,000.00 - 15,000.00*
School Crossing Guard ( <i>permanent</i> )	\$ 5,000.00 - 12,000.00
Director of Engineering/Director of Public Works	\$80,000.00 - 140,000.00
Assistant Director of Engineering & Public Works	\$50,000.00 - 80,000.00
Public Works Foreman	\$50,000.00 - 80,000.00
Buildings, Grounds and Parks Foreman	\$ 2,000.00 - 5,000.00
Streets and Sanitation Foreman	\$ 2,000.00 - 5,000.00
Mechanic	\$ 45,000.00 - 80,000.00
Public Works Laborer	\$ 27,500.00 - 75,000.00
Municipal Alliance Coordinator	\$ 5,000.00 - 20,000.00
Recycling Coordinator	\$ 500.00 - 2,500.00
Performance Based Merit Bonus	\$ 0.00 - 10,000.00

**HOURLY RANGES**

Receptionist/Secretary	\$15.00 - 30.00 per hour
Assistant Parks and Recreation Director	\$14.00 - 18.00 per hour
Police Records Clerk	\$12.00 - 30.00 per hour <b><u>12.00 - 30.00 per hour</u></b>
Special Officer Class I	\$12.00 - 20.00 per hour
Special Officer Class II	\$13.00 - 20.00 per hour
School Crossing Guard ( <i>substitute</i> )	\$12.00 - 17.00 per hour
Public Works Laborer	\$12.00 - 20.00 per hour
Planning Board Secretary	\$12.00 - 30.00 per hour
Zoning Board Secretary	\$12.00 - 30.00 per hour
Code Enforcement Officer	\$12.00 - 18.00 per hour
Deputy Court Administrator/Violations Clerk	\$13.00 - 18.00 per hour*
Library Assistant	\$12.00 - 20.00 per hour
Clean Communities Worker	\$12.00 - 15.00 per hour
Summer Camp Counselors	\$12.00 - 20.00 per hour
Tennis Camp Instructors	\$14.00 - 18.00 per hour

**BE IT FURTHER ORDAINED** that specific salaries and bonuses within the ranges will be set by a negotiated contract or in an annual salary resolution adopted by the governing body.

\*Services provided through an Interlocal Service Agreement (positions are currently vacant)

Offered for introduction by Councilwoman Koch, second by Councilman McCue

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

- Ordinance No. 2021-06, Amend Fair Share Housing: This matter was tabled to the April 12<sup>th</sup> meeting.

**CONSENT AGENDA**

**RESOLUTIONS**

- Resolution No. 2021-88, Executive Session – Personnel and Pending Litigation

**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 Department Social Security
- 2. Finance Office

**Pending Litigation**

- 1. Yacht Works

**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 Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

- 2. Resolution No. 2021-89, Accept Amended Performance Guarantees for 304 Fair Haven Road

**WHEREAS**, Resolution No. 2020-210 was adopted by Mayor and Council at their December 14, 2020 meeting; and

**WHEREAS**, the resolution accepted Subdivision/Site Improvement Bond (800047616) in the amount of \$24,600.00 for said project at 304 Fair Haven Road; and

**WHEREAS**, in accordance with Municipal Land Use Law it is required that 10% Cash in the amount of \$2,460.00 be posted and a 90% Bond in the amount of \$22,140.00 be posted for the total amount of \$24,600.00; and

**WHEREAS**, Ms. Sackman submitted Check No. 416 in the amount of \$2,460.00 as the 10% cash and a Rider to Subdivision/Site Improvement Bond (800047616) in the amount of \$22,140.00 was provided by Atlantic Specialty Insurance Company.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven, that the aforementioned amended performance guarantees are accepted by the Borough in order to secure performance by the property owner of a minor subdivision to effectuate the terms and conditions of the subdivision approval.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

- 3. Resolution No. 2021-90, Support a Preliminary Preferred Alternative for the Replacement of Monmouth County Bridge S-31 on County Route 8A

**WHEREAS**, Monmouth County Bridge S-31, spanning the Navesink River and connecting the Borough of Rumson and Township of Middletown, was constructed in 1939; and

**WHEREAS**, the Office of the County Engineer has determined that the bridge is in need of major rehabilitation and/or replacement and, through a federally funded Local Concept Development process administered by North Jersey Transportation Planning Authority (NJTPA), has performed an alternatives analysis to identify and evaluate viable and feasible alternatives to replace and/or rehabilitate the bridge; and

**WHEREAS**, the NJTPA and the New Jersey Department of Transportation have been Project Team members with Monmouth County; and

**WHEREAS**, the Project Team held three (3) Public Information Centers to inform the public and receive comments and input for the project; and

**WHEREAS**, the Project Team met with respective municipal representatives from the

Borough of Rumson and Township of Middletown to inform them and receive comments; and

**WHEREAS**, based on the alternatives analysis and the public and municipal comments, the Project Team's Preliminary Preferred Alternatives (PPA), referred to as "Alternative 7A Modified", is a complete replacement of the bridge with a fixed span and an alignment east of the existing bridge structure; and

**WHEREAS**, the Borough of Fair Haven supports the Project Team's PPA "Alternative 7A Modified" of a complete replacement of the bridge with a fixed span and an alignment east of the existing bridge structure; and

**WHEREAS**, the Borough of Fair Haven hereby requests that the U.S. Coast Guard reconsider its recommended fixed span vertical clearance of sixty-five (65) feet above mean high water so as to provide for a new vertical alignment which will maintain the natural beauty of the surrounding environment with a context sensitive structure which will provide ease of use by pedestrians and bicyclists while maintaining the navigational utility of this crossing; and

**WHEREAS**, the significant number of public comments that have been received throughout the NJTPA-Local Scoping Phase, while selecting the final preferred alternative, have overwhelmingly stated the historic and esthetic significance of the existing bridge to our community, and as such, the Borough of Rumson is requesting that the historic and esthetic significance be considered to be an integral part of the Preliminary Design Phase of the new bridge; and

**WHEREAS**, the County of Monmouth is desirous of completing the Local Concept Development phase and proceeding to the Preliminary and Final Design phases; and

**WHEREAS**, to qualify to receive Federal funding for the Preliminary and Final Design phases, a Resolution of Support of the project was requested from the Borough of Fair Haven to be included in the Local Concept Development phase project documentation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Fair Haven, hereby supports the PPA "Alternative 7A Modified", complete replacement of the bridge with a fixed span and an alignment east of the existing bridge structure, and request reconsideration of the U.S. Coast Guard's recommended vertical clearance of sixty-five (65) feet above mean high water.

**BE IT FURTHER RESOLVED** that as part of that support, the Project Team shall consider the historic and esthetic significance as an integral part of the Preliminary Design Phase of the new bridge; and

**BE IT FURTHER RESOLVED** that a certified true copy of this Resolution of support shall be forwarded to the Monmouth County Engineer, the Borough Rumson and the Township of Middletown.

Councilman Rodriguez asked the Mayor to brief the Council and public on this. Mayor said there are a lot of "it's a big mistake" signs on front lawns regarding the bridge from Rumson to Middletown. The bridge has been slated to be replaced for the past 10 years and the County has spent \$10 million in repairs while a design has been finalized and agreed upon. There are two federal entities involved. The Coast Guard states that the bridge can be a bascule bridge (which is a bridge that opens) or a fixed span bridge, but it must be 65 feet high to allow yachts and boats that are 55 feet high to pass through. The Federal Government will fund \$147 million to pay for the bridge if it is a 65' fixed span. The resolution listed tonight supports the Alternative 7A, Modified; which is for a 50' fixed span bridge which is the best and most eloquent solution that the County can come up with for this matter. There have been discussions/meetings with County Engineer Joe Ettore and County Director Tom Arnone. This resolution will support the connecting bridge between Rumson and Middletown by encouraging and advocating this idea to the Coast Guard.

Councilman Rodriguez said this matter was the first assignment given to him when he started on Council. He has participated in many County and State meetings with many alternatives presented. This new plan is solid with pedestrian and bike safety features and emergency lanes for disabled vehicles, etc. This is important and he supports the plan.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

4. Resolution No. 2021-91, Amend 2021 Temporary Budget

**WHEREAS**, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2021 temporary budget for the aforesaid purposes; and

**WHEREAS**, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

**WHEREAS**, the total temporary emergency resolutions adopted in the year 2021 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$2,983,005.98 for the Current Fund.

**NOW, THEREFORE, BE IT RESOLVED** that not less than two-thirds of all members of the Borough Council of the Borough of Fair Haven, New Jersey affirmatively concurring in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

Account Number	Description	Amount	Reason
<b>Current Account</b>			
1-01-20-100-101	Admin Salaries	\$10000.00	Add to Temp Budget
1-01-20-100-202	Administration Contractual	\$5000.00	Add to Temp Budget
1-01-20-145-101	Tax Collection Salaries	\$3000.00	Add to Temp Budget
1-01-20-150-101	Tax Assessment Salaries	\$3000.00	Add to Temp Budget
1-01-20-155-211	Legal	\$30000.00	Add to Temp Budget
1-01-21-180-211	P.B. Contractual	\$20000.00	Add to Temp Budget
1-01-21-185-211	Z.B. Contractual	\$2000.00	Add to Temp Budget
1-01-21-186-101	Zoning Officer Salaries	\$3000.00	Add to Temp Budget
1-01-22-209-101	Code Enforcement Salaries	\$3000.00	Add to Temp Budget
1-01-23-210-228	Insurance General Liability	\$75.00	Add to Temp Budget
1-01-25-260-219	First Aid	\$4400.00	Add to Temp Budget
1-01-25-265-276	Hydrants	\$18000.00	Add to Temp Budget
1-01-26-305-202	Solid Wase Contractual	\$74000.00	Add to Temp Budget
1-01-26-310-204	Building & Grounds	\$5000.00	Add to Temp Budget
1-01-28-370-101	Recreation Salaries	\$7000.00	Add to Temp Budget
1-01-31-430-276	Electric Utilities	\$6000.00	Add to Temp Budget
1-01-31-435-276	Street Lighting Utilities	\$6000.00	Add to Temp Budget
1-01-31-440-276	Telephone Utilities	\$9000.00	Add to Temp Budget
1-01-31-446-276	Natural Gas Utilities	\$12000.00	Add to Temp Budget
1-01-31-460-276	Gasoline Utilities	\$5000.00	Add to Temp Budget
1-01-31-447-276	Fuel Oil Utilities	\$4000.00	Add to Temp Budget
1-01-32-465-201	Reclamation Fees	\$10000.00	Add to Temp Budget
1-01-36-471-299	PERS Miscellaneous	\$192617.00	Add to Temp Budget
1-01-36-475-299	PFRS Miscellaneous	\$435506.00	Add to Temp Budget
1-01-43-486-299	ILSA RFH Tech	\$2000.00	Add to Temp Budget
1-01-43-489-202	ILSA Tax Collector	\$4560.00	Add to Temp Budget
1-01-43-491-202	ILSA Finance	\$14950.00	Add to Temp Budget
1-01-43-494-202	Recycling Tax	\$2000.00	Add to Temp Budget
<b>TOTAL</b>		<b>\$891,108.00</b>	

2. That said emergency temporary appropriations will be provided for in the 2021 budget under the appropriate titles.

3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

5. Resolution No. 2021-92, Appoint Financial Advisor - Phoenix Advisors, LLC

**BE IT RESOLVED** by Benjamin Lucarelli, Mayor of the Borough of Fair Haven, that the following professional appointment of Financial Advisor be made for the year 2021 as follows with the advice and consent of Council:

Financial Advisor

Phoenix Associates

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

6. Resolution No. 2021-93, Appoint Borough Prosecutor - Anthony Vecchio

**BE IT RESOLVED** by Benjamin Lucarelli, Mayor of the Borough of Fair Haven, that the following professional appointment of Municipal Prosecutor be made for the year 2021 as follows with the advice and consent of Council:

Municipal Prosecutor Anthony Vecchio, Esq.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

7. Resolution No. 2021-94, Appoint Alternate Borough Prosecutor - William McGuinn, Esq.

**BE IT RESOLVED** by Benjamin Lucarelli, Mayor of the Borough of Fair Haven, that the following professional appointment of Alternate Municipal Prosecutor be made for the year 2021 as follows with the advice and consent of Council:

Alternate Municipal Prosecutor William McGuinn, Esq.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

8. Resolution No. 2021-95, Appoint Public Defender - Ray Raya, Esq.

**BE IT RESOLVED** by Benjamin Lucarelli, Mayor of the Borough of Fair Haven, that the following professional appointment of Municipal Public Defender be made for the year 2021 as follows with the advice and consent of Council:

Public Defender Ray Raya, Esq.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

9. Resolution No. 2021-96, Award Bid for Improvements to Harrison Avenue Project - Fernandes Construction

**WHEREAS**, the Borough of Fair Haven was awarded a 2019 NJDOT municipal aid grant in the amount of \$260,000.00 for Improvements to Harrison Avenue; and

**WHEREAS**, sealed bids were opened on March 16, 2021 at Borough Hall for Improvements to Harrison Avenue; and

**WHEREAS**, the following bids were received:

	<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>AMOUNT BID</u>
1.	Fernandes Construction	Monroe, NJ	\$472,760.80
2.	Precise Construction	Freehold, NJ	\$493,626.25
3.	Black Rock Enterprises	Old Bridge, NJ	\$499,276.97
4.	Earle Asphalt Company	Farmingdale, NJ	\$517,513.13



5. Meco, Inc. Millstone, NJ \$520,896.25

**WHEREAS**, Richard Gardella, PE, PP, CME, Borough Engineer and Gregory J. Cannon, Esq., Borough Attorney, reviewed the bids and recommend that a contract award be made to Fernandes Construction of Monroe, New Jersey in the amount of \$472,760.80; and

**WHEREAS**, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for the low bid are available in Capital Fund Appropriations, as attached; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for Improvements to Harrison Avenue to Fernandes Construction.

**BE IT FURTHER RESOLVED**, the Mayor and Clerk are hereby authorized to execute NJDOT Form SA-22 and an agreement with Fernandes Construction.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: Councilman Banahan

10. Resolution No. 2021-97, Adjust Nicolas Poruchynsky, Flood Plain Manager’s Salary

**WHEREAS**, there was an error in the 2020 salary for the position of Flood Plain Manager that carried into the 2021 salary for Nicolas Poruchynsky; and

**WHEREAS**, the 2020 salary for said position should have been \$6,763.00 as opposed to \$6,260.00 resulting in a need to pay the difference of \$503.00 to Mr. Poruchynsky; and

**WHEREAS**, the 2021 salary for Flood Plain Manager should be \$6,898.00 as opposed to \$6,386.00 listed in Resolution No. 2021-69 adopted February 22, 2021.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Nicolas Poruchynsky be provided a check in the amount of \$503.00 to rectify the error in the 2020 salary resolution and that his 2021 salary for Flood Plain Manager be corrected to the appropriate amount of \$6,898.00 and any additional retro be paid to him in the March 30, 2021 payroll.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: Councilman Banahan

11. Resolution No. 2021-98, Approve Stipend for Temporary Zoning Officer position - Joe Mulé

**WHEREAS**, there is a need to appoint a part-time, Temporary Zoning Officer to handle the workload in the Zoning Office in the absence of the Borough’s Zoning Officer; and

**WHEREAS**, the Borough’s Personnel Committee and Borough Administrator, Theresa Casagrande, hereby recommend that Joseph Mulé be appointed as the Temporary Zoning Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Joseph Mulé is appointed Temporary Zoning Officer, on a part-time basis at a weekly stipend of \$300.00.

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez  
Negative: None  
Abstain: None  
Absent: Councilman Banahan

12. Resolution No. 2021-99, Authorize Execution of Settlement Agreement for Fair Share Housing. This matter was tabled to the April 12<sup>th</sup> meeting.

13. Resolution No. 2021-100, Payment of Vouchers

**BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the March 22, 2021 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$ 10,204.09
2021 CURRENT ACCOUNT	\$ 223,245.33
GENERAL CAPITAL	\$ 108,940.10
GRANT FUND	\$ 200.00
OTHER TRUST	\$ 9,331.30
DOG TRUST	\$ 237.69
<b>TOTAL</b>	<b>\$ 352,158.48</b>

Offered for adoption by Councilwoman Koch, second by Councilman Rodriguez

Affirmative: Councilmembers Chrisner-Keefe, Koch, McCue, Neff and Rodriguez

Negative: None

Abstain: None

Absent: Councilman Banahan

**Reports of Departments**

**February 2021**

-Police Department

-Municipal Court

-Budget Status

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

**GOOD OF THE BOROUGH**

Mayor Lucarelli opened the meeting to the public for comments or questions at 7:58 p.m. Christopher Hempstead, Willow Street, asked if there is any information that can be shared with regard to a traffic study for Willow Street or if there have been any findings (he is waiting on the Superintendent of Schools to reply to him). Administrator Casagrande said that Engineer Gardella is working with School engineers, but the school has to provide that information as it is their project (it is not for the Borough to share). Mr. Hempstead said park safety is a concern and asked if the Borough can close off the roadway to cars? There was brief discussion on the matter. He has spoken with some of the governing body privately and publicly and asked how he can escalate this matter, so it goes to the Council, not the Board of Education. Administrator Casagrande said that Superintendent McNeill has already corresponded with him regarding this matter and the Borough professionals are assisting their professionals, but it is a school project. Councilwoman Chrisner-Keefe asked if a subcommittee is looking at this? Councilmembers Rodriguez and McCue are the Engineering liaisons/representation for the Borough. She said that Mr. Hempstead has put a lot of time and input into this matter and there are safety concerns with how the Board of Education has this laid out and is approaching it. There has to be a better way to correct drop off and pick up at the school and for the surrounding roads. Councilwoman Chrisner-Keefe said the residents in the area should be heard on their concerns for the safety of the school children and their own families. Mr. Hempstead said he is thankful for the police presence there and the fantastic job they do for drop off and pick up. He wanted this to be rectified pre-construction (safety of public) and was advised there was no plan (received in writing) at this time. This matter needs to be given the proper consideration that it is due. Councilwoman Koch said parking at the school is getting worse; people are parking on both sides of Willow (east of Oak Place) facing west so it is a narrow way to pass by. She asked the Chief if this is illegal parking and how it can/should be addressed? Chief McGovern said that there is parking on both side and they need to park with the flow of traffic. Councilwoman Chrisner-Keefe said what Councilwoman Koch said is what Mr. Hempstead wants addressed. Parents have to leave vehicles to get their children which is where the issue lies; it is an unsafe situation for parents, emergency vehicles, children, etc. Councilwoman Neff said she hasn't seen the plans, but any improvements would be great. There needs to be enhancements for biking and walking to the area vs. using a car (minus poor weather conditions). Administrator Casagrande said the Borough is following its adopted Active Transportation Plan for sidewalks beginning at McCarter Pond to the school. The Mayor and Council will have to look at and work with the school on the plan to be sure that concerns are addressed (sidewalk width, crosswalks, etc). Mayor Lucarelli said there is a plan in place, an engineering firm has been hired and they are working with our engineers. The decision is up to the school.

Councilwoman Koch said the walking challenge ended today. She thanked Kate Raftery and Councilman Rodriguez for starting this; the winner will be announced mid-week. Councilman Rodriguez thanked the Recreation Committee; another challenge will take place soon. Mayor Lucarelli said the challenge was a huge success.

There being no further comments or questions, the meeting was closed to the public at 8:16 p.m.

Council went into executive session at 8:20 p.m. and this meeting was reconvened at 9:29 p.m.

**ADJOURNMENT**

Motion to adjourn moved by Councilman Rodriguez, second by Councilwoman Chrisner-Keefe with Ayes by all present.

Time of Adjournment: 9:30 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk