

**FAIR HAVEN BOROUGH COUNCIL  
SPECIAL COUNCIL MEETING  
AUGUST 7, 2023**

The meeting was called to order by Mayor Halpern at 8:32 a.m. The Flag Salute was followed by a Moment of Silent Reflection. 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)).

THIS MEETING IS BEING HELD THROUGH THE ZOOM MEETING PLATFORM ONLY, BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS SPECIAL COUNCIL MEETING OF AUGUST 7, 2023 IS AVAILABLE BY CALL IN PHONE NUMBER OR THROUGH WEB CONFERENCE (ZOOM). MEMBERS OF THE PUBLIC WILL BE ON MUTE UNTIL IT IS TIME FOR QUESTIONS/COMMENTS, 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 SPECIAL MEETING WAS SENT TO THE ASBURY PARK PRESS, THE TWO RIVER TIMES AND THE STAR LEDGER ON JULY 25, 2023. NOTICE WAS ALSO POSTED ON THE BOROUGH WEBSITE, FACEBOOK PAGE, CONSTANT CONTACT, 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 Hoey, Koch, LaBarbera and Rodriguez. Absent: Councilmembers Cole and Neff. Others present: Administrator Casagrande, Engineer Gardella and Chief McGovern.

**WORKSHOP SESSION**

1. Request from Cameron Spector, Cap Gun Productions, to film in the Fair Haven Fields Natural Area on August 13, 2023 and have the permit fees waived

Councilmember LaBarbera asked if Mr. Spector has asked every time he has filmed for a waiver; he has. He asked what the long-term plans/goals are. Councilmember LaBarbera was advised that the films take place at different locations within the Borough not just Fair Haven Fields. Mr. Spector was in attendance and was invited to speak/address questions and concerns. He was asked how many times he was going to request the fee be waived and what his long-term goals are.

Cameron Spector thanked the governing body for allowing him to be part of the meeting. He said the goal is to get to a point where he can afford to pay the Borough's commercial filming fee; he is currently a college student, so it is hard to pay the fees. He felt the fees are expensive and exclusionary making it hard for small film makers to make a film in the Borough. Councilman LaBarbera said he understood and could appreciate it, but it sets precedent. It is important to plan ahead if this is the ultimate goal by having funding mechanisms for the future. Mr. Spector understood and would like to have a meeting after this shoot. He would like to have next steps for the future especially with Netflix coming to the area. He has extended the invitation to past Councils and would like to speak with this governing body about his thoughts and suggestions for the Borough's filming ordinance to make it film maker friendly. Borough Clerk Cinquegrana advised that she attended a NJ Motion Picture and Television Commission seminar as well as participating in a one-on-one Zoom with a representative from the Commission who reviewed Fair Haven's ordinance and found it to be acceptable and within what other municipalities charge for filming. There are some fees that are a little low and one or two are at the cusp or high.

Mayor Halpern reiterated to Cameron that an exception will not be made in the future on timing. If there is a plan to film, it must provide enough time for the application to be submitted, reviewed and listed on an agenda for governing body approval. It is important to plan ahead and not make it an emergency. If a request does not make the deadline, then it will have to wait until the next Council agenda.

Motion to approve Cap Gun Productions request to film and the waiver of fees moved by Councilmember LaBarbera, second by Councilmember Rodriguez

Affirmative: Councilmembers Hoey, Koch, LaBarbera and Rodriguez

Negative: None  
Abstain: None  
Absent: Councilmembers Cole and Neff

Clerk Cinquegrana advised she would contact Mr. Spector once the permit has been worked up. Cameron invited the governing body to come by and support his film.

There was a question/request for clarification regarding Resolution No. 2023-200 by Councilmember Hoey as it pertains to her street. Clerk Cinquegrana advised that NJ Natural Gas had a main replacement project approximately 10 years ago that they posted a bond for and have maintained to date. They requested the bond be released due to the time since the project. Nick Poruchynsky has released the bond. The revised Street Opening ordinance provides an option to post a blanket bond in the amount of \$100,000 for utility projects and they need to close out this bond to secure a new bond.

Councilman LaBarbera advised he had a three slide Power Point to support Resolution No. 2023-199 that he wished to share. He advised that costs did come in and he spoke to each; there was a DPW Site cost breakdown which came in a little over a half million dollars; he provided sub-components. Brian Meade, PCM Company had provided costs that were not included such as earthwork, fences and gates, turf and grasses and exterior plantings. The construction total for the site comes in around \$723,367 and we are currently at \$120,000 in plants and grass. With the rain garden there were 900+ plantings which has been “dialed back”. The total DPW Renovation Project will be approximately \$3.8 million. Fuel Tanks will be a separate project/validation and will cost no more than \$650,000. There will be a total capital review by the Mayor and Finance Committee.

Off-site Maple Avenue Improvements are going to be placed in the bid packet as an alternate (estimated to be \$242,770). We need the bids amounts for the police department/community center and DPW to further review bond amounts. Councilmember Hoey asked what the total construction would cost; \$4.5 million. vs. a new building cost of \$7.3 million. She clarified that there would be a rain garden installed at the police department/community center location; yes, because it would be water vs. oil and other materials from the DPW site.

**PUBLIC COMMENT**

The meeting was opened to the public for comment or questions at 8:48 a.m. There being none, the meeting was closed to the public at 8:49 a.m.

**RESOLUTIONS**

1. Resolution No. 2023-199, Authorize Receipt of Bids for Renovation of the DPW Facility

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that authorization is given to the Borough Administrator and Borough Professionals to advertise for receipt of bids in the official Borough newspapers and through the services of BidNet Direct for Renovations to the DPW Facility Project.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Hoey, Koch, LaBarbera and Rodriguez  
Negative: None  
Abstain: None  
Absent: Councilmembers Cole and Neff

2. Resolution No. 2023-200, Authorize Bond Release to NJ Natural Gas for Dartmouth Avenue Project

**WHEREAS**, Resolution No. 2012-51 was adopted on February 13, 2012 accepting Bond No. 105695963 from Travelers Casualty and Surety Company of America in the amount of \$11,500 for a New Jersey Natural Gas Main Renewal Project for the Dartmouth Avenue area (Street Opening Permit 2012-01); and

**WHEREAS**, the bond has been renewed over the years and a request to release the bond has been submitted, in writing, by New Jersey Natural Gas; and

**WHEREAS**, Nicolas Poruchynsky, Assistant Director of Engineering and DPW, has reviewed the matter and authorized the bond release.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Bond No.105695963 from Travelers Casualty and Surety Company of America in the amount of \$11,500 be released to New Jersey Natural Gas so they can close out their file.

Offered for adoption by Councilmember Hoey, second by Councilmember LaBarbera

Affirmative: Councilmembers Hoey, Koch, LaBarbera and Rodriguez

Negative: None

Abstain: None

Absent: Councilmembers Cole and Neff

**ADJOURNMENT**

Motion to adjourn moved by Councilmember Hoey, second by Councilmember Koch with Ayes by all present.

Time of Adjournment: 8:49 a.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk