

**FAIR HAVEN BOROUGH COUNCIL
SPECIAL COUNCIL MEETING
SEPTEMBER 18, 2023**

The meeting was called to order by Mayor Halpern at 9:38 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 SEPTEMBER 18, 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 SEPTEMBER 12, 2023. NOTICE WAS ALSO POSTED ON THE BOROUGH WEBSITE, FACEBOOK PAGE, THE BULLETIN BOARD IN THE MUNICIPAL BUILDING, AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED UNDER THE STATUTE.

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

ROLL CALL

On Roll Call the following were present: Councilmembers Cole, Hoey, Koch, LaBarbera and Rodriguez. Absent: Councilmember Neff. Others present: Administrator Casagrande and Chief McGovern.

PUBLIC COMMENT ON AGENDA ITEM

The meeting was opened to the public for comment or questions at 9:40 a.m. There being none, the meeting was closed to the public at 9:41 a.m.

RESOLUTIONS

1. Resolution No. 2023-234, Authorize Award of Bid for the new Police Department and Community Center Facility

WHEREAS, the Mayor and Council authorized the advertisement for receipt of bids for a new Police Facility and Community Center; and

WHEREAS, sealed bids were opened on August 31, 2023 and the following bids were received:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT BID</u>
1. J.R. Contracting & Environmental Consulting	Wayne, NJ	\$6,500,000.00
2. Structural Concepts	Ocean, NJ	\$7,493,000.00
3. Hall Building Corp.	Farmingdale, NJ	\$8,285,000.00
4. Crosson Construction Co.	Rumson, NJ	\$8,293,000.00
5. Pharos Enterprises, LLC.	Holmdel, NJ	\$8,426,000.00
6. Niram, Inc.	Cedar Knolls, NJ	\$9,213,000.00
7. Tekcon Construction, Inc.	Somerset, NJ	\$9,544,212.00
8. M&M Construction Company	Cranford, NJ	\$9,530,000.00
9. Shorelands Construction, Inc.	Monmouth Beach, NJ	\$9,554,000.00

WHEREAS, J.R. Contracting & Environmental Consulting, Wayne, New Jersey submitted a letter of withdrawal which has been accepted by the Mayor and Council; and

WHEREAS, the next apparent low bidder was Structural Concepts, Ocean, New Jersey, whose bid has been disqualified on the basis of required bid documents not being part of their bid submission; and

WHEREAS, Andrew Sobel, Esq., Borough Attorney and Eli Goldstein, Borough Architect, reviewed the bid submissions and recommend that a contract award for the base bid be made to Hall Building Corp., 33 Main Street, P.O. Box 904, Farmingdale, New Jersey 07727 in the amount of

\$8,285,000.00; and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for said bid award are available in multiple Capital Fund Appropriations, as attached.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for a new Police Facility and Community Center to Hall Building Corp., 33 Main Street, P.O. Box 904, Farmingdale, New Jersey 07727.

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute any paperwork necessary to move this project forward.

Councilwoman Cole asked if a financial review was being conducted prior to this award? Administrator Casagrande noted the Certification of Funds from the Borough CFO to award the bid in the meeting packet and advised there will be further discussion at the next Finance meeting. Councilwoman Cole asked if there was a 10% contingency included in the bid amount of \$8,285,000? Administrator Casagrande responded no, the bid specifications did not include a contingency; a change order would be submitted for approval. Councilman LaBarbera stated that the professionals' guidance was not to include a contingency in this bid process. Councilwoman Cole asked what the Borough's ability to fund a change order is and would it be approved by the Governing Body? Yes, Administrator Casagrande read the remaining funds from previous facilities bond ordinances. Councilwoman Cole would like the record to reflect she is slightly uncomfortable making this decision today. Mayor Halpern noted that the professionals guided the Governing Body's timeline for this project and he placed on the record why there was a need for this Special Meeting. Further discussion regarding financing with our professionals will occur at the following Regular Council meeting as has been the intent from the beginning.

Offered for adoption by Councilmember LaBarbera, second by Councilmember Hoey.

Affirmative: Councilmembers Cole, Hoey, Koch, LaBarbera and Rodriguez

Negative: None

Abstain: None

Absent: Councilmember Neff

GOOD OF THE BOROUGH

The meeting was opened to the public for comment or questions at 9:50 a.m.

Councilwoman Koch thanked Councilman LaBarbera for all his efforts in bringing this project forward. He responded that it was a team effort.

The meeting was closed to the public at 9:52 a.m.

ADJOURNMENT

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

Time of Adjournment: 9:52 a.m.

Respectfully submitted,

Krystie Larsen
Deputy Borough Clerk