

**FAIR HAVEN BOROUGH COUNCIL
SPECIAL MEETING – VIA ZOOM PLATFORM
NOVEMBER 15, 2021**

The meeting was called to order by Mayor Halpern at 7:02 p.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 AND BEING BROADCAST FROM BOROUGH HALL, 748 RIVER ROAD, FAIR HAVEN, NJ. PUBLIC PARTICIPATION FOR THIS SPECIAL COUNCIL MEETING OF OCTOBER 18, 2021 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 NOVEMBER 9, 2021. 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 Chrisner-Keefe, Koch, McCue, Neff and Rodriguez. Absent: Councilwoman McCabe. Others present: Administrator Casagrande, Engineer Gardella and Attorney Cannon.

Before moving forward with public comments on agenda item, Mayor Halpern read FAQs from the Council that they received from the public. The first question was what the proposed start and end date for the project once the bid is awarded. Engineer Gardella spoke with the contractor and if the weather permits, they will start on the drainage in the next two months. This approach would be optimal as it would allow for the trench to settle followed by curb work and milling and paving in the spring. The next question was when residents of Hance Road and Cooney Terrace will be notified; the contractor will hand deliver notices and the Borough will post information through Facebook, Constant Contact and the Borough’s website. It was asked if a resident does not have curbing and wants to get curbing, what is the mechanism to do so? There is no mechanism for new curb requests. The decision to replace existing curb or replace only curbing that would be needed to assure adequate drainage was already made by the governing body and we are tied to the bid design. Engineer Gardella has very minimal quantities built into this job for required curbing, but not enough for curbing throughout the project. The next question was if there was a read on the Certified Tree Expert and what will the cost be? We do not have a quote for an Arborist yet, we are going to obtain a quote from the same Arborist that looked at Buttonwood Drive. The cost for same will not be covered by the grant and was not part of the bid. A high-level explanation was requested on the budget and expected costs vs. the grant money secured. The NJDOT grant that the Borough received will cover the total scope of work in the bid design minus a few items that were deemed ineligible in their comments. Any ineligible items such as the services of the Arborist will be covered by the total funding previously authorized for this project. Are there any impacts from the State awarded grant considering the change in design? Essentially the grant will cover the entire cost of the project. Noting any allowances for change orders (plus or minus which cannot exceed 20% of the total bid award). In the end, NJDOT will reimburse the Borough for all eligible pay items up to the total award which will be less than the original \$350,000 grant allowance.

PUBLIC COMMENT ON AGENDA ITEM

The meeting was opened to the public for comments or questions at 7:07 p.m. Claudia Brady, Fair Haven Road, said that most of her questions were covered in the FAQs. She noticed that in the bid specification it stated two trees to be removed; she asked that the two trees be identified. Engineer Gardella said that she was correct, and they would be the two trees we initially talked about at the intersection of Lewis Point Road and Hance Road. He was not sure they will come out but had to identify a quantity for the bid pay item which would eliminate the need for negotiation. The Arborist will look at the Hance Road and Cooney Terrace trees; typically, tree removal is covered in the grant. Mayor Halpern stated that as of right now, there are no trees coming down. We are hiring an Arborist to look at the entire street to be sure there are no dangerous trees that can fall. Mrs.

Brady was concerned because there could be asphalt near the trees at 18 Hance Road and wants the Arborist to look at that.

Marti Egger, Hance Road, followed up on what Mrs. Brady was saying. She confirmed that Engineer Gardella stated it is a placeholder in case a tree has to come down but that does not mean any trees will come down. She asked if someone spoke with the homeowners at Lewis Point Road and Hance Road on the possible loss of trees? Engineer Gardella said that he has not spoken with the homeowners. Bill Brooks looked at them and they are in the right of way; everyone is aware of the trees noted because they have been a topic of discussion for a while. It is a placeholder; the professional arborist will come in and look at them. Councilman Rodriguez had a conversation with the homeowner of Lewis Point Road and Hance Road (on the NE corner property) a few weeks ago. They were not for or against any tree removal, but more concerned with replanting their landscaping. Mrs. Egger read from the bid and asked about items disturbed being made right. Engineer Gardella said usually he handles it in the field, and we replace what is there once the work has been done. Mrs. Egger asked what type of curbing will there be? Concrete and any locations where there is asphalt will be concrete. She asked if the arborist will be included when it comes to tree roots? Engineer Gardella said that he does not anticipate it being an issue based on the scope of work.

Tracy Cole, Grange Avenue, asked the Borough to have the Arborist preserve the canopy (which is the goal) minus any dangers. She went to the website to look at the plans and they are different from what was circulated; the plans on the website show sidewalks. She requested that the Borough swap the plans on the website, so the public understands the scope of work. Mayor Halpern assured her and the public that the governing body is not voting on sidewalks. Mrs. Cole said that she appreciates the work and effort that has gone into this solution for the community and neighborhood.

There being no further comments or questions, the meeting was closed to the public at 7:20 p.m.

Mayor Halpern thanked Council for their work on this. He is glad we are at this point and have the opportunity to make a good fiscal decision for the community. He thanked Administrator Casagrande, Borough Clerk Cinquegrana, Engineer Gardella and Attorney Cannon for all they did to get us to this point and their flexibility “in the 9th inning”. The Mayor thanked the community for their involvement in this process. We created a plan to last for years and years to help make this community a safer and more beautiful place.

Mayor Halpern asked Council if they had any comments or questions. Councilwoman Chrisner-Keefe said this project has been one of the most difficult projects during her tenure on Council. There have been sleepless nights because the decisions are hard and involve a lot of money. She is proud of the work done and the residents for speaking up and sharing their concerns. She is grateful we are where we are. She thanked her fellow Councilmembers and the public stating this is the best-case scenario of an outcome. Hopefully lessons were learned and can be applied moving forward.

RESOLUTIONS

1. Resolution No. 2021-244, Award Bid for Improvements to Hance Road and Cooney Terrace Phase II Project

WHEREAS, the Borough of Fair Haven was awarded a 2020 NJDOT municipal aid grant in the amount of \$350,000.00 for Improvements to Hance Road and Cooney Terrace, Phase II; and

WHEREAS, sealed bids were opened on November 10, 2021 at Borough Hall for Improvements to Hance Road and Cooney Terrace, Phase II; and

WHEREAS, the following bids were received:

	<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>AMOUNT BID</u>
1.	Fernandes Construction	Monroe, NJ	\$301,925.61
2.	Earle Asphalt Company	Farmingdale, NJ	\$313,313.13
3.	Fiore Paving Company, Inc.	Oceanport, NJ	\$342,936.13
4.	S. Brothers, Inc.	Manalapan, NJ	\$379,227.00
5.	Seacoast, Inc.	East Brunswick, NJ	\$394,131.13
6.	Lima Charlie Construction	Tinton Falls, NJ	\$394,394.00

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, 25 Stonegate Drive, Monroe, New Jersey 08831 in the amount of \$301,925.61; 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 Hance Road and Cooney Terrace, Phase II to Fernandes Construction, 25 Stonegate Drive, Monroe, New Jersey 08831.

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 Councilman Rodriguez, second by Councilwoman Koch

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

Negative: None

Abstain: None

Absent: Councilwoman McCabe

ADJOURNMENT

Motion to adjourn moved by Councilman Rodriguez, second by Councilwoman Koch with Ayes by all present.

Time of Adjournment: 7:24 p.m.

Respectfully submitted,

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk