

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
APRIL 29, 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**
 - National Bike Month
 - National Police Officers Week (5/12-5/18)
7. **Workshop Session**
 - Tree Removal Appeal – 71 Maple Avenue
 - Request from Fair Haven PTA for lawn signs on private property through town: 8th grade graduation
 - Request from Youth Rugby to post lawn signs advertising registration until May 25th
 - COMCAST Cable Franchise Renewal Ordinance
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**
 - April 8, 2019 Regular Meeting
 - April 8, 2019 Executive Session
10. **Old Business**
11. **New Business**
 - Introduction of Ordinances**
 - 2019-04 Amend Salary Ordinance

Consent Agenda

Resolutions

- 2019-92 Certification of Compliance with Federal Civil Rights Requirements
- 2019-93 Authorize Administrator to execute subdivision application, Fisk Street (B 39, L20)
- 2019-94 Executive Session: Personnel, Litigation, Acquisition of Property and Contract Negotiations
- 2019-95 Appoint Permanent School Crossing Guard - Brian Allison
- 2019-96 Appoint Part-time DPW Summer Laborers – Liam Stephens and Jonathan Bevacqua
- 2019-97 Approve Police Department Capital Purchase – Live Scan Fingerprint Machine
- 2019-98 Waive ABC Municipal Codes for Fair Haven Day
- 2019-99 Establish Personnel for Fair Haven Day Event
- 2019-100 Approve Temporary Appropriation
- 2019-101 Payment of Vouchers

Department Reports

March 2019

-Tax Collector

-Municipal Court

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.**

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2019-04**

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 2017-03 to alter and reflect current salary ranges paid within the Borough, as last revised and passed April 10, 2017.

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

SECTION 1. ADMINISTRATIVE OFFICE AND EMPLOYEES

<u>TITLE</u>	<u>MINIMUM - MAXIMUM</u>	
Borough Administrator	\$40,000.00 - 147,000.00	<u>\$50,000.00-150,000.00</u>
Assistant Borough Administrator	\$ 500.00 - 25,000.00	
Borough Clerk	\$20,000.00 - 75,000.00	<u>\$40,000.00- 90,000.00</u>
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 - 65,000.00	
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 - 40,000.00	<u>\$45,000.00</u>
Registrar	\$ 2,000.00 - 4,000.00	
Librarian	\$ 22,000.00 - 50,000.00	<u>\$30,000.00-55,000.00</u>
Assistant Librarian	\$ 20,000.00 - 35,000.00	<u>\$40,000.00</u>
Municipal Judge	\$ 10,000.00 - 20,000.00	
Municipal Prosecutor	\$ 7,500.00 - 20,000.00	
Parks and Recreation Director	\$ 15,000.00 - 60,000.00	<u>\$30,000.00-65,000.00</u>
Chief of Police	\$ 75,000.00 - 147,000.00	<u>\$150,000.00</u>
Police Officer	\$ 30,000.00 - 125,000.00	<u>\$135,000.00</u>
Code Enforcement Officer	\$ 10,000.00 - 20,000.00	<u>\$25,000.00</u>
Zoning Officer	\$ 10,000.00 - 30,000.00	
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><u>permanent</u></i>)	\$ 5,000.00 - 10,000.00	<u>\$ 12,000.00</u>
Director of Engineering/Director of Public Works	\$ 80,000.00 - 130,000.00	<u>\$140,000.00</u>
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 - 3,000.00	<u>\$5,000.00</u>
Streets and Sanitation Foreman	\$ 2,000.00 - 3,000.00	<u>\$5,000.00</u>
Mechanic	\$ 45,000.00 - 80,000.00	

Public Works Laborer	\$ 27,500.00 - 72,500.00	<u>\$75,000.00</u>
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	\$10.00 - 15.00 per hour	
Assistant Parks and Recreation Director	\$14.00 - 18.00 per hour	
Police Records Clerk	\$10.00 - 18.00 per hour	
Special Officer Class I	\$10.00 - 17.00 per hour	<u>\$20.00/hour</u>
Special Officer Class II	\$13.00 - 18.00 per hour	<u>\$20.00/hour</u>
School Crossing Guard (<u><i>substitute</i></u>)	\$ 9.00 - 17.00 per hour	
Public Works Laborer	\$ 9.00- 15.00 per hour	<u>\$20.00/hour</u>
Planning Board Secretary	\$ 8.00 - 18.00 per hour	<u>\$20.00/hour</u>
Zoning Board Secretary	\$8.00 - 18.00 per hour	<u>\$20.00/hour</u>
Code Enforcement Officer	\$12.00 - 18.00 per hour	
Deputy Court Administrator/Violations Clerk	\$13.00 - 18.00 per hour*	
Library Assistant	\$10.00 - 17.00 per hour	<u>\$20.00/hour</u>
Clean Communities Worker	\$ 9.00 - 15.00 per hour	
Summer Camp Counselors	\$10.00 - 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)

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-92

TITLE: CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Haven, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-93

**TITLE: AUTHORIZING THE BUSINESS ADMINISTRATOR TO SIGN ALL
APPLICATIONS NECESSARY TO SUBDIVIDE BOROUGH PROPERTY
KNOWN AS BLOCK 39, LOT 20**

WHEREAS, the Borough is the owner of property known as Block 39, Lot 20 for which the State of New Jersey has granted an amendment to the Borough ROSI to remove a portion of the property; and

WHEREAS, a subdivision is required to separate the property into two (2) lots, one (1) within the ROSI and one (1) outside of same.

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 Business Administrator is authorized to execute any and all applications required for the subdivision of the aforementioned property.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-94

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:

Personnel

1. DPW Staffing

Litigation

1. Housing Element and Fair Share Plan

Possible Litigation

1. Right of Way Determination for Pocket Parks

Pending Litigation

- 1, Yacht Works

Acquisition of Property

1. River Road

Contract Negotiations

1. Public Relations Firm RFQ
2. Tax Collector Position
3. Solid Waste and Recycling Contract

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. 2019-95

**TITLE: APPOINTMENT OF BRIAN ALLISON AS A PERMANENT SCHOOL CROSSING
GUARD**

WHEREAS, a vacancy exists in the Fair Haven Police Department for the position of permanent school crossing guard; and

WHEREAS, Chief Joseph McGovern has recommended the vacancy be filled by Brian Allison who meets all of the required qualifications.

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that Brian Allison is hereby appointed as a Permanent School Crossing Guard with an annual salary of \$9,160.00 effective April 30, 2019.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-96

**TITLE: APPOINT TWO, PART TIME SEASONAL PUBLIC WORKS LABORERS –
JONATHAN BEVACQUA AND LIAM STEPHENS**

WHEREAS, there is a need for part-time Seasonal Public Works Laborers; and

WHEREAS, Richard Gardella, Director of Engineering and Public Works reviewed the applications submitted and submitted his recommendation for Jonathan Bevacqua and Liam Stephens be appointed as part-time Seasonal Laborers with hours not to exceed the number of hours required to be considered full time; and

WHEREAS, the rate of pay for this position is \$13.00 per hour.

NOW, THEREFORE, BE IT RESOLVED that the appointments of Jonathan Bevacqua and Liam Stephens as part-time Seasonal Laborers are hereby confirmed. The start date for Jonathan Bevacqua will be June 19, 2019 and Liam Stephens will start June 24, 2019.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-97

**TITLE: PURCHASE AUTHORIZATION FOR CAPITAL ITEM EXPENDITURE – IDEMIA
LIVE SCAN FINGERPRINT MACHINE**

WHEREAS, there is a need to update the Borough’s current fingerprint system as it is outdated and no longer serviceable; and

WHEREAS, funds have been authorized for the purchase of a Live Scan Fingerprint Machine in the 2019 Capital Budget; and

WHEREAS, the Borough Administrator and Police Chief are jointly recommending a Capital Item purchase authorization, as follows:

POLICE DEPARTMENT

IDEMIA Live Scan Fingerprint Machine

TOTAL NOT TO EXCEED

\$12,166.00

WHEREAS, the IDEMIA Live Scan Fingerprint will be purchased through an approved State Contract Vendor (Idemia 5515 East La Palma Avenue, Suite 100, Anaheim, CA 92807: State Contract T3083) as verified by the Borough’s Qualified Purchasing Agent (QPA).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that this Capital Item Expenditure is hereby approved and will be charged to Capital Account C-04-55-709-001 where funds have been certified by the Chief Financial Officer.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-98

TITLE: WAIVE BOROUGH CODE 3-19, SECTION 3-19.1 PROHIBITION OF OPEN CONSUMPTION OF ALCOHOL AND SECTION 9-1.22 ALCOHOLIC BEVERAGES PROHIBITED ON PUBLIC PROPERTY

WHEREAS, the Borough of Fair Haven will be holding a picnic for Fair Haven Day on June 15, 2019 (rain date June 16, 2019); and

WHEREAS, Borough Code 3-19.1 “prohibits open consumption of any alcoholic beverages on public property within the Borough unless authorized by the Governing Body, or on private property without consent of the owner of the property or the person, over the age of twenty-one (21) years, in possession or control of the property” and Borough Code 9-1.22 “prohibits alcoholic beverages while in a public park, open space, sanctuary, or recreation area and all persons shall conduct themselves in a proper and orderly manner and, in particular, no person shall bring alcoholic beverages, drink same at any time nor shall any person be under the influence of intoxicating liquor”; and

WHEREAS, the picnic will take place at Fair Haven Fields and will include the provision of alcoholic beverage requiring that the above-mentioned codes be waived for alcohol purchased through the Foundation of Fair Haven as no outside alcohol will be permitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Borough Codes 3-19.1 and 9-1.22 be waived on June 15, 2019 (rain date of June 16, 2019) between the hours of 4:00 p.m. and 10:00 p.m. for Fair Haven Day and codes be waived for alcohol purchased through the Foundation of Fair Haven as no outside alcohol will be permitted.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-99

TITLE: ESTABLISH PERSONNEL FOR THE FAIR HAVEN DAY EVENT

WHEREAS, the Mayor and Council of the Borough of Fair Haven that the Borough Administrator is authorized to allocate Borough resources, including Borough Personnel and budgeted funds, to successfully carry out the Fair Haven Day event on June 15, 2019.

BE IT FURTHER RESOLVED that Police personnel will receive the Special Duty Rate of \$50.00 per hour as per Ordinance 2017-10.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-100

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2019 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 2019 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$3,046,892.69 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
Current Account			
9-01-43-490-101	Municipal Court Salaries	\$ 2,000.00	Need until adoption
9-01-20-130-202	Finance Contractual	\$ 500.00	Need until adoption
9-01-27-330-211	Bd of Health Contractual	\$10,000.00	Need until adoption
9-01-43-491-202	ILSA Finance	\$ 500.00	Need until adoption
9-01-20-158-211	Legal Services Contractual	\$20,000.00	Need until adoption
TOTAL		\$ 33,000.00	

2. That said emergency temporary appropriations will be provided for in the 2019 budget under the appropriate titles.

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

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-101

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 April 29, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$ 105,335.48
2019 CURRENT ACCOUNT	\$ 1,350,645.39
GENERAL CAPITAL	\$ 35,934.50
GRANT FUND	\$ 846.57
OTHER TRUST	\$ 2,435.88
DOG TRUST	\$ 369.40
TOTAL	\$ 1,495,567.22