

Department Reports

September 2019

-Chief Financial Officer

October 2019

-Chief Financial Officer

November 2019

-Chief Financial Officer

December 2019

-Chief Financial Officer

January 2020

-Municipal Court

-Chief Financial Officer

11. **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*)
12. **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. 2020-01**

**2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Fair Haven in the County of Monmouth finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$67,979.30 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, Borough Council of the Borough of Fair Haven hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fair Haven, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Fair Haven shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$237,927.55 and that the CY 2020 municipal budget for the Borough of Fair Haven be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years, and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days of such adoption.

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2020-02**

**ORDINANCE AUTHORIZING THE BOROUGH OF FAIR HAVEN TO
ACQUIRE THE PREMISES KNOWN AS 623 RIVER ROAD, BLOCK 25, LOT 10,
IN THE BOROUGH OF FAIR HAVEN, MONMOUTH COUNTY, NEW JERSEY,
PURSUANT TO N.J.S.A. 40A:12-1 ET SEQ.**

WHEREAS, the Borough of Fair Haven has identified that certain real property designated as Block 25, Lot 10 on the Tax Map of the Borough of Fair Haven, commonly known as 623 River Road in the Borough of Fair Haven (the “Property”), as being appropriate for and needed for a public purpose, to wit, the construction of a municipal building to potentially house the Borough’s police department, municipal offices and council chambers; and

WHEREAS, the Borough has negotiated an Agreement for Sale and Purchase of Real Estate to acquire title to the Property listed above with the record title owner of the Property; and

WHEREAS, the Borough has determined that acquisition of the Property, the compensation to be paid for the Property and all matters incidental thereto and arising therefrom will be pursued as provided by N.J.S.A. 40A:12-1 et seq.; and

WHEREAS, the Borough of Fair Haven has determined that the property is for use of public purpose; and

WHEREAS, the public purpose for said property is for a municipal building.

NOW THEREFORE BE IT ORDAINED by the Borough of Fair Haven that the Borough of Fair Haven has determined that the property designated as Block 25, Lot 10, on the tax map of the Borough of Fair Haven and commonly known as 623 River Road, in the Borough of Fair Haven, would be an appropriate site for the public purposes of constructing a municipal building to potentially house the Borough’s police department, municipal offices and council chambers; and

BE IT FURTHER ORDAINED by the Borough of Fair Haven that the Borough of Fair Haven hereby authorizes the acquisition of the Property designated hereinabove through agreement with the record title owner in accordance with the authority conferred by N.J.S.A. 40A:12-1, et seq.; and

BE IT FURTHER ORDAINED by the Borough of Fair Haven that the Borough of Fair Haven is hereby authorized to retain any and all professionals, including but not limited to appraiser(s), professional planners, engineers, environmental consultants and attorneys to effectuate the Borough’s acquisition of the Property for the purposes expressed hereinabove.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-64

**TITLE: EXPRESS SUPPORT FOR LEGISLATION INCREASING STATE FUNDING TO THE
“SHORE PROTECTION FUND” FROM \$25 MILLION TO \$50 MILLION (A-639/S-1071)**

WHEREAS, the State of New Jersey maintains the Shore Protection Fund, which was established in 1992; and

WHEREAS, the Shore Protection Fund provides important funding that allows the State and Municipalities to engage in cost-share partnerships with the U.S. Army Corps of Engineers on shore protection projects including beach restoration and maintenance; and

WHEREAS, the Shore Protection Fund is funded by State Realty Transfer Fee revenues, and is currently capped at \$25 million, an amount that was last adjusted in 1999; and

WHEREAS, following the devastating effects of Superstorm Sandy, it has become evident that the current funding to the Shore Protection Fund is inadequate for allowing the State and Municipalities to fund necessary recovery projects; and

WHEREAS, pending before the Legislature are bills A-639 and S-1071, which would increase the cap on funding to the Shore Protection Fund to \$50 million; and

WHEREAS, the Borough Council believes this proposed increase to the Shore Protection Fund is essential to protecting the shoreline of the Borough of Fair Haven and that of every other Shore Community compromising the Jersey Shore.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, in the County of Monmouth, State of New Jersey, that it hereby expresses its support for an increase in funding to the Shore Protection Fund from \$25 million to \$50 million, as provided in the bills pending before the New Jersey Legislature as A-639 and S-1071.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to Governor Phil Murphy, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin, Senator Declan O’Scanlon, Assemblywoman Serena DiMaso and Assemblyman Gerry Scharfenberger.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-65

**TITLE: AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES
 PURSUANT TO N.J.S.A. 19:44A-20.5**

WHEREAS, the Borough of Fair Haven has a need to retain professional services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator has determined and certified that the value of surveying services and base map preparation may exceed \$17,500 for the year 2020; and

WHEREAS, a contract proposal for said professional service has been received by the Borough; and

WHEREAS, said professional has completed and submitted a Business Entity Disclosure Certification, which certifies that said professional has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit said professional from making any reportable contributions throughout the term of the contract; and

WHEREAS, funds for these purposes will be appropriated in the 2020 Municipal Budget; and

WHEREAS, said professional is duly appointed by the Borough Council of the Borough of Fair Haven pursuant to N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the following:

- Vallee Surveying, LLC (Surveying and Base Map Preparation)

BE IT FURTHER RESOLVED that contract for said service and the Business Disclosure Entity Certification and Determination of Value are on file with the Borough Clerk and available for public inspection; and

BE IT FUTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Vallee Surveying, LLC
2. Chief Financial Officer
3. Borough Administrator

BE IT FUTHER RESOLVED that a copy of this resolution shall be published in the Asbury Park Press as required by law within ten (10) days of its passage.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-66

TITLE: GRANTING A THIRD AND FINAL EXTENSION FOR COMPLETION OF IMPROVEMENTS FOR BLOCK 33, LOTS 16 AND 35

WHEREAS, K.M. Hughes and the Borough entered into a Developer's Agreement relating to the subdivision of property known as Block 33, Lots 16 and 35; and

WHEREAS, the Developer's Agreement contained a deadline for the Developer to complete the site improvements by March 1, 2019 which was extended to September 1, 2019 by Resolution No. 2019-78 and a second extension by Resolution No. 2019-195 until March 1, 2020; and

WHEREAS, the Developer has advised that he requires an additional extension to finalize the improvements; and

WHEREAS, the Borough Engineer has reviewed and recommended that the request for a third extension be granted by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that K.M. Hughes is granted a third and final extension through June 30, 2020 in which to complete the site improvements as required in the Developer's Agreement.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-67

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 February 24, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2019 CURRENT ACCOUNT	\$	177,340.48
2020 CURRENT ACCOUNT	\$	30,394.55
GENERAL CAPITAL	\$	48,342.12
OTHER TRUST	\$	3,015.26
TOTAL	\$	259,092.41

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-68

TITLE: REFUND UNUSED PLANNING BOARD ESCROW FUNDS TO M&M REALTY PARTNERS AT FAIR HAVEN, LLC – 626 RIVER ROAD - BLOCK 31, LOT 01

WHEREAS, M&M Realty Partners at Fair Haven, LLC, 626 River Road, Block 31, Lot 01 submitted an application to the Planning Board for a Major Site Plan; and

WHEREAS, escrow money was posted by the applicant; and

WHEREAS, a request for the return of any unused escrow from their application has been received; and

WHEREAS, the Planning Board Secretary has calculated and provided, in writing, an escrow refund amount as follows:

Unused Escrow funds in the amount of \$338.26; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Chief Financial Officer will refund the unused Planning Board escrow fees to M&M Realty Partners at Fair Haven, LLC., 2901 Hamilton Boulevard, South Plainfield, New Jersey 07080.