

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
APRIL 27, 2020, 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 Chrisner-Keefe Koch
McCue Rodriguez Sorensen

6. **Workshop Session**

- Tree Removal Appeal – K.M.Hughes – 119 Hance Road
- Termination of Drainage Easement – 901 River Road (Attorney Alfieri)

7. **Public Comment on Agenda Items**

8. **Approval of Minutes**

- April 6, 2020 Regular Meeting

9. **New Business**

Council Committee Reports

Finance - Councilman Banahan

Personnel - Councilwoman Chrisner-Keefe

Planning & Zoning - Councilwoman Koch

Police, Fire & OEM - Councilman McCue

Engineering, DPW and Borough Facilities - Councilman Rodriguez

Parks and Recreation and Communications - Councilwoman Sorensen

Consent Agenda

Resolutions

- 2020-85 Authorize Use of Storm Reserve Funds
- 2020-86 Authorize Performance Bond Refund to Oceanside Builders, 127-129 Hance Road
- 2020-87 Amend 2020 Temporary Budget
- 2020-88 Authorize Agreement with Monmouth County for the Community Development Program and execution (FY2021-2023)
- 2020-89 Payment of Vouchers

Department Reports

- Police Department
- Tax Collector
- Municipal Court

10. **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*)

11. **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.**

THE NEXT COUNCIL MEETING WILL BE ON MAY 11, 2020

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-85

**TITLE: AUTHORIZING USE OF STORM RECOVERY RESERVE FOR COVID-19
 EMERGENCY**

WHEREAS, N.J.S.A. 40A:4-62.1 authorizes municipalities to establish a storm recovery reserve, which may be used “for any purpose necessary to protect the safety, security, health and welfare of its citizens from damage” caused by an emergency that has been declared by the President of the United States or the Governor of the State of New Jersey; and

WHEREAS, pursuant to Executive Order, Governor Phil Murphy has declared a State of Emergency and Public Health Emergency to address the Coronavirus emergency; and

WHEREAS, pursuant to Local Finance Notice 2020-06, municipalities are authorized to utilize storm recovery reserve funds for their COVID-19 response.

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 it hereby authorizes the use of the Borough’s storm recovery reserve in order to fund its response to the COVID-19 pandemic.

BE IT FURTHER RESOLVED that the Borough Administrator and Chief Financial Officer are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

BE IT FURTHER RESOLVED that the Borough Clerk shall transmit a true copy of this resolution to the Director of the Division of Local Government Services in the Department of Community Affairs.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-86

**TITLE: RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE
GUARANTEE – OCEANSIDE BUILDERS, INC. FOR 127 AND 129 HANCE ROAD**

WHEREAS, Oceanside Builders, Inc. (“Developer”), is the owner of the real property known as Block 33, Lots 34.01 and 34.02 upon which a two (2) lot subdivision was approved; and

WHEREAS, the Developer has posted a performance guarantee pursuant to NJSA 40:55D-1, et seq. and has partially completed the bonded site improvements; and

WHEREAS, the Borough Engineer has conducted an inspection and issued a report received April 21, 2020 (a copy of which is attached hereto) authorizing the release of the performance guarantee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey that the performance guarantee be released and maintenance bond in the amount of 15% (\$1,650.00) be held/maintained for two years.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-87

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2020 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 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 2020 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (N.J.S.A. 40A:4-20) including this resolution total \$3,406,215.29 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 N.J.S.A. 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			
0-01-25-260-219	First Aid Supplies	\$4,000.00	Add to Temp Budget
0-01-32-465-299	Reclamation Fees	\$25,000.00	Add to Temp Budget
0-01-43-487-299	ILSA Municipal Court	\$13,000.00	Add to Temp Budget
0-01-43-490-101	Municipal Court Salaries	\$4,000.00	Add to Temp Budget
0-01-43-493-204	Dispatch ILSA	\$46,313.00	Add to Temp Budget
TOTAL		\$92,313.00	

2. That said emergency temporary appropriations will be provided for in the 2020 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. 2020-88

TITLE: AUTHORIZE THE MAYOR AND BOROUGH CLERK TO EXECUTE THE FY2021-2023 AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, an Agreement has been proposed under which the Borough of Fair Haven and County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the Borough of Fair Haven to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that the agreement entitled "**AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND BOROUGH OF FAIR HAVEN FOR THE ESTABLISHMENT OF A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES**", a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2020-89

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 27, 2020 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2019 CURRENT ACCOUNT	\$	1,237.50
2020 CURRENT ACCOUNT	\$	917,602.66
GENERAL CAPITAL	\$	16,255.76
OTHER TRUST	\$	11,485.18
DOG TRUST	\$	6.00
TOTAL	\$	946,587.10