

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

**Motion by:** Councilman Rodriguez

**Second by:** Councilwoman Koch

**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-200**

**TITLE:           AMEND ANNUAL NOTICE TO CHANGE COUNCIL MEETING TIME  
AND LOCATION FOR THE NOVEMBER 12, 2019 MEETING**


**WHEREAS,** Resolution No. 2019-12 adopted by the Governing Body at the January 7, 2019 Reorganization Meeting set the meeting dates of the Fair Haven Governing Body for the year 2019; and

**WHEREAS,** the meeting dates for November were set for November 12, 2019 and November 26, 2018 at 7:00 p.m. in the Borough Hall Council Chambers; and

**WHEREAS,** it has been determined by the Governing Body that the meeting time and location for the November 12, 2019 meeting will be changed to 1:30 p.m. at Knollwood School, All Purpose Room, to allow the students to see government in action as well as our seniors who cannot attend evening meetings.

**NOW THEREFORE BE IT RESOLVED** that the Annual Notice is amended as referenced in this resolution.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
Allyson M. Cinquegrana, RMC/CMR  
Municipal Clerk

**COUNCIL OF THE BOROUGH OF FAIR HAVEN  
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**Motion by:** Councilman Rodriguez

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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-201**

**TITLE:       ACCEPTANCE OF THE 2018 AUDIT FOR THE BOROUGH OF FAIR HAVEN**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,


**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**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.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk

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

**Motion by:** Councilman Rodriguez

**Second by:** Councilwoman Koch

**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-202**

**TITLE:            AUTHORIZE REFUND OF CASH REPAIR DEPOSIT TO BEECHWOOD  
                      LANDSCAPE, ARCHITECTURE AND CONSTRUCTION, LLC. FOR 65  
                      LAUREL DRIVE**


**WHEREAS**, Ordinance No. 2007-31 created the Street Excavation Ordinance which requires a cash repair deposit be posted to serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the excavation if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work performed in accordance with the excavation permit; and

**WHEREAS**, the Director of Engineering and Public Works has completed an inspection of the street opening (Permit No. 2019-39 approved on September 12, 2019) for 65 Laurel Drive done by Beechwood Landscape Architecture and Construction, LLC, 2 Kappy Court, Suite F, Southampton, New Jersey 08088 for replacement of damaged concrete curbing; and

**WHEREAS**, the Assistant Director of Engineering and Public Works has recommended that the cash repair deposit posted by Beechwood Landscape Architecture and Construction, LLC be returned in the amount of \$75.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the foregoing cash deposit return is hereby approved and the Chief Financial Officer/Assistant Chief Financial Officer and Borough Clerk are hereby authorized to pay said refund to Beechwood Landscape Architecture and Construction, LLC

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
Allyson M. Cinquegrana, RMC/CMR  
Municipal Clerk

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MONMOUTH COUNTY, NEW JERSEY  
RESOLUTION

**Motion by:** Councilman Rodriguez

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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-203**

**TITLE:     APPROVING A BLOCK PARTY TO BE HELD ON  
              DARTMOUTH AVENUE**

**WHEREAS,** a request was received to hold a Block Party on Dartmouth Avenue on Saturday, October 19, 2019 from 5 pm to 10 pm with a rain date of Sunday, October 20, 2019; and

**WHEREAS,** Police Chief McGovern reviewed the application and submitted his approval on October 2, 2019; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that approval is hereby granted for a block party to be held on Dartmouth Avenue on Saturday, October 19, 2019 from 5 pm to 10 pm with a rain date of Sunday, October 20, 2019.

**BE IT FURTHER RESOLVED** that Permit No. BP 2019-14 will be issued for said event.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.



Allyson M. Cinquegrana, RMC/CMR  
Municipal Clerk

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**Motion by:** Councilman Rodriguez

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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-204**

**TITLE: REFUND OF CASH REPAIR DEPOSIT BOND TO NJ NATURAL GAS COMPANY FOR SAFE REPLACEMENT PROJECT**

**WHEREAS**, Ordinance No. 2007-31 created the Street Excavation Ordinance which requires a cash repair deposit be posted to serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the excavation if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work performed in accordance with the excavation permit; and

**WHEREAS**, the Director of Engineering and DPW has completed an inspection of the SAFE Replacement Project that was approved by the Mayor and Council at their February 24, 2014 meeting; and

**WHEREAS**, the Director of Engineering and DPW has recommended that Travelers Bond No. 106049866 in the amount of \$10,000 posted by New Jersey Natural Gas be returned.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that the foregoing bond be returned to New Jersey Natural Gas for the completion of the SAFE Replacement Project.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.



Allyson M. Cinquegrana, RMC/CMB  
Municipal Clerk

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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-205**

**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. Police Chief
2. Planning Board and Zoning Board Secretary Position
3. Borough Clerk

**Pending Litigation**

1. Yacht Works

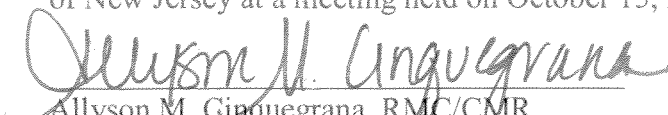
**Acquisition of Property**

1. River Road
2. Fair Haven Road

**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.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
Allyson M. Cinquegrana, RMC/CMR  
Municipal Clerk

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**Motion by:** Councilman Rodriguez

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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-206**


**TITLE:                   APPROVE 1<sup>ST</sup> AND FINAL CHANGE ORDER FOR THE FAIR HAVEN  
FIELDS BUFFER RESTORATION PROJECT - DOWN TO EARTH  
LANDSCAPING, INC.**

**WHEREAS**, Resolution No. 2019-154 awarded a contract for the Fair Haven Fields Buffer Restoration Project to Down to Earth Landscaping, Inc., Jackson, NJ 08527 in an amount not to exceed \$61,700; and

**WHEREAS**, the attached First and Final Change Order details additional amendments to the contract resulting in a revised contract amount of \$73,400.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven that Change Order #1 - Final to the Fair Haven Fields Buffer Restoration Project will result in a final contract amount of \$73,400 between the Borough of Fair Haven and Down to Earth Landscaping Company, Inc.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-207**

**TITLE: APPOINT SPECIAL LAW ENFORCEMENT OFFICER, CLASS II –  
AMANDA C. WHITE**


**WHEREAS,** a request was made by Police Chief Joseph McGovern to appoint a Special Law Enforcement Officers Class II, effective October 16, 2019; and

**WHEREAS,** Joseph McGovern, Fair Haven Police Chief, has recommended that Amanda C. White be appointed as a Special Law Enforcement Officer, Class II.

**WHEREAS,** the rate of pay for this position is \$17.75 per hour.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that Amanda C. White be appointed to the position of Special Class II Officer.

I, Allyson M. Cinquegrana, Municipal Clerk of the Borough of Fair Haven in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven in the County of Monmouth in the State of New Jersey at a meeting held on October 15, 2019.

  
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**AFFIRMATIVE:** Councilmembers Banahan, Koch, Rice, Rodriguez and Sorensen

**NEGATIVE:** None

**ABSTAIN:** None

**ABSENT:** Councilman Peters

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**RESOLUTION NO. 2019-208**

**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 October 15, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$	1,369.76
2019 CURRENT ACCOUNT	\$	123,834.55
GENERAL CAPITAL	\$	59,380.44
GRANT FUND	\$	756.43
PAYROLL AGENCY	\$	12,729.96
OTHER TRUST	\$	15,250.76
<b>TOTAL</b>	<b>\$</b>	<b>213,321.90</b>

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