

**FAIR HAVEN BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
MARCH 11, 2024, 1:30 P.M.  
KNOLLWOOD SCHOOL - IN PERSON ONLY**

1. **Call to Order:** pm

2. **Salute to the Flag:**

3. **Moment of Silent Reflection:**

4. **Sunshine Law Notice:**

5. **Roll Call:** Councilmembers Cole                      DiMiceli                      Hoey  
   Koch                              LaBarbera                      Olson

6. **Workshop Session**

- Requests for Love Where You Live Day, May 5, 2024 (Fair Haven Green Team)
- Request from Dermer Dreams to post lawn signs and banners for the May 18<sup>th</sup> Food Drive
- Historic Site Management Grant Application for Bicentennial Hall
- 2024 Draft Municipal Budget
- Solid Waste and Recycling Collection Bid
- Road Project(s) Update from Engineer Gardella

7. **Public Comment on Agenda Items**

8. **Approval of Minutes**

- February 26, 2024 Executive Session

9. **Old Business**

**Hearing and Adoption of Ordinances**

2024-02              Amend Chapter 16, Solid Waste Management - Brush and Leaf Collection

- Borough Facilities

10. **New Business**

**Introduction of Ordinances**

2024-03              Amend Description for Bond Ordinance No. 2023-17

2024-04              Index Rate Ordinance (COLA)

**Consent Agenda**

**Resolutions**

2024-67              Executive Session: Personnel and Litigation

2024-68              Authorize Monmouth County Mosquito Control Division to conduct Aerial Mosquito Control Operations

2024-69              Authorize Receipt of Bids Advertisement for Solid Waste/Recycling Collection Service

2024-70              Appoint Fair Haven Grant Committee Members

2024-71              Approve Amendment to 2024 Temporary Budget

2024-72              Authorize Mayor to execute Social Affairs Permit Application for The Fair Haven Farmers Market, April 19<sup>th</sup> Art Show Fundraiser

2024-73              Payment of Vouchers

**Department Reports**

**2023 Annual Report**

- Tax Collector

**February 2024**  
-Municipal Clerk  
-Dog License

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 THE BUSINESS OF THE BOROUGH IS BEING ADDRESSED BY MAYOR AND COUNCIL.**

**NEXT COUNCIL MEETING: MONDAY, MARCH 25, 2024 @ 7:00 PM**

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN, COUNTY OF  
MONMOUTH, AMENDING CHAPTER 16: “SOLID WASTE MANAGEMENT” OF THE BOROUGH’S  
REVISED GENERAL ORDINANCES TO UPDATE THE REGULATIONS FOR BRUSH AND LEAF  
COLLECTION IN THE BOROUGH**

**WHEREAS**, the Mayor and Council of the Borough of Fair Haven (the “Borough”) consider the preservation and protection of public property and public health, safety, and welfare to be a significant and important priority for the Borough and the welfare of its residents; and

**WHEREAS**, the Mayor and Council find it to be in the best interests of the Borough residents to implement certain measures to keep the Borough’s streets, roads, sidewalks, bike paths and public rights-of-way free from debris for the safe passage of vehicles, including emergency vehicles, pedestrians and bicycles; and

**WHEREAS**, the Borough’s Administrator, Brush and Leaf Committee, Director of Public Works, Director of Communications, and Code Enforcement Officer have recommended certain changes to the regulations for brush and leaf collection within the Borough; and

**WHEREAS**, the Borough seeks to assist residents in the disposal and removal of brush and leaves in an organized and orderly fashion.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey as follows:

**SECTION 1.** Section 16-5 entitled “Collection of Brush and Leaves” of Chapter 16 entitled “Solid Waste Management” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 16  
SOLID WASTE MANAGEMENT**

\* \* \*

**§ 16.5           COLLECTION OF BRUSH AND LEAVES**

**§ 16-5.1       ~~Regular Pickup of Brush and Leaves; Grass Clippings; Rakings and Plantings Placement Prohibited.~~ Introduction.**

- a. ~~Placement of Brush and Leaves. Residents shall place brush and leaves at the outside edge of pavement or delineated travel lanes for collection only during the days and times as may be designated by the Borough Council and/or published in the Leaf and Brush Collection Schedule. Brush and leaves shall be placed separately in the street adjacent to the curb and abutting the party's property. Brush and leaves shall not be placed in plastic bags or other types of containers, except for properties on River Road. Piles of brush or leaves shall not obstruct pedestrian, bicycle or vehicular travel lanes.~~

The Brush and Leaf Collection process is designed to keep Borough streets clean and safe, reduce the amount of debris that ends up in our storm water system (storm drains, and ultimately the river) in complementation of Chapter 23 Stormwater Management and Municipal Storm Sewers, and to optimize the use of Department of Public Works resources.

- b. ~~Grass Clippings, Rakings and Plantings; Placement Prohibited. Grass clippings, rakings and plantings shall not be placed, raked, blown or otherwise caused to be disposed upon the Borough streets or curbs. They shall not be picked up by the Borough.~~

Fair Haven Residents shall be permitted to dispose of brush and leaves in accordance with the requirements set forth in this section.

- c. ~~Brush and Leaf Violations: (Fines restated at 2-56.1, Fee Schedule.)~~

~~First offense: Warning~~

~~Second offense: \$100~~

~~Third or more offenses: Court appearance required~~

### **§ 16-5.2**      **Intent and Purpose.**

- a. The intent of this section is to simplify and streamline the Borough of Fair Haven's brush and leaf collection process.
- b. The intent of this section is to implement solutions to improve the brush and leaf removal process in a convenient, safe, and budget neutral manner, while attempting to standardize the process and increase services.
- c. The purpose of this section shall be to regulate the disposal and curbside collection activities of residents within the Borough of Fair Haven by limiting the times and placement of leaves and brush that may be disposed of curbside throughout the year.

### **§ 16-5.3**      **Definitions.**

#### **ACTS OF NATURE**

An incident that occurs due to natural causes that could not have been foreseen or prevented by foresight (i.e., a named storm).

#### **BRUSH**

Tree limbs, branches, or twigs less than three (3) inches in diameter and no longer than four (4) feet in length. Brush shall not include yard waste.

#### **BRUSH CAN**

The Borough-approved container in which a resident is responsible to procure and maintain to prevent brush from spilling or blowing out into the street and coming into contact with stormwater.

#### **COMMERCIAL LANDSCAPER**

Any person or entity, for hire, whose business involves trimming, pruning, cutting, removing or maintaining shrubs, bushes and trees, or raking or blowing leaves.

#### **CONTAINERIZED**

The placement of brush in a Borough-approved container such as to prevent brush from spilling or blowing out into the street and coming into contact with stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**RESIDENT**

A person who is an owner, lessee, tenant, mortgagee or occupant, and that person's agents and/or assigns, or caretaker of any property within the Borough.

**STREET**

Any street, avenue, boulevard, road, parkway, viaduct, drive, bike path, or other way, which is an existing State, County, or Municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**TREE SERVICE COMPANY**

The same as "Commercial Landscaper."

**VEGETATIVE WASTE**

The same as "Yard Waste."

**YARD WASTE**

Grass clippings, leafy clippings from hedges and non-woody garden waste, annual plants, weeds, dead flowers, shrub clippings, dirt and sand. Yard Waste and Vegetative Waste shall be used interchangeably throughout this section and are assumed to be synonymous.

**§ 16-5.4 Division of Borough into Zones for Collection.**

- a. For purpose of collecting brush and leaf materials, the Borough is divided into four (4) zones. Please refer to the zone map which is on file at Borough Hall and can also be found on the Borough website.
- b. The Mayor and Council shall determine a Leaf and Brush Collection Schedule for each zone on an annual basis and may amend said schedule as necessary.
- c. Pursuant to the applicable zone, residents shall place brush and leaves for pick up only during the designated days and times for the zone as published in the Leaf and Brush Collection Schedule and/or may be designated by the Borough Council.

**§ 16-5.5 "Brush Can" for Containerized Pick Up.**

- a. Residents are encouraged to participate in the containerized pick up of brush by utilizing a Borough-approved "Brush Can."
- b. A Brush Can is a receptacle that meets the following specifications:
  - i. Shall be gray in color, and not spray painted.
  - ii. Shall not exceed a 32-gallon capacity.
  - iii. Shall be round in shape.
  - iv. Shall be made of plastic material.
- c. Residents can visit the Borough's website to find more information on how to purchase a pre-approved Brush Can.

- d. Brush cans are **only** used for brush pick up and shall not be utilized for the pickup of leaves.

### **§ 16-5.6 Collection Schedule and Requirements.**

a. **Spring and Fall Clean-Up - Brush and Leaves.**

- i. The Borough will collect brush and leaves during the same pick-up cycle in the spring and fall of each year in accordance with the Leaf and Brush Collection Schedule and at such other times that may be deemed necessary by the Borough, such as after major acts of nature.
- ii. Brush can be containerized or not containerized in accordance with subsection **16-5.7** of this section.
- iii. Residents may place their Brush and Leaves out for collection no earlier than ten (10) days prior to their zone's pick-up time in accordance with the Leaf and Brush Collection Schedule.

b. **Brush-Only Pick-Up.**

- i. The Borough will collect brush from each zone twice per month between May and September in accordance with the Leaf and Brush Collection Schedule.
- ii. For Brush-Only Pick-Up, Brush must be containerized in a Borough approved Brush Can for pick up in accordance with subsections **16-5.5** and **16-5.7a**.
- iii. Brush Cans shall not be set out for collection more than one (1) day prior to the scheduled pick up date for the zone.
- iv. No leaves, vegetative waste or yard waste shall be placed in the Brush Can during Brush-Only Pick-Up.

c. **Leaves-Only Pick-Up.**

- i. The Borough will collect leaves in November and December on a rolling basis.
- ii. Leaves must be free of any yard waste, vegetative waste, sticks, branches, tree parts, rocks, vines, or other foreign materials.
- iii. Residents shall not mix or otherwise place potted plants or root systems with leaves.
- iv. Residents may place leaves for collection at any time during this period.

### **§ 16-5.7 Placement Requirements.**

a. **Containerized Brush.**

- i. To qualify for pickup, containerized brush shall be left out for collection in a Borough approved container ("Brush Can").
- ii. Only brush shall be placed in the Brush Can. Leaves or any other yard or vegetative waste shall not be placed in the Brush Can.
- iii. Residents shall place the Brush Can near the curb line or roadway so as to be easily collected from

the roadway; but not so near the curb or roadway as to project therein or to interfere with vehicles lawfully using the street.

- iv. Residents shall not place the Brush Can on any sidewalk, bike path, bike lane, or walkway, over utility boxes such as gas and water shutoffs or sewer clean-outs or within ten (10) feet of any storm sewer inlet or fire hydrant.
- v. Brush shall be no larger than three inches (3") in diameter and no longer than four feet (4') in length.
- vi. Brush Containers shall not be stored or placed within front yard area prior to the time at which such containers are permitted to be placed at the curblines for collection. Brush Containers may be stored in either rear or side areas, but if stored in side areas, they shall be screened from the view of street areas with planting or fencing.

**b. Loose Brush or Leaves.**

- i. Brush and leaves left out for collection together shall be placed in separate untied bundles or piles and left for collection by placing the bundle(s) or pile(s) on the beginning of the roadway and extending no more than three feet (3') from the curb or if there is no curb, no more than three feet (3') from where the roadway begins.
- ii. Brush shall be placed in separate untied bundles and left for collection by placing the bundle(s) on the beginning of the roadway and extending no more than three feet (3') from the curb or if there is no curb, no more than three feet (3') from where the roadway begins. Brush shall be in placed in separate pile(s) from leaves.
- iii. Leaves shall be placed in piles and left for collection by placing the pile(s) on the beginning of the roadway and extending no more than three feet (3') from the curb or if there is no curb, no more than three feet (3') from where the roadway begins. Leaves shall be in placed in separate pile(s) from brush.
- iv. Residents shall not place brush or leaves on any sidewalk, bike path, bike lane, or walkway, over utility boxes such as gas and water shutoffs or sewer clean-outs or within ten feet (10') of any storm sewer inlet or fire hydrant.
- v. Brush shall be no larger than three inches (3") in diameter and no longer than four feet (4') in length.

**§ 16-5.8 Prohibited Conduct.**

- a. For **Brush-Only Pick-Up**, residents shall not place brush in any container or receptacle that does not meet the specifications of subsection 16-5.5.
- b. Residents shall not place brush and/or leaves in plastic or paper bags.
- c. Residents shall not combine leaves with brush when utilizing a Brush Can for any scheduled pick up.
- d. Residents shall not sweep, rake, blow or otherwise place yard waste in the street or place in a Brush Can.
- e. Brush Containers shall not be stored or placed within front yard area prior to the time at which such containers are permitted to be placed at the curblines for collection. Brush Containers may be stored in

either rear or side areas, but if stored in side areas, they shall be screened from the view of street areas with planting or fencing.

**§ 16-5.9**      **Responsibility of Residents; Applicability to Commercial Landscapers.**

- a. The resident is responsible for the brush and leaves that have been placed at the front yard curb, or edge of the street by commercial landscapers or contractors they have hired. No commercial or residential lawn care contractor shall operate in violation of this ordinance and the resident shall be responsible for any such violation of this section by his, her or their commercial landscaper and/or contractor.
- b. Any commercial landscaper planning to work on any property within the Borough where brush or leaves will be generated, collected, or disposed shall first register with the Municipal Clerk in accordance with Chapter 4, Section 4-10.
- c. Both the commercial landscaper and the resident hiring such contractor shall be subject to penalty under this section for the improper placement of brush and/or leaves.

**§ 16-5.10**      **Responsibility of the Borough.**

The Borough will not be responsible for collecting brush and/or leaves left within any public right-of-way or on any private property if not placed in accordance with the requirements of this Chapter.

**§ 16-5.11**      **Enforcement.**

The provisions of this section shall be enforced by the Police Department, Code Enforcement Officer and/or Department of Public Works of the Borough of Fair Haven.

**§ 16-5.12**      **One-Time Notice and Time to Cure.**

- a. The Police Department, Code Enforcement Officer and/or Department of Public Works shall from time to time make inspections to ensure compliance.
- b. If any such department finds any violations of this Chapter, or if any such violation is reported by a Borough officer or employee, and such violation is deemed to be a first-time violation, a written notice shall be served upon the resident who shall remove and/or correct the violation(s) with ten (10) calendar days.
- c. Notice shall be served by way of hand delivery or by certified mail to the resident at the address on the tax records of the Borough, and the ten-day (10) period shall begin on the date the notice is hand delivered, or two (2) days after the certified mailing, whichever is earlier.
- d. Any resident who fails to remove and/or correct the violation(s) within the ten-day (10) period shall be subject to the penalties and fines contained in subsection 16-5.13.
- e. Residents shall not receive written notice or time to cure for all subsequent violations of this section.

**§ 16-5.13**      **Violations and Penalties.**

Any resident found to be in violation of the provisions of this section shall, upon conviction thereof, be summonsed as follows:



- a. For the first offense, a fine of \$200.
- b. For the second offense, a fine of \$300 and a mandatory court appearance.
- c. For the third offense and any subsequent offenses thereafter, a fine of \$500 and a mandatory court appearance.

**SECTION 2.** Section 16-7 entitled “Collection Restrictions” of Chapter 16 entitled “Solid Waste Management” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 16  
SOLID WASTE MANAGEMENT**

\* \* \*

**§ 16.7 COLLECTION RESTRICTIONS**

**§ 16-7.1 Prohibited Materials.**

Notwithstanding trash and recyclables as described in subsection **16.1.2**, the following items are prohibited from being placed for trash, recycling, and scheduled bulk collection, or included in bulk drop and recycling off at the Department of Public Works facility.

- a. Demolition and construction materials, including but not limited to building fixtures, bulk roof shingles, doors and windows, dimensional framing lumber, bulk or sheets of plywood, paneling, plasterboard, sheetrock, etc.
- b. ~~Tree trimmings, tree stumps, brush, leaves and g~~ Grass clippings.
- c. Wood pallets.

\* \* \*

**SECTION 3.** If any article, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**SECTION 4.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Fair Haven are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 5.** This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

**BOROUGH OF FAIR HAVEN  
IN THE COUNTY OF MONMOUTH  
BOND ORDINANCE NO. 2024-03**

**BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2023-17 ADOPTED ON OCTOBER 23, 2023 AND PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, IN ORDER TO AMEND ONE OF THE PURPOSES THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough of Fair Haven, in the County of Monmouth, New Jersey (the “Borough”) finally adopted Bond Ordinance No. 2023-17 on October 23, 2023 (the “Prior Ordinance”) providing for various capital improvements by and in the Borough; and

WHEREAS, the Borough has determined that the project descriptions set forth in Section 3. (a) (i) of the Prior Ordinance needs to be amended.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL of the BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. Section 3. (a) (i) of the Prior Ordinance is hereby amended to read as follows:

(i) **Public Works (DPW), Borough Hall, Police Department. Community Center and Road Project** – Capital facilities and road improvements, including, but not limited to: (i) the Borough’s DPW Allen Street Site and Borough Hall, including, but not limited to, demolition of existing structures; site preparation work and environmental remediation; construction of new structures; acquisition and installation, as applicable, of gasoline tanks, pumps, storage tanks and a salt dome, and stormwater management improvements; (ii) the demolition of the Borough’s existing Police Department Building; construction of a new Police Department Building and Community Center; site preparation work and environmental remediation, as applicable; and stormwater management improvements; and (iii) a road project consisting of offsite improvements to Maple Avenue (road adjacent to the DPW facility), with a total appropriation and estimated cost of \$6,050,650, estimated amount of bonds and notes therefor of \$5,748,117.50, and an average period of usefulness of thirty (30) years; and

Section 2. The 2024 capital budget of the Borough will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 4. All other provisions of the Prior Ordinance remained unchanged.

Section 5. This ordinance shall take effect as provided by law.

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2024-04**

**2024 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 2024 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 \$83,796.75 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 2024 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 \$293,288.64 and that the CY 2024 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.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

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**RESOLUTION NO. 2024-67**

**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
2. Chief Financial Officer
3. 2024 Non-Aligned Salaries
4. Borough Administrator Position

**Litigation**

1. McCarter Pond Hydro-Rake Project

**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:**

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**RESOLUTION NO. 2023-68**

**TITLE:        AUTHORIZING THE MONMOUTH COUNTY MOSQUITO CONTROL DIVISION TO  
CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE  
BOROUGH OF FAIR HAVEN**

**WHEREAS**, the Monmouth County Board of Commissioners, pursuant to NJSA 26:9-27, et seq., has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

**WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population within the County of Monmouth; and

**WHEREAS**, prior to conducting aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

**WHEREAS**, the Borough of Fair Haven is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

**NOW THEREFORE BE IT RESOLVED** as follows:

1. The Mayor and Council of the Borough of Fair Haven hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides, by aircraft, for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard or both with the understanding that:
  - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and
  - b. Such operations will be performed in compliance with applicable Federal and State regulations; and
  - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

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**RESOLUTION NO. 2024-69**

**TITLE:        AUTHORIZE ADVERTISEMENT FOR RECEIPT OF BIDS FOR SOLID WASTE AND  
              RECYCLING COLLECTION SERVICES**

**WHEREAS**, the Borough of Fair Haven's contract with Suburban Disposal will expire on June 30, 2024; and

**WHEREAS**, there is a need to go out to bid for a new Solid Waste and Recycling Collection Services contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that authorization is given to advertise for the receipt of bids for Solid Waste and Recycling Collection Services in the Asbury Park Press and Star Ledger.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

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**RESOLUTION NO. 2024-70**

**TITLE: REAFFIRM GRANT COMMITTEE MEMBER APPOINTMENTS**

**WHEREAS**, in 2023, Mayor Halpern created a Grant Committee to meet, review and discuss various types of grants that are available to the Borough and what projects should be applied for; and

**WHEREAS**, there is a need to reaffirm the members for the year 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the following persons be reaffirmed as members of the Grant Committee:

Robert Clark  
Chelsea Bender  
Sean Bailey  
Sarah Schiavetti  
Anthony Fagnoli

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

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**RESOLUTION NO. 2024-71**

**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 2024 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 2024 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total **\$2,812,031.85** 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:

<b>Account Number</b>	<b>Description</b>	<b>Amount</b>	<b>Reason</b>
<b>Current Account</b>			
4-01-20-100-202	Admin - Contractual Fees	\$10,000.00	Temp Budget
4-01-21-186-101	Zoning Officer Salaries	\$12,000.00	Temp Budget
4-01-23-220-227	Health Benefits - Medical	\$300,000.00	Temp Budget
4-01-25-240-202	Police - Ammunition/Firearms	\$18,000.00	Temp Budget
4-01-25-255-207	Fire Department	\$5,000.00	Temp Budget
4-01-28-370-301	Recreation - Easter Egg Hunt	\$1,500.00	Temp Budget
4-01-43-495-211	Public Defender Fees	\$500.00	Temp Budget
	<b>TOTAL</b>	<b>337,000.00</b>	

2. That said emergency temporary appropriations will be provided for in the 2024 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:**

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**RESOLUTION NO. 2024-72**

**TITLE:       APPROVE REQUEST FOR SOCIAL AFFAIRS PERMIT FROM THE FAIR HAVEN FARMERS MARKET**

**WHEREAS** the Fair Haven Farmers Market has applied for a special permit to be used for a social affair; and

**WHEREAS**, the Fair Haven Farmers Market is a non-profit organization formed to raise funds to offset their monthly expenses associated with running a Farmers Market; and

**WHEREAS**, this organization is planning an event to be held on April 19, 2024 between the hours of 5:00 p.m. to 8:00 p.m.; and

**WHEREAS**, the Fair Haven Farmers Market does not hold a liquor license and is requesting permission to serve malt alcoholic beverages and wine; and

**WHEREAS**, the Fair Haven Farmers Market will be the recipient of the funds raised at the event; and

**WHEREAS**, the proper application has been completed and reviewed by the Municipal Clerk and Police Chief and found to be in order.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven that the request for a Special Permit for Social Affairs on the above-mentioned date is hereby approved and that the Mayor is authorized to execute the application as the event is taking place on Borough property.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

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**RESOLUTION NO. 2024-73**

**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 March 11, 2024 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2023 CURRENT FUND ACCOUNT	\$ 25,939.52
2024 CURRENT FUND ACCOUNT	\$ 268,615.60
GENERAL CAPITAL	\$ 718,998.50
PAYROLL AGENCY	\$ 17,517.93
OTHER TRUST	\$ 24,599.81
DOG TRUST	\$ 75.00
	<u>\$ 1,055,746.36</u>