

**FAIR HAVEN BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
JUNE 12, 2023, 7:00 P.M.  
HYBRID MEETING (IN-PERSON AND ZOOM)**

Zoom Link: <https://us02web.zoom.us/j/84540813433>

**iPhone or Land Line Telephone Call In:** 1-301-715-8592

Webinar ID: **845 4081 3433**

1. **Call to Order:** pm
  2. **Salute to the Flag:**
  3. **Moment of Silent Reflection:**
  4. **Sunshine Law Notice:**
  5. **Roll Call:** Councilmembers Cole Hoey Koch  
LaBarbera Neff Rodriguez
  6. **Hearing on Pre-Qualification of Bidders: Police Facility and Community Center**
  7. **Workshop Session**
    - AED Installation Update
    - Proposed Amendment to Ordinance No. 2020-07, Habitat Rezoning Ordinance
    - Open Space Tax Referendum Discussion
  8. **Public Comment on Agenda Items**
  9. **Approval of Minutes**
    - May 22, 2023 Regular Meeting
    - May 22, 2023 Executive Session
  10. **Old Business**
    - Borough Facilities Update
  11. **New Business**
    - Council Committee Reports**
    - Finance** - Councilwoman Neff
    - Personnel** - Councilwoman Hoey
    - Parks and Recreation** - Councilwoman Hoey
    - Planning Board** - Councilwoman Koch
    - Police, Fire & OEM** - Councilman Rodriguez
    - Engineering and DPW** - Councilman LaBarbera
    - Borough Facilities** - Councilman LaBarbera
    - Zoning Board of Adjustment** - Councilman LaBarbera
    - Borough Communications and Community Outreach** - Councilwoman Cole
- Introduction of Ordinances**
- |         |  |
|---------|--|
| 2023-07 | Create a Short-Term Property Rental Ordinance          |
| 2023-08 | Amendment to the Non-Domestic Animal Ordinance         |
| 2023-09 | Amend Bond Ordinance No. 2020-15 to amend descriptions |
| 2023-10 | Generic Bond Ordinance (\$215,000)                     |

**Consent Agenda**

## Resolutions

|          |   |
|----------|---|
| 2023-154 | Executive Session: Personnel, Potential Litigation and Contract Negotiations      |
| 2023-155 | Amend Resolution No. 2022-207 to Cancel Unfunded Bond Authorization Balances      |
| 2023-156 | Approve Chapter 159: Clean Communities Grant - \$13,329.88                        |
| 2023-157 | Approve Chapter 159: Sustainable Jersey Grant - \$2,000.00                        |
| 2023-158 | Approve Chapter 159: Alcohol Education and Rehabilitation Enforcement - \$648.97  |
| 2023-159 | Approve 2023/2024 Liquor License Renewal - Shrewsbury River Yacht Club            |
| 2023-160 | Approve 2023/2024 Liquor License Renewal - Columbus Club of Red Bank              |
| 2023-161 | Approve 2023/2024 Liquor License Renewal - Little Silver Liquors a/k/a The Cellar |
| 2023-162 | Approve 2023/2024 Liquor License Renewal - Nauvoo Grill Club                      |
| 2023-163 | Approve 2023/2024 Liquor License Renewal - Raven and The Peach                    |
| 2023-164 | Adopt Pre-Qualification Regulations for Bidders: DPW Facility Renovations         |
| 2023-165 | Hire Additional 2023 Rec-N-Crew Counselors  |
| 2023-166 | Approve NJDOT FY2024 Grant Application: Improvements to Forman Street             |
| 2023-167 | Payment of Vouchers   |
| 2023-168 | Approve Fire Department Membership Application - Joseph Duva                      |
| 2023-169 | Authorize Receipt of Bids for the Police Facility and Community Center            |
| 2023-170 | Authorize Receipt of Bids for Pocket Park and Boat Ramp                           |
| 2023-171 | Re-establish DPW Summer Hours   |
| 2023-172 | Appoint Part-time Seasonal DPW Laborer - Kevin Hofmann                            |
| 2023-173 | Appoinment of Temporary DPW Laborer - Vinny Feeney                                |

## **Department Reports**

### **May 2023**

- Borough Clerk
- Dog License
- Planning Board and Zoning Board

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.**

### **UPCOMING COUNCIL MEETINGS:**

**SPECIAL MEETING: MONDAY, JUNE 19, 2023 @ 5:30 PM - ZOOM ONLY**

**REGULAR MEETING: MONDAY, JUNE 26, 2023 @ 7:00 PM – HYBRID**

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2023-07**

**AN ORDINANCE SUPPLEMENTING CHAPTER 30: “LAND USE AND DEVELOPMENT REGULATIONS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW SECTION 30-7.34: “SHORT-TERM RENTALS IN RESIDENTIAL ZONES” TO PROHIBIT THE RENTAL OF RESIDENTIAL STRUCTURES AND DWELLINGS, IN WHOLE OR IN PART, FOR LESS THAN NINETY-FIVE DAYS TO PRESERVE RESIDENTS’ QUALITY OF LIFE WITHIN THE BOROUGH**

---

**WHEREAS**, in recent years, the concept of a short-term rental, usually booked online as an alternative to hotels and motels by travelers, tourists, and visitors, has significantly increased in availability and popularity; and

**WHEREAS**, the Borough of Fair Haven (the “Borough”) is concerned about the potential for short-term rental operations to negatively affect permanent residents’ quality of life within their neighborhoods; and

**WHEREAS**, it is in the best interests of the Borough and its residents to prohibit any owner of a residential structure or dwelling from renting same, in whole or in part, for any period less than 95 days;

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

**SECTION 1.** The Revised General Ordinances of the Borough of Fair Haven are hereby supplemented to include *new* Section 30-7.34 entitled “Short-Term Rentals in Residential Zones” within Chapter 30 entitled “Land Use and Development Regulations” as follows:

**CHAPTER 30: “LAND USE AND DEVELOPMENT REGULATIONS”**

\* \* \*

**§ 30-7 GENERAL ZONING PROVISIONS**

\* \* \*

**§ 30-7.34 Short Term Rentals in Residential Zones.**

- a. *Rentals Less than 95 Days Prohibited.* All rentals of residential structures, in whole or part, and all rentals of dwellings, in whole or part, for any period less than 95 days, in the R-5, R-7.5, R-10, R-10A, R-10B, R-15, R-20, R-30, and R-40 Districts, are prohibited.
- b. *Enforcement.* Any person, firm or corporation who shall be convicted of violating this section, in addition to any other penalties for violations of applicable ordinances, shall, upon conviction, be subject to a fine of not less than \$500.00 for each and every day of the term of any rental that is non-compliant with this section.

**SECTION 2.** 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 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fair Haven, 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 ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4.** After introduction, the Borough Clerk is directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Fair Haven for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Mayor & Council, within 35 days after referral, a report including identification of any provisions in this ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter the Board deems appropriate.

**SECTION 5.** This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2023-08**

**AN ORDINANCE AMENDING CHAPTER 5: “ANIMAL CONTROL” OF THE  
BOROUGH’S REVISED GENERAL ORDINANCES TO PROHIBIT THE KEEPING,  
HARBORING, CONTROLLING, AND/OR POSSESSION OF CERTAIN NON-  
DOMESTIC ANIMALS WITHIN THE BOROUGH**

---

**WHEREAS**, the Borough of Fair Haven (the “Borough”) finds that the harboring of certain non-domestic animals may be offensive to other residents so as to constitute a public nuisance and may pose a threat to the safety of the Borough’s residents and their properties; and

**WHEREAS**, in order to protect the health, safety and well-being of persons and property within the Borough, it is necessary to prohibit the keeping, maintaining, or possessing of certain non-domestic animals within Borough limits;

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

**SECTION 1.** Section 5-18: “Prohibited Non-Domestic Animals” of Article IV: “Regulations Applicable to All Animals” of Chapter 5: “Animal Control” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**§ 5-18 PROHIBITED NON-DOMESTIC ANIMALS.**

**§ 5-18.1 Purpose and Intent.**

This section is adopted in order to protect the health, safety and well-being of persons and property by prohibiting certain animals within the Borough of Fair Haven. The Board of Health of the Borough of Fair Haven finds and determines that the harboring of certain animals within the Borough may be offensive to other residents so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

**§ 5-18.2 Prohibited Animals.**

It shall be unlawful for any person to keep, maintain, have in his or her possession or under his or her control or to permit another to keep, maintain or have under his or her control within the Borough limits of the Borough of Fair Haven any cattle, goats, chickens, bees, hens, hogs, horses, ocelots, pigs, (including potbelly pigs), pigeons, sheep, swine or any other animal that is deemed to be dangerous to humans. The foregoing enumeration is not intended to be all-inclusive. The determination of whether or not an animal is deemed to be dangerous to humans shall be made by either the Borough's Animal Control Officer or a Police Officer of the Fair Haven Police Department or the Mayor and Borough Council.

**§ 5-18.3 Enforcement.**

This section shall be enforced by the Borough's Animal Control Officer and/or Police Department.

**§ 5-18.4 ~~Application for Waiver; Notice.~~**

~~An owner desirous of owning and maintaining a non-domestic prohibited animal as provided for herein shall have the right to make application to the Mayor and Council of the Borough for a waiver under this section. The application for a hearing before the Mayor and Council must be submitted not less than 10 days prior to a regularly~~

~~scheduled meeting, with notice published in the official newspaper of the Borough of Fair Haven not less than 10 days prior to said meeting, and giving written notice to all property owners within 200 feet of the applicant's property. The applicant shall obtain a certified list of all property owners within 200 feet of his/her property from the Borough of Fair Haven's Tax Assessor's office.~~

~~A. Type of Notice. Notice must be made to all property owners within 200 feet of the applicant's property by regular and certified mail, return receipt requested, with proof of service being presented to the Mayor and Council at the time of the hearing with an affidavit setting forth that the mailing has been made to the appropriate property owners.~~

~~B. Form of Notice. The notice shall set forth the following:~~

~~(1) Name and address of the applicant.~~

~~(2) The address and lot and block number of the household or dwelling unit for which the applicant intends to harbor the non-domestic animal.~~

~~(3) The nature of the waiver requested, setting forth the number and identity of the proposed non-domestic animal.~~

~~(4) The date, time and place of the hearing before the Mayor and Council.~~

~~C. Consideration for Granting of Waiver, Burden of Proof and Vote. By majority vote of quorum of the Borough Council, the Mayor and Council may grant or deny an application for a request for a waiver based upon a preponderance of evidence that the applicant has demonstrated good cause for the granting of such waiver. In examining whether or not a waiver should be granted, the following shall be considered:~~

~~(1) The size of the property of the applicant where the non-domestic animal(s) are intended to be kept.~~

~~(2) The distance between the location of where the non-domestic animal is intended to be kept on the applicant's property and the physical location of an adjacent property owner's home or dwelling unit.~~

~~(3) Whether the applicant's property is fenced so as to shield the non-domestic animals from the sight of the surrounding property owners.~~

~~(4) Whether the non-domestic animals are kept in the applicant's home or remain primarily outside of the applicant's home.~~

~~(5) The proposed non-domestic animal and its size.~~

~~(6) The prior history of complaints filed against the applicant for violation of this section, or previous ordinances pertaining to animal control.~~

~~(7) The zoning district of the applicant's property,~~

~~(8) Whether the non-domestic animals serves some purpose other than the desire to have a non-domestic animal as a pet.~~

~~(9) For other such reasons as the Mayor and Council may feel appropriate to consider according in the case, facts and circumstances presented at the time the application is heard.~~

~~D. State Number of Non-Domestic Animals. Should the applicant's request for a waiver be granted, the Mayor and Council shall set the number of proposed non-domestic animals permitted.~~

~~E.—Revocation of Waiver. A waiver granted by the Mayor and Council may be revoked upon proper application made by a Borough official, member of the Borough Police Department or an individual by making applications to the Mayor and Council at least 10 days prior to a Council meeting and by serving notice upon the owner by regular and certified mail, return receipt requested, of the application for revocation of the waiver. The notice shall also include a factual basis for the requested revocation. A hearing shall then be held by the Council on the application for revocation. The Mayor and Council will evaluate the application for revocation of waiver based upon the same criteria previously set forth herein under this section.~~

~~F.—Vaccinations. All non-domestic animals as authorized by a waiver shall be vaccinated against rabies and any other disease as required by a licensed veterinarian and all vaccines shall be done in accordance with the following:~~

~~(1) Vaccination shall be performed by a veterinarian licensed to practice in the State of New Jersey. The vaccine used shall be from a manufacturer licensed by the Bureau of Animal Husbandry of the United States Department of Agriculture or such other agency as shall be approved by the State Department of Health. The dosage shall be as recommended by the manufacturer. All animals shall be revaccinated before the expiration of the period of time for which the vaccine used is known to be effective.~~

~~(2) No waiver shall be granted until the certificate indicating that the animal has been vaccinated or otherwise inoculated has been presented to the Borough Clerk. The certificate shall be submitted with the request for a waiver application but no later than the hearing date schedule for the waiver application hearing.~~

#### ~~§ 5-18.5 — Limitations on Granting of Waiver/Permit.~~

~~The granting of a waiver and permit hereunder shall in no way authorize the creation of a nuisance or the maintenance of an obnoxious condition and shall in no way regulate or prevent the passing of future ordinances concerning the prohibition of or the limitation upon the keeping of non-domestic animals.~~

#### ~~§ 5-18.6 — Term of Permit; Expiration; Fee.~~

~~Any permit granted after obtaining a waiver, shall be valid for a period of one year from the date it is issued. A permit must be obtained on annual basis. The permit fee shall be \$25.~~

#### ~~§ 5-18.7 — Building, Feeding and Operational Requirements.~~

~~Any person having obtained a waiver as set forth herein shall comply with the following provisions:~~

~~A.—The storage of any such non-domestic animal shall be such as to preclude odors and sounds therefrom from interfering with the comfortable enjoyment of life and property on neighboring premises.~~

~~B.—Building, food storage bins, appliances, equipment, feeding areas and other facilities on the premises which might provide food or shelter are to be constructed and maintained in such a fashion as to permit proper cleansing.~~

~~C.—The water supply shall be adequate for proper sanitation.~~

~~D.—Water or other liquids to which mosquitoes may have access shall be properly treated to prevent their breeding.~~

~~E.—Rodents to insects hazardous to public health shall be controlled so that they do not exist or reproduce therein or thereon.~~

~~F.—Adequate equipment shall be available to maintain all yards, enclosures or premises in which such non-domestic animals shall be kept, raised or maintained in a sanitary condition at all times.~~

~~§ 5-18.8~~ — ~~Fencing.~~

~~The area wherein the non-domestic animals are kept, except where they are housed in closed buildings, shall be completely fenced with a sturdy, well-constructed closely woven wire fence or other equally effective fence so as to prevent trespassing on adjoining property.~~

**§ 5-18.4 Expiration of Pre-Existing Permits**

As of July 1, 2023, within sixty (60) days of the expiration of any previously issued and unexpired permit or waiver for the keeping, harboring, controlling, or possession of non-domestic animals, the permit holder shall remove all non-domestic animal(s) from within the Borough and no further keeping, harboring, controlling, or possession of non-domestic animals shall be permitted.

~~§ 5-18.9~~ **5-18.5 Violations and Penalties.**

A person guilty of violating the provisions of this section shall be subject to a fine in an amount not to exceed \$100 for the first offense and no more than \$500 for all subsequent offenses.

**SECTION 2.** 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 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Fair Haven, 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 ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4.** This Ordinance shall hereby take effect immediately 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. 2023-09**

**BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2020-15 ADOPTED ON  
DECEMBER 14, 2020 AND PROVIDING FOR VARIOUS 2020 GENERAL CAPITAL  
IMPROVEMENTS, IN ORDER TO AMEND TWO 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. 2020-15 on December 14, 2020 (the “Prior Ordinance”) providing for various 2020 general capital improvements by and in the Borough; and

**WHEREAS**, the Borough has determined that the project descriptions set forth in Section 3. (a) (i) and (ii) 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) and (ii) of the Prior Ordinance are hereby amended to read as follows:

(i) **Public Works (DPW) and Borough Hall** – Various improvements to 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; and

(ii) **Police Department and Community Center** – 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.

**Section 2.** The 2023 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. 2023-10**

**AN ORDINANCE OF THE BOROUGH OF FAIR HAVEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, INFRASTRUCTURE, IMPROVEMENTS TO PUBLIC BUILDINGS AND GROUNDS AND APPROPRIATING THE SUM OF \$215,000.00 THEREFOR, 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”), has determined to acquire various equipment and make improvements to infrastructure and public buildings and grounds; and

**WHEREAS**, the Borough has \$215,000.00 in the Capital Improvement Fund.

**NOW, THEREFORE, BE IT ORDAINED** and enacted by the Borough Council (the “Governing Body”) of the Borough, AS FOLLOWS:

**SECTION 1.** The sum of \$215,000.00 is hereby appropriated from the Borough’s Capital Improvement Fund for the acquisitions or improvements described in Section 2 of this ordinance and such acquisitions and improvements are hereby authorized as a General Capital authorization to be undertaken in and by the Borough.

**SECTION 2.** The acquisitions and improvements hereby authorized to be undertaken consist of:

- a. Any capital equipment, so determined as to be necessary by the Governing Body;
- b. Roadway and Infrastructure Improvements, so determined to be necessary by the Governing Body;
- c. Buildings and Grounds Improvements, so determined to be necessary by the Governing Body;
- d. Information technology hardware and software, so determined to be necessary by the Governing Body;

together with all items necessary, incidental or appurtenant thereto.

**SECTION 3.** The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, 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 4.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same hereby are repealed to the extent of their inconsistency.

**SECTION 5.** This ordinance shall take effect as provided by law.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-154**

**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. Library Staffing
2. Tax and Finance Office Assistant
3. DPW Staffing

**Possible Litigation**

1. K.M. Hughes Enterprises/Colonial Court

**Contract Negotiations**

1. Interlocal Service Agreement with Monmouth County

**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. 2023-155**

**TITLE:        AMEND RESOLUTION 2022-207 WHICH CANCELLED UNFUNDED BOND  
              APPROPRIATIONS FOR BOND ORDINANCE NO. 2018-21 AS AMENDED BY BOND  
              ORDINANCE NO. 2019-02**

**WHEREAS**, on September 19, 2022 the Mayor and Borough Council of the Borough of Fair Haven, in the County of Monmouth, New Jersey (the “Borough”) adopted Resolution 2022-207 (the “Resolution”) which cancelled the unfunded and authorized balances of Bond Ordinance No. 2018-21 as amended by Bond Ordinance No. 2019-02 in the total amount of \$3,571,750.00 (the “2022 Cancellation Amount”); and

**WHEREAS**, it has been determined that a portion of the 2022 Cancellation Amount needs to be reduced by \$52,996.00.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough that the 2022 Cancellation Amount is hereby reduced by \$52,996.00 resulting in a total cancellation amount of \$3,518,754.00; and

**BE IT FURTHER RESOLVED THAT** a certified copy of this resolution shall be forwarded to the Borough Chief Financial Officer and the Borough Auditor.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-156**

**TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF FAIR HAVEN PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948): STATE OF NEW JERSEY – SOLID WASTE ADMINISTRATION – CLEAN COMMUNITIES GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Fair Haven has received a \$13,329.88 grant from State of New Jersey for a Clean Communities Grant and wishes to amend its 2023 budget to include this amount as revenue; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2023 in the amount of \$13,329.88 which items in now available as revenue from:

The State of New Jersey  
Clean Communities Grant

**BE IT FURTHER RESOLVED** that a like sum of \$13,329.88 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey  
Clean Communities Grant

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to 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. 2023-157**

**TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF FAIR HAVEN PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948): STATE OF NEW JERSEY - SUSTAINABLE JERSEY**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Fair Haven has received a \$2,000.00 grant from State of New Jersey for a 2023 Sustainable Jersey Grant and wishes to amend its 2023 budget to include this amount as revenue; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2023 in the amount of \$2,000.00 which items in now available as revenue from:

The State of New Jersey  
Sustainable Jersey Grant

**BE IT FURTHER RESOLVED** that a like sum of \$2,000.00 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey  
Sustainable Jersey Grant

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to 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. 2023-158**

**TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF FAIR HAVEN PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948): STATE OF NEW JERSEY – ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND (DWI)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the Budget of the County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Fair Haven has received a \$648.97 grant from State of New Jersey for an Alcohol Education Rehabilitation and Enforcement Fund and wishes to amend its 2023 budget to include this amount as revenue; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2023 in the amount of \$648.97 which items in now available as revenue from:

The State of New Jersey  
Alcohol Education Rehabilitation and Enforcement Fund

**BE IT FURTHER RESOLVED** that a like sum of \$648.97 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey  
Alcohol Education Rehabilitation and Enforcement Fund

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to 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. 2023-159**

**TITLE: APPROVE 2023-2024 CLUB LIQUOR LICENSE FOR SHREWSBURY RIVER YACHT CLUB (1313-31-006-001)**

**WHEREAS**, an application for renewal of a club license has been made to the Mayor and Council of the Borough of Fair Haven; and

**WHEREAS**, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

**NOW, THEREFORE, BE IT RESOLVED** that a club liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2023 and ending June 30, 2024 upon application filed by:

1313-31-006-001

Shrewsbury River Yacht Club



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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-160**

**TITLE: APPROVE 2023-2024 CLUB LIQUOR LICENSE FOR COLUMBUS CLUB OF RED BANK t/a KNIGHTS OF COLUMBUS (1313-31-005-001)**

**WHEREAS**, an application for renewal of a club license has been made to the Mayor and Council of the Borough of Fair Haven; and

**WHEREAS**, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

**NOW, THEREFORE, BE IT RESOLVED** that a club liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2023 and ending June 30, 2024 upon application filed by:

1313-31-005-001

Columbus Club of Red Bank

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-161**

**TITLE: APPROVE 2023-2024 PLENARY RETAIL DISTRIBUTION LICENSE FOR LITTLE SILVER LIQUORS, INC. (1313-44-001-007)**

**WHEREAS**, an application for renewal of a plenary retail distribution license has been made to the Mayor and Council of the Borough of Fair Haven; and

**WHEREAS**, the Borough Clerk certifies that the requisite fee has been paid and a tax clearance certificate is on file in her office.

**NOW, THEREFORE, BE IT RESOLVED** that a plenary retail distribution license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2023 and ending June 30, 2024 upon application filed by:

1313-44-001-007

Little Silver Liquors, Inc.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-162**

**TITLE:       APPROVE 2023-2024 PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR  
              NAUVOO GRILL CLUB CORP (1313-33-002-010)**

**WHEREAS**, an application for renewal of a plenary retail consumption license has been made to the Mayor and Council of the Borough of Fair Haven; and

**WHEREAS**, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

**NOW, THEREFORE, BE IT RESOLVED** that a plenary retail consumption liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2023 and ending June 30, 2024 upon application filed by:

1313-33-002-010

Nauvoo Grill Club Corp

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-163**

**TITLE: APPROVE 2023-2024 PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR RAVEN AND THE PEACH (1313-32-004-014)**

**WHEREAS**, an application for renewal of a plenary retail consumption license has been made to the Mayor and Council of the Borough of Fair Haven; and

**WHEREAS**, the Borough Clerk certifies that the requisite fee has been paid and a Tax Clearance Certificate is on file in her office.

**NOW, THEREFORE, BE IT RESOLVED** that a plenary retail consumption liquor license be issued by the Borough of Fair Haven and the appropriate officer of the Borough of Fair Haven is authorized to issue and sign the same in the name of the Borough of Fair Haven for the period commencing July 1, 2023 and ending June 30, 2024 upon application filed by:

1313-32-004-014

Raven and The Peach

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-164**

**TITLE:       ADOPT PRE-QUALIFICATION REGULATIONS FOR BIDDERS IN CONNECTION WITH  
              THE FAIR HAVEN BOROUGH DPW FACILITY RENOVATION**

**WHEREAS**, N.J.S.A. 40A:11-25 permits a governing body to establish reasonable regulations appropriate for controlling the qualifications of prospective bidders for contracts awarded on behalf of the governing body; and

**WHEREAS**, N.J.S.A. 40A:11-25 further provides that the governing body may require each bidder to furnish a statement of their qualifications and may refuse to accept bids from a bidder unless the bidder satisfies the pre-qualification requirements; and

**WHEREAS**, the Borough of Fair Haven (“Borough”) desires to establish specific pre-qualification requirements for bidders in connection with the contract for the Borough of Fair Haven’s DPW Facility Renovation Project; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-25, on June 5, 2023 notice was published in The Asbury Park Press and the Star Ledger regarding the hearing before the Borough Council on pre-qualification requirements; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-25, on June 26, 2023 the Borough will hold a public hearing on the pre-qualification requirements; and

**WHEREAS**, the Borough desires to adopt the pre-qualification requirements for a contract for the DPW Facility Renovation Project as set forth in the advertisement and the Notice to Bidders as prepared by Ron Grammer, Grammer Designs, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Borough of Fair Haven, County of Monmouth, State of New Jersey, they being the governing body thereof as follows:

1. Pursuant to N.J.S.A. 40A:11-25, the Borough hereby adopts the pre-qualification requirements for bidders on the contract for the Borough of Fair Haven’s DPW Facility Renovation Project as set forth in the advertisement and the Notice to Bidders as prepared by Grammer Designs, LLC.
2. The Municipal Clerk of the Borough of Fair Haven is hereby authorized and directed to forward a certified and sealed copy of this resolution and completed, certified and sealed Standard Certification Form to the Director of the Division of Local Government Services for approval pursuant to N.J.S.A. 40A:11-25.
3. The Mayor, Borough Attorney, and Municipal Clerk, together with all other appropriate employees and professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purpose of this resolution.

4. This Resolution shall take effect immediately.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-165**

**TITLE: APPOINT ADDITIONAL COUNSELORS FOR THE 2023 REC-N-CREW SUMMER CAMP PROGRAM IN THE PARKS & RECREATION DEPARTMENT**

**WHEREAS**, the Borough of Fair Haven will be offering a Rec-N-Crew Summer Camp Program through the Parks and Recreation Department for the 2023 summer season; and

**WHEREAS**, DJ Breckenridge, Parks and Recreation Director has recommended the following individuals be appointed as part time Counselors for the 2023 program:

| <b>Camp Employee</b> | <b>Hourly Salary</b> | <b>Title/Notes</b> | <b>Term</b>       |
|----------------------|----------------------|--------------------|-------------------|
| Brendan Doherty      | \$20.00              | Head Counselor     | June 26 - July 28 |
| Aaron DelTin         | \$11.00              | Counselor          | June 26 - July 28 |
| Sean Trinder         | \$11.00              | Counselor          | June 26 - July 28 |

**WHEREAS**, the Summer Playground Program is offset through the fees paid by participants of the programs by way of the Recreation Trust Fund.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven that the above Counselors be appointed for the 2023 Summer Rec-N-Crew Camp Program at the program salaries listed above for the program beginning June 26, 2023 through July 28, 2023.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-166**

**TITLE:        APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO FORMAN STREET PROJECT**

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Fair Haven formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Borough Engineer and Borough Clerk are hereby authorized to submit an electronic grant application identified as **MA-2024-Improvements to Forman Street**, to the New Jersey Department of Transportation on behalf of the Borough of Fair Haven identified as follows:

Improvements to Forman Street Project

**BE IT FURTHER RESOLVED** that the Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fair Haven and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.



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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-167**

**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 June 12, 2023 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

|                           |                      |
|---------------------------|----------------------|
| 2023 CURRENT FUND ACCOUNT | \$ 171,116.24        |
| GENERAL CAPITAL           | \$ 85,725.44         |
| PAYROLL AGENCY            | \$ 17,936.32         |
| OTHER TRUST               | \$ 7,174.25          |
| DOG TRUST                 | \$ <u>2.40</u>       |
|                           | \$ 281,954.65        |
| LESS VOIDED CHECKS        | - <u>12,766.68</u>   |
|                           | \$ <b>269,187.97</b> |

CURRENT CHECK NO. 64140 - \$12,500.00  
PAYROLL AGENCY CHECK NO. 6191 - \$115.40  
PAYROLL AGENCY CHECK NO. 6196 - \$151.28

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-168**

**TITLE:       RESOLUTION APPOINTING A REGULAR MEMBER TO THE FAIR  
              HAVEN FIRE DEPARTMENT - Michael V. Crockett**

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven Joseph Duva, 71 Grange Avenue, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-168**

**TITLE:       RESOLUTION APPOINTING A REGULAR MEMBER TO THE FAIR  
              HAVEN FIRE DEPARTMENT - Michael V. Crockett**

**BE IT RESOLVED** by the Borough Council of the Borough of Fair Haven Joseph Duva, 71 Grange Avenue, Fair Haven, NJ having been duly accepted as a regular member of the Fair Haven Volunteer Fire Co., is hereby appointed to the Fair Haven Fire Department.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-169**

**TITLE:        AUTHORIZE ADVERTISEMENT FOR RECEIPT OF BIDS FOR A NEW POLICE  
                  DEPARTMENT FACILITY AND COMMUNITY CENTER**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that authorization is given to the Borough Administrator and Borough Professionals to advertise for receipt of bids in both the official Borough newspapers and through the services of BidNet Direct for a new Police Department Facility and Community Center.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-170**

**TITLE:        AUTHORIZE ADVERTISEMENT FOR RECEIPT OF BIDS FOR BOROUGH POCKET  
                  PARK AND BOAT RAMP PROJECTS**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that authorization is given to the Borough Administrator and Borough Engineer to advertise for receipt of bids for the Pocket Park and Boat Ramp Projects.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-171**

**TITLE: RECONFIRM DEPARTMENT OF PUBLIC WORKS HOURS IN ACCORDANCE WITH THE TERMS OF ARTICLE 7 (O) OF THE AGREEMENT BETWEEN THE BOROUGH OF FAIR HAVEN AND TEAMSTERS LOCAL 177**

**WHEREAS**, the Borough of Fair Haven has a contractual agreement with Teamsters Local 177, which covers employees who work in the Borough's Department of Public Works; and

**WHEREAS**, Article 7N of the agreement allows for summer work hours, as 6:00 am to 2:30 pm, from Memorial Day to Labor Day; and

**WHEREAS**, Article 7 (O) of the agreement establishes a mechanism for the Borough Council to set work hours; and

**WHEREAS**, Resolution No. 2014-149 was adopted June 16, 2014 set summer work hours as 7:00 am to 3:30 pm; and

**WHEREAS**, the Director of Public Works and the Borough Administrator continue to recommend that the Department of Public Works hours remain as a 7:00 am to 3:30 pm workday all year long, based on the following:

- The Borough of Fair Haven has a contract with an outside vendor for solid waste and recycling services and it is unlikely that the Borough's Public Works Department will resume trash and recycling pickup.
- In response to numerous concerns from residents, the Borough of Fair Haven continues to enforce the Borough's Noise Ordinance, which prohibits various activities before 8:00 am, Monday through Friday.

**WHEREAS**, based on the conditions stated above, the Borough Council concurs with the recommendation of the Director of Public Works and the Borough Administrator regarding work hours for the Department of Public Works.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that in accordance with Article 7 (O) of the Agreement between the Borough of Fair Haven and Teamsters Local 177, summer work hours for the Department of Public Work shall be 7:00 am to 3:30 pm, until further notice.

**BE IT FURTHER RESOLVED** that the Borough Clerk will forward a certified copy of this resolution to representatives of Teamsters Local 177 and all Department of Public Works employees on June 13, 2023, in accordance with the agreement which requires the Borough to provide a minimum of two week's notice to employees of a change in work hours.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-172**

**TITLE: APPOINT PART TIME SEASONAL PUBLIC WORKS LABORER - Kevin Hofmann**

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

**WHEREAS**, Richard Gardella, Director of Engineering and Public Works has recommended that Kevin Hofmann, be appointed as a part-time Seasonal Laborer with hours not to exceed 30 hours weekly; and

**WHEREAS**, the rate of pay for this position is \$17.50 per hour.

**NOW, THEREFORE, BE IT RESOLVED** that the appointment of Kevin Hofmann, as part-time Seasonal Laborer is hereby confirmed.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2023-173**

**TITLE: APPOINT TEMPORARY PART TIME PUBLIC WORKS LABORER FOR THE  
RECYCLING CENTER - JOHN "VINNY" FEENEY**

**WHEREAS**, there is a need for a Temporary, Part Time Public Works Laborer to maintain the Borough's Recycling Center; and

**WHEREAS**, the Director of Engineering and Public Works submitted his recommendation for John "Vinny" Feeney to be appointed as a Temporary, Part Time DPW Laborer with hours not to exceed 15 hours per week; and

**WHEREAS**, the Borough Administrator concurs with this recommendation; and

**WHEREAS**, the rate of pay for this position is \$17.50 per hour.

**NOW, THEREFORE, BE IT RESOLVED** that the appointment of John "Vinny" Feeney as a Temporary, Part Time DPW Laborer for the Recycling Center is hereby confirmed and effective June 13, 2023.