

- 2023-215 Executive Session: Personnel, Acquisition of Property and Contract Negotiations
- 2023-216 Request DLGS Approval-Change Appropriation Title for IT ILSA with Fair Haven BOE
- 2023-217 Approve 3rd Quarter Tax Overpayment Refunds
- 2023-218 Approve Fire Department Social Membership Application - John Scholz
- 2023-219 Authorize Performance Bond Release/Accept Maintenance Bond - 37 Third Street
- 2023-220 Accept Performance Guarantees-M&M Realty Partners at Fair Haven, LLC: 626 River Road
- 2023-221 Accept Blanket Street Opening Bond-Two Rivers Water Reclamation Authority in lieu of Cash Repair Deposit
- 2023-222 Approve the Borough to work with BFI Furniture for the DPW Facility Furnishings
- 2023-223 Payment of Vouchers
- 2023-224 Chapter 159: ILSA for SLEO III
- 2023-225 Chapter 159: NJDEP Stormwater Assistance Grant
- 2023-226 Authorize Borough Administrator to Execute Contract for On-Line Auction
- 2023-227 Approve Extension for K.M. Hughes Enterprises - Colonial Court
- 2023-228 Approve Block Party Application - Tyson Drive - September 23rd
- 2023-229 Approve Block Party Application - Lake Avenue - October 1st
- 2023-230 Approve Block Party Application - Gentry Drive - October 14th
- 2023-231 Approve Parking Agreement with Fisk Chapel
- 2023-232 Accept Withdrawal from J.R. Contracting & Environmental Consulting
- 2023-233 Award Bid and Authorize Contract Execution for New Police Department and Community Center

Department Reports

July 2023

-Municipal Court

August 2023

-Municipal Clerk

-Dog License

-Budget Status

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.**

NEXT COUNCIL MEETING: TUESDAY, SEPTEMBER 26, 2023

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2023-13**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF
MONMOUTH SETTING THE SALARY RANGES OF OFFICERS, EMPLOYEES AND
ADMINISTRATIVE AND EXEMPT MEMBER OF THE BOROUGH OF FAIR HAVEN**

BE IT ORDAINED by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey that the purpose of this Ordinance is to amend Ordinance 2022-02 to alter and reflect current salary ranges paid within the Borough, as last revised and passed April 25, 2022.

NOTE: Additions are in ***bold italics with underlines***, deletions are shown as ***strikeovers in bold italics***.

SECTION 1. ADMINISTRATIVE OFFICE AND EMPLOYEES

<u>TITLE</u>	<u>MINIMUM - MAXIMUM</u>
Borough Administrator	\$60,000.00 - 165,000.00
Assistant Borough Administrator	\$ 500.00 - 25,000.00
Borough Clerk	\$40,000.00 - 90,000.00
Deputy Borough Clerk	\$ 2,000.00 - 5,000.00
Chief Financial Officer	\$20,000.00 - 40,000.00*
Assistant Chief Financial Officer	\$25,000.00 - 70,000.00
Qualified Purchasing Agent	\$ 5,000.00 - 15,000.00
Payroll Coordinator	\$ 3,500.00 - 7,500.00
Tax Collector	\$35,000.00 - 60,000.00*
Tax Search Officer	\$ 1,000.00 - 3,500.00*
Municipal Court Administrator	\$ 5,000.00 - 25,000.00*
Tax Assessor	\$15,000.00 - 35,000.00
Administrative Assistant	\$18,000.00 - 50,000.00
Registrar	\$ 2,000.00 - 4,000.00
Librarian	\$30,000.00 - 55,000.00
Assistant Librarian	\$20,000.00 - 40,000.00
Municipal Judge	\$10,000.00 - 20,000.00
Municipal Prosecutor	\$ 7,500.00 - 20,000.00
Parks and Recreation Director	\$30,000.00 - 70,000.00
Assistant to the Administrator for Special Projects	\$10,000.00 - 20,000.00
Chief of Police	\$85,000.00 - 165,000.00
Police Officer	\$30,000.00 - 135,000.00
Code Enforcement Officer	\$10,000.00 - 25,000.00
Zoning Officer	\$10,000.00 - 35,000.00
Construction Official	\$20,000.00 - 45,000.00*
Fire Sub-Code Officer	\$ 4,000.00 - 15,000.00*
Fire Prevention Officer	\$ 4,000.00 - 8,000.00*
Plumbing Inspector	\$ 3,000.00 - 15,000.00*
Electrical Inspector	\$ 5,000.00 - 15,000.00*
School Crossing Guard (permanent)	\$10,000.00 - 20,000.00
Director of Engineering/Director of Public Works	\$80,000.00 - 150,000.00
Assistant Director of Engineering & Public Works	\$50,000.00 - 80,000.00
Flood Plain Manager	\$ 5,000.00 - 10,000.00
Public Works Foreman	\$50,000.00 - 80,000.00
Buildings, Grounds and Parks Foreman	\$ 2,000.00 - 5,000.00

Buildings Maintenance Foreman	\$ 5,000.00 - 10,000.00
Streets and Sanitation Foreman	\$ 2,000.00 - 5,000.00
Mechanic	\$45,000.00 - 80,000.00
Public Works Laborer	\$27,500.00 - 75,000.00
Municipal Alliance Coordinator	\$ 5,000.00 - 20,000.00
Recycling Coordinator	\$ 500.00 - 2,500.00
Clean Communities Coordinator	\$ 1,000.00 - 5,000.00
Performance Based Merit Bonus	\$ 0.00 - 10,000.00

SECTION 2. HOURLY EMPLOYEES

<u>TITLE</u>	<u>MINIMUM - MAXIMUM</u>
Receptionist/Secretary	\$15.00 - 30.00 per hour
Assistant Parks and Recreation Director	\$14.00 - 18.00 per hour
Police Records Clerk	\$12.00 - 30.00 per hour
Police Matron	\$15.00 - 25.00 per hour
Special Officer Class I	\$12.00 - 20.00 per hour
Special Officer Class II	\$13.00 - 20.00 per hour
<i><u>Special Officer Class II working in the school</u></i>	<i><u>\$38.00 - 50.00 per hour</u></i>
<i><u>Special Officer Class III</u></i>	<i><u>\$38.00 - 50.00 per hour</u></i>
School Crossing Guard (substitute)	\$12.00 - 25.00 per hour
PT Public Works Laborer	\$12.00 - 25.00 per hour
DPW – PT Recycling Laborer	\$12.00 – 30.00 per hour
Planning Board Secretary	\$12.00 - 30.00 per hour
Zoning Board Secretary	\$12.00 - 30.00 per hour
Code Enforcement Officer	\$12.00 - 25.00 per hour
Deputy Court Administrator/Violations Clerk	\$13.00 - 18.00 per hour*
Library Assistant	\$12.00 - 25.00 per hour
Clean Communities Worker	\$12.00 - 15.00 per hour
Summer Camp Counselors	\$10.00 - 30.00 per hour
Tennis Camp Instructors	\$14.00 - 18.00 per hour

BE IT FURTHER ORDAINED that specific salaries and bonuses within the ranges will be set by a negotiated contract or in an annual salary resolution adopted by the governing body.

*Services provided through an Interlocal Service Agreement (positions are currently vacant)

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-215

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 Staff

Acquisition of Property

1. 21 Fair Haven Road

Contract Negotiations

1. Knights of Columbus
2. Fisk Chapel A.M.E. Church

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. 2023-216

TITLE: REQUEST CORRECTION IN APPROPRIATION TITLE FOR AN INTERLOCAL SERVICE AGREEMENT WITH THE FAIR HAVEN BOARD OF EDUCATION FOR INFORMATION TECHNOLOGY SERVICES

WHEREAS, N.J.S.A. 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, the Borough of Fair Haven hereby requests the Director of the Division of Local Government Services to make the following correction in the 2023 budget:

Change in Interlocal Services Agreement for Information Technology Services from Rumson-Fair Haven Regional Board of Education to Fair Haven Board of Education.

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Borough of Fair Haven for the reasons set forth:

The Rumson-Fair Haven Regional Board of Education advised they no longer wished to provide services for Information Technology to the Borough of Fair Haven as of July 1, 2023. The Fair Haven Board of Education offered to provide Information Technology Services as per the attached agreement.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-217

TITLE: REFUND OF 3RD QUARTER, 2023 PROPERTY TAX OVERPAYMENTS

WHEREAS, the Tax Collector, has provided a request for a tax overpayment refunds for 3rd Quarter 2023 due to duplicate payments and advises that the following property owners qualify for a refund as follows:

Owner	Address	Block	Lot	Refund
Sorora Land Development, LLC	144 Kemp Avenue	70	26	\$3,286.78

Payment to:

Lereta, LLC

Attn: Central Refunds

901 Corporate Center Drive

Pamona, California 91768

Daniel and Stacey Strandberg	586 Ridge Road	67	38	\$6,925.15
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Payment to:

Corelogic Centralized Refunds

PO Box 9202

Coppell, Texas 75019-9760

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Tax Collector and Chief Financial Officer are hereby authorized to pay said refunds in the amounts listed above.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-218

**TITLE: RESOLUTION APPOINTING A SOCIAL MEMBER TO THE FAIR
HAVEN FIRE DEPARTMENT, John Scholz**

BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that John Scholz, 29 Katherine Street, Fair Haven, NJ having been duly accepted as a social 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. 2023-219

TITLE: RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE BOND FOR MINOR SUBDIVISION (BLOCK 38, LOT 2) - 37 THIRD STREET

WHEREAS, Ilvento Builders and Developers, LLC., is the owner of the real property known as Block 38, Lot 2; and

WHEREAS, Resolution No. 2022-117 adopted April 25, 2023 accepted the performance guarantees that were posted as a cash deposit of \$36,750.00 pursuant to NJSA 40:55D-1, et seq.; and

WHEREAS, the Borough Engineer authorized the release of the performance guarantees in exchange for a two-year maintenance bond; and

WHEREAS, the developer has requested, that the Borough release \$31,237.50 from the original performance guarantee posted and hold 15% or \$5,512.50 as the two-year maintenance bond.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven, County of Monmouth and State of New Jersey that the Chief Financial Officer be authorized to release \$31,237.50 to the Developer and hold \$5,512.50 as a two-year maintenance bond.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-220

TITLE: RESOLUTION OF THE BOROUGH OF FAIR HAVEN ACCEPTING PERFORMANCE GUARANTEES FOR PROPERTY KNOWN AS BLOCK 31, LOT 1 – 626 RIVER ROAD

WHEREAS, M&M Realty Partners at Fair Haven, LLC. obtained Preliminary and Final Major Site Plan approval from the Fair Haven Planning Board pursuant to a Resolution adopted by the Planning Board on March 15, 2022; and

WHEREAS, the Planning Board Engineer prepared a bond estimate for this minor subdivision by way of letter dated June 20, 2023 which is annexed hereto; and

WHEREAS, M&M Realty Partners at Fair Haven, LLC has posted performance guarantees in conformance with the bond estimate including additional fees as follows:

Check No. 24 in the amount of \$ 6,243.00 (10% cash deposit)

Check No. 25 in the amount of \$ 2,601.25 (5% of the engineering inspection fees)

Check No. 26 in the amount of \$ 5,000.00 (Safety and Stabilization Guarantee)

Performance Surety Bond No. S260400 in the amount of \$56,187.00 to satisfy the 90% remaining cost estimate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that the aforementioned performance guarantees are accepted by the Borough in order to secure performance by the property owner of a Preliminary and Final Major Site Plan to effectuate the terms and conditions of said approvals.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-221

**TITLE: ACCEPT BOND NO. B1289538 FROM TWO RIVERS WATER RECLAMATION
AUTHORITY AS A BLANKET BOND FOR STREET OPENINGS IN LIEU OF CASH
REPAIR DEPOSITS**

WHEREAS, Subsection 15-1.8 of Ordinance No. 2023-04 allows for the posting of a surety bond by utility companies for street opening projects in lieu of posting individual cash repair deposits renewable on a yearly basis; and

WHEREAS, Two Rivers Water Reclamation Authority has posted Bond No. B1289538 from Selective Insurance Company of America in the amount of \$100,000 to cover cash repair amounts for their projects or need to open the street or right of way within the Borough of Fair Haven.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Bond No. B1289538 posted by Two Rivers Water Reclamation Authority in the amount of \$100,000 is hereby accepted.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-222

TITLE: APPROVAL FOR THE BOROUGH TO WORK WITH BFI FURNITURE FOR THE DEPARTMENT OF PUBLIC WORKS FACILITY FURNISHINGS

WHEREAS, the governing body has approved a renovation to the Department of Public Works Facility; and

WHEREAS, part of the plans for the renovation of the Public Works Department include furnishings once the building has been built; and

WHEREAS, the Facilities Committee and Borough Professionals have met with and had discussions with BFI Furniture to create a plan and preliminary budget for the furnishings that will be required to complete this renovation project; and

WHEREAS, BFI will work through State Contract for the necessary furnishing purchases and has submitted a Preliminary Furniture Budget in the amount not to exceed \$140,155 and noted the appropriate vendor and State Contract Number, attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Borough and Facilities Committee are authorized to continue working with BFI Furniture and the preliminary furniture budget is hereby approved.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-223

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 September 11, 2023 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2022 CURRENT FUND ACCOUNT	\$ 22,796.15
2023 CURRENT FUND ACCOUNT	\$4,264,796.85
GENERAL CAPITAL	\$ 93,709.65
PAYROLL AGENCY	\$ 17,786.86
OTHER TRUST	\$ 9,133.97
DOG TRUST	<u>\$ 592.90</u>
	\$4,408,816.38
LESS VOIDED CHECKS	- 17,066.46
	<u>\$ 4,391,749.92</u>

VOIDED CHECKS:

CURRENT CHECK NO. 64476	\$ 90.10
PAYROLL AGENCY CHECK NO. 6213	\$16,496.36
PAYROLL AGENCY CHECK NO. 6215	\$ 480.00

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-224

TITLE: AUTHORIZING A CHAPTER 159 ADDITIONAL ITEM OF FUNDING IN THE 2023 BUDGET - SHARED SERVICE AGREEMENT BETWEEN BOROUGH OF FAIR HAVEN AND FAIR HAVEN OF EDUCATION (SPECIAL LAW ENFORCEMENT OFFICERS III, SLEO III)

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 special item of revenue in the budget of any 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 an item of appropriation for an equal amount, and

WHEREAS, the Borough of Fair Haven has entered into a shared service agreement to receive \$58,333.00 from the Fair Haven Board of Education and wishes to amend its 2023 budget to include this amount as revenue.

NOW THEREFORE BE IT RESOLVED that 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 2023 budget in the sum of \$58,333.00 which is now available as revenue under Special Item of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Shared Service Agreement
Fair Haven Board of Education-SLEO III

BE IT FURTHER RESOLVED that a sum of \$58,333.00 is hereby appropriated under the caption of General Appropriations - Operations Excluded from "CAPS":

Shared Service Agreement
Fair Haven Board of Education-SLEO III

BE IT FURTHER RESOLVED that the Borough Clerk forward a copy 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. 2023-225

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- BUREAU OF NJPDES - STORMWATER ASSISTANCE 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 \$25,000.00 grant from State of New Jersey, Bureau of NJPDES for a Stormwater Assistance 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 \$25,000.00 which items is now available as revenue from:

The State of New Jersey - Bureau of NJPDES
Stormwater Assistance Grant

BE IT FURTHER RESOLVED that a like sum of \$25,000.00 be and the same is hereby appropriated under the caption of General Appropriations - Operations Excluded from CAPS:

The State of New Jersey
Stormwater Assistance 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. 2023-226

TITLE: AUTHORIZE SALE OF PERSONAL PROPERTY VIA ON –LINE AUCTION
<http://www.govauctionlistservices.com/>

WHEREAS, there are certain vehicles and equipment owned by the Borough of Fair Haven which are no longer of use to the Borough and the Borough Council has recommended that they be sold; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires authorization of municipal surplus via the adoption of a Resolution; and

WHEREAS, the Borough Administrator is authorized to set the minimum bid for items to be sold.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the Borough Administrator be authorized to dispose of the following items of municipally owned property not needed for public use through the process of a public auction to be held September 25, 2023 until October 9, 2023 via on-line auction handled by <http://www.govauctionlistservices.com/>

BE IT RESOLVED that the items to be sold are listed in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute a contract with <http://www.govauctionlistservices.com/> which is attached as Exhibit B.

BE IT FURTHER RESOLVED that any items not purchased at auction may be disposed of by the Borough.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-227

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

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

WHEREAS, the Developer’s Agreement contained a deadline for the Developer to complete the site improvements by March 1, 2019 which was extended to September 1, 2019 by Resolution No. 2019-78, a second extension given by Resolution No. 2019-195 until March 1, 2020, a third extension given by Resolution No. 2020-66 until June 30, 2020, and a fourth extension given by Resolution 2020-151 until December 31, 2020; and

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

WHEREAS, the Developer has met with Borough Professionals to review open items still pending on the site and, at the Borough’s request, he has increased the amount of his performance bond, replenished the engineering escrow related to this project, shown proof of the State of New Jersey registration for the Colonial Court Home Owners Association, and has been actively working with his engineering firm, Insite Engineering, and the Borough Engineer to address the stormwater flooding issues on site, as well as on the neighboring properties; and

WHEREAS, the Developer is aware that the original Developers Agreement will need to be amended and executed within thirty (30) days, so as to include the requirement for the full remediation of flooding issues in and around the site, as well as the adequate funding of the Colonial Court Homeowners Association reserves. In addition, proper notice and a full accounting will be given to all current and future members of the Association, who shall establish a new Board of Directors for the Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, County of Monmouth, State of New Jersey, that K.M. Hughes is granted an additional (fifth) extension of thirty (30) days through October 11, 2023, which will be automatically extended for an additional one hundred twenty (120) days, through February 8, 2024 upon the execution of an amended Developers Agreement, for a total of one hundred fifty (150) days in which to complete the site improvements as required in the Developer’s Agreement.

BE IT FURTHER RESOLVED THAT the Borough’s Construction Official will monitor building permit activity in accordance with the terms and timetable memorialized in this resolution.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-228

TITLE: APPROVING A BLOCK PARTY TO BE HELD ON TYSON DRIVE
SEPTEMBER 23RD

WHEREAS, a request was received to hold a Block Party on Tyson Drive on Saturday, September 23, 2023 from 3 pm to 8 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 7, 2023; 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 Tyson Drive on Saturday, September 23, 2023 from 3 pm to 8 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2023-05 will be issued for said event.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-229

**TITLE: APPROVING A BLOCK PARTY TO BE HELD ON LAKE AVENUE
 (BETWEEN PRINCETON ROAD AND HARVARD ROAD) - OCTOBER
 1ST**

WHEREAS, a request was received to hold a Block Party on Lake Avenue, between Princeton Road and Harvard Road) on Sunday, October 1, 2023 from 4 pm to 7:30 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 7, 2023; 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 Lake Avenue on Sunday, October 1, 2023 from 4 pm to 7:30 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2023-06 will be issued for said event.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-230

TITLE: APPROVING A BLOCK PARTY TO BE HELD ON GENTRY DRIVE
OCTOBER 14TH

WHEREAS, a request was received to hold a Block Party on Gentry Drive on Saturday, October 14, 2023 from 4 pm to 9:00 pm; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on September 7, 2023; 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 Gentry Drive on Saturday, October 14, 2023 from 4:00 pm to 9:00 pm.

BE IT FURTHER RESOLVED that Permit No. BP 2023-07 will be issued for said event.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-231

TITLE: APPROVING RIGHT-OF-ENTRY LICENSE AGREEMENT WITH FISK CHAPEL A.M.E. CHURCH, INC. FOR A TEMPORARY ACCESS/STORAGE AREA FOR THE PLANNED CONSTRUCTION OF THE BOROUGH'S NEW POLICE DEPARTMENT AND COMMUNITY CENTER

WHEREAS, the Borough of Fair Haven (the "Borough") is the owner of real property known as 35 Fisk Street, Fair Haven, NJ 07704, and identified on the tax map of the Borough of Fair Haven as Block 39, Lot 20.01 (the "Borough's Property"); and

WHEREAS, the Borough plans to construct a new Police Department and Community Center upon the Borough's Property (the "Project"); and

WHEREAS, in connection with the Project, the Borough requires site access, as well as a staging and storage area, for the planned construction activities occurring upon the Borough's Property, but lacks sufficient space upon the Borough's Property for said purposes; and

WHEREAS, Fisk Chapel A.M.E. Church, Inc. ("Licensor"), is the owner of real property known as 37-38 Fisk Street, Fair Haven, NJ 07704, and identified on the tax map of the Borough of Fair Haven as Block 39, Lot 11 (the "Licensor's Property"); and

WHEREAS, the Licensor's Property is located adjacent to the Borough's Property and the Licensor's Property contains sufficient and convenient space for site access, as well as a staging and storage area for the Borough's Project; and

WHEREAS, as a part of the Project, the Borough will make certain improvements to the Licensor's Property for a shared parking lot arrangement, which permanent improvements are good and valuable consideration for Licensor to enter into a Right-of-Entry License Agreement with the Borough.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Haven hereby approve the execution of a Right-of-Entry License Agreement, attached to this Resolution as Exhibit "A", with Fisk Chapel A.M.E. Church, Inc. for site access, as well as a staging and storage area for the Borough's Project; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate paperwork to effectuate same.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-232

**TITLE: ACCEPT LETTER OF BID WITHDRAWAL FROM J.R. CONTRACTING &
ENVIRONMENTAL CONSULTING FOR THE NEW POLICE DEPARTMENT AND
COMMUNITY CENTER PROJECT**

WHEREAS, the Mayor and Council authorized the advertisement for receipt of bids for a new Police Facility and Community Center; and

WHEREAS, sealed bids were publicly opened on August 31, 2023, as per the Notice to Bidders; and

WHEREAS, J.R. Contracting & Environmental Consulting, Wayne, New Jersey was the apparent low bidder for both the base bid; and

WHEREAS, on September 1, 2023, J.R. Contracting & Environmental Consulting submitted a letter to the Borough Architect advising that they were withdrawing their bid due to a calculation error.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the letters of withdrawal from J.R. Contracting & Environmental Consulting and Structural Concepts are hereby accepted.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2023-233

TITLE: AWARDING A BID AND CONTRACT FOR THE NEW POLICE FACILITY AND COMMUNITY CENTER TO HALL BUILDING, CORP.

WHEREAS, the Mayor and Council authorized the advertisement for receipt of bids for a new Police Facility and Community Center; and

WHEREAS, sealed bids were opened on August 31, 2023 and the following bids were received:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT BID</u>
1. J.R. Contracting & Environmental Consulting	Wayne, NJ	\$6,500,000.00
2. Structural Concepts	Ocean, NJ	\$7,493,000.00
3. Hall Building Corp.	Farmingdale, NJ	\$8,285,000.00
4. Crosson Construction Co.	Rumson, NJ	\$8,293,000.00
5. Pharos Enterprises, LLC.	Holmdel, NJ	\$8,426,000.00
6. Niram, Inc.	Cedar Knolls, NJ	\$9,213,000.00
7. Tekcon Construction, Inc.	Somerset, NJ	\$9,544,212.00
8. M&M Construction Company	Cranford, NJ	\$9,530,000.00
9. Shorelands Construction, Inc.	Monmouth Beach, NJ	\$9,554,000.00

WHEREAS, J.R. Contracting & Environmental Consulting, Wayne, New Jersey submitted a letter of withdrawal which has been accepted by the Mayor and Council; and

WHEREAS, the next apparent low bidder was Structural Concepts, Ocean, New Jersey, whose bid has been disqualified on the basis of required bid documents not being part of their bid submission; and

WHEREAS, Andrew Sobel, Esq., Borough Attorney and Eli Goldstein, Borough Architect, reviewed the bid submissions and recommend that a contract award for the base bid be made to Hall Building Corp., 33 Main Street, P.O. Box 904, Farmingdale, New Jersey 07727 in the amount of \$8,285,000.00; and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for said bid award are available in multiple Capital Fund Appropriations, as attached.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for a new Police Facility and Community Center to Hall Building Corp., 33 Main Street, P.O. Box 904, Farmingdale, New Jersey 07727.

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute any paperwork necessary to move this project forward.