

**FAIR HAVEN BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
NOVEMBER 27, 2023, 7:00 P.M.  
HYBRID MEETING (IN-PERSON AND ZOOM)**

Zoom Link: <HTTPS://US02WEB.ZOOM.US/J/84665685386>

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

Webinar ID: 846 6568 5386

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. **Proclamation**  
-Recognize 8U and 11U Blue Diamond Baseball Teams as Champions
7. **Workshop Session**  
-Bicentennial Hall
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**  
-November 13, 2023 Executive Session
10. **Old Business**  
**Resolution**  
2023-282 Base Bid Award for DPW Renovation Project  
2023-283 (Accept/Reject) Alternate Bids for Maple Avenue Offsite, Right of Way Improvements  
  
-2023 Leaf and Brush Program
11. **New Business**  
**Council Committee Reports**  
**Finance** - Councilman Rodriguez  
**Police, Fire & OEM** - Councilman Rodriguez  
**Personnel** - Councilwoman Hoey  
**Parks and Recreation** - Councilwoman Hoey  
**Planning Board** - Councilwoman Koch  
**Engineering and DPW** - Councilman LaBarbera  
**Borough Facilities** - Councilman LaBarbera  
**Zoning Board of Adjustment** - Councilman LaBarbera  
**Borough Communications and Community Outreach** - Councilwoman Cole  
  
**Introduction of Ordinance**  
1. 2023-19 Add Section 9-6: Fishing and Crabbing Regulations from Public Streets, Rights of Way and Waterfront Properties  
  
**Consent Agenda**  
**Resolutions**  
2023-279 Authorize Purchase of Police Vehicle

- 2023-284 Set 2024 Reorganization Meeting Date as January 2, 2024
- 2023-285 Approve Grant Agreement with NJDEP: NJUCF Stewardship Grant (Canopy Resiliency)
- 2023-286 Approve 4<sup>th</sup> Quarter Tax Overpayment Refunds
- 2023-287 Approve Environmental Service Support Proposal and LSRP-New Police & Community Center Facility to Colliers Engineering
- 2023-288 Approve 2023 Budget Transfers
- 2023-289 Executive Session: Personnel
- 2023-290 Payment of Vouchers

**Department Reports**

-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: MONDAY, DECEMBER 18, 2023**

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. 2023-282**

**TITLE:           AWARDING A BID AND CONTRACT FOR THE DPW FACILITY RENOVATION 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 November 1, 2023 and the following bids were received:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT BID</u>
1. Hall Building Corporation	Farmingdale, NJ	\$3,020,655.00
2. Pharos Enterprises, LLC.	Holmdel, NJ	\$3,227,000.00
3. Fitzpatrick & Associates, Inc.	Tinton Falls, NJ	\$3,218,270.00
4. Crosson Construction Co.	Rumson, NJ	\$3,278,350.00
5. West End KB, LLC	Oceanport, NJ	\$3,437,932.36
6. Shorelands Construction, Inc.	Monmouth Beach, NJ	\$3,500,000.00
7. M&M Construction Company	Cranford, NJ	\$3,530,000.00
8. Tekcon Construction, Inc.	Somerset, NJ	\$3,780,539.00

**WHEREAS**, Andrew Sobel, Esq., Borough Attorney and Richard Gardella, Borough Engineer, reviewed the bid submissions and recommend that a contract award for the base bid be made to Hall Building Corporation, 33 Main Street, P.O. Box 904, Farmingdale, New Jersey 07727 in the amount of \$3,020,655.00; 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 the DPW Renovation Project 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.

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2023-19**

**AN ORDINANCE SUPPLEMENTING CHAPTER 9: “PARKS AND RECREATION  
AREAS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW  
SECTION 9-6: “FISHING AND CRABBING” TO ESTABLISH REGULATIONS FOR  
PERMISSIBLE FISHING AND CRABBING FROM PUBLIC STREETS, RIGHTS-OF-  
WAY AND BOROUGH WATERFRONT PROPERTIES**

**WHEREAS**, the Borough of Fair Haven (the “Borough”) is empowered and authorized by State law to enact ordinances regulating the use of public areas in order to protect the public health, safety, and welfare of the residents and visitors to the Borough; and

**WHEREAS**, the Borough does not presently have any regulations pertaining to fishing and/or crabbing in public spaces and is concerned about such activities affecting the public health, safety, and welfare of the residents and visitors to the Borough; and

**WHEREAS**, the Borough finds it to be in the best interests of the general welfare of the Borough to regulate fishing and/or crabbing from public streets, rights-of-way, and Borough-owned waterfront properties to maintain public safety, as well as the peace and tranquility of the Borough’s neighborhoods; and

**WHEREAS**, there should not be any open flames or cooking that occurs unless the appropriate authority approvals have been obtained; and

**WHEREAS**, Section 9-1.22 of the Borough Code states that Alcoholic Beverages are Prohibited while in a public park, open space, sanctuary, or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall bring alcoholic beverages, drink same at any time nor shall any person be under the influence of intoxicating liquor.

**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.** Chapter 9: “Parks and Recreation Areas” of the Revised General Ordinances of the Borough of Fair Haven is hereby supplemented to include *new* Section 9-6: “Fishing and Crabbing” as follows:

**§ 9-6 FISHING AND CRABBING.**

**§ 9-6.1 Hours.**

No fishing or crabbing shall be permitted by any person from or over any public street, right-of-way, or Borough waterfront property between the hours of 9:00 p.m. and 8:00 a.m., prevailing time.

No person shall fish or crab throughout the course of a public gathering or special event, including but not limited to: concerts, weddings, etc.

No person shall fish or crab at any time in the areas designated as "Closed" by the Police Department.

**§ 9-6.2 Alcoholic Beverages Prohibited**

While crabbing or fishing on any public street, right-of-way, or Borough waterfront property, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall bring alcoholic beverages, drink same at any time nor shall any person be under the influence of intoxicating liquor.

**§ 9-6.3 Open Flames**

No person shall, while crabbing or fishing on any public street, right-of-way, or Borough waterfront property, use or permit the use of open flames or build or attempt to build a bonfire.

#### **§ 9-6.4 Tents, Lawn Chairs, and Mattresses Prohibited**

- a. No person shall, while crabbing or fishing on any public street, right-of-way, or Borough waterfront property, pitch a tent or utilize a mattress at any time.
- b. No person shall, while crabbing or fishing on any public street, right-of-way, or Borough waterfront property, utilize a lawn chair, foldable chair, or camping chair.

#### **§ 9-6.5 Use of Coolers**

- a. While crabbing or fishing on any public street, right-of-way, or Borough waterfront property, coolers or iceboxes shall be no larger than ten (10) quarts.
- b. While crabbing or fishing on any public street, right-of-way, or Borough waterfront property, persons shall be limited to one (1) cooler per person.

#### **§ 9-6.6 Smoking Prohibited**

No person shall smoke or consume any products, which include but are not limited to, cigarettes, pipes, cigars, vapes, cannabis items, etc., while crabbing or fishing on any public street, right-of-way, or Borough waterfront property.

#### **§ 9-6.7 Violations and Penalties.**

Any person violating any provision of this Section shall be subject to a mandatory court appearance and a fine in an amount not to exceed \$250.00 for the first offense; and shall be subject to a fine in an amount not less than \$500.00 and not more than \$750.00 for all subsequent offenses.

#### **§ 9-6.8 Enforcement**

- a) The Police Department shall enforce the provisions of this section.
- b) The Police Department shall have the authority to eject from any public street, right-of-way, or Borough waterfront property any person or persons acting in violation of this section.
- c) The Police Department shall have the authority to seize and confiscate any property, thing, or device on any public street, right-of-way, or Borough waterfront property, or used, in violation of 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.** This Ordinance shall hereby take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**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. 2023-279**

**TITLE: RESOLUTION AUTHORIZING CONTRACT FOR A THREE-YEAR VEHICLE LEASE FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Borough of Fair Haven, County of Monmouth, State of New Jersey has determined that there is a need for a police vehicle in the Borough of Fair Haven; and

**WHEREAS**, this purchase is being made through State Contract No. ESCNJ 20/21-09 and was approved by Mayor and Council through the 2023 Municipal Budget (Police Department Line Item 3-01-25-240-205).

**NOW THEREFORE, BE IT RESOLVED** that by the Borough of Fair Haven that Borough Administrator Casagrande is hereby authorized to enter into a contract with Mall Chevrolet, Cherry Hill, NJ for a three-year vehicle lease for the Police Department in the amount of \$18,152.24 per year for three years with the option to purchase for \$1 at the end of the lease agreement.

**BE IT FURTHER RESOLVED**, the Chief Financial Officer has certified that unencumbered funds in the amount of \$18,152.24 are available for this purpose in account/line-item number(s) 3-01-25-240-205. Availability of funds for the remaining balance of the contract amount is contingent upon the necessary funds being appropriated by the governing body in the 2024 and subsequent Municipal Budgets, inclusive of amount appropriated in the temporary budget as required by N.J. A.C. 5:34-5.3 (a). A copy of said certification is attached hereto and made part hereof.

**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. 2023-284**

**TITLE:        SET DATE FOR 2023 COUNCIL REORGANIZATION MEETING**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Annual Council Reorganization Meeting will be held on Tuesday, January 2, 2024 at 7:00 p.m., in person and via Zoom Platform.

GRANT AGREEMENT  
BETWEEN  
**FAIR HAVEN BOROUGH**  
(Name of Grantee)  
AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: UCF-2023-020

GOVERNING BODY RESOLUTION

The governing body of FAIR HAVEN BOROUGH  
(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$ 15,000.00  
to fund the following project:

2023 NJUCF Stewardship Grant-Canopy Resiliency

Therefore, the governing body resolves that Theresa Casagrande or the successor to the office of  
(print name)

Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute  
(print title of authorized official)

a grant agreement with the State for a grant in an amount not less than \$ 0.00 and not more than \$ 15,000.00,  
and (c) to execute  any amendments thereto  any amendments thereto which do not increase the Grantee's obligations.

\*The Fair Haven Borough Council authorizes and hereby agrees to  
(print name of Grantee's governing body, e.g., board of chosen freeholders)

match 20 % of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the  
match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in-  
kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant  
to the agreement.



**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. 2023-286**

**TITLE: REFUND OF 4<sup>TH</sup> QUARTER, 2023 PROPERTY TAX OVERPAYMENTS**

**WHEREAS**, the Tax Collector, has provided a request for a tax overpayment refunds for 4<sup>th</sup> Quarter 2023 due to duplicate payments and advises that the following property owners qualify for a refund as follows:

<b>Owner</b>	<b>Address</b>	<b>Block</b>	<b>Lot</b>	<b>Refund</b>
Aparna Kumar & David Boehm	32A Fisk Street	30	15.03	\$15,453.93

**Payment to:**

Lereta, LLC  
Attn: Central Refunds  
901 Corporate Center Drive  
Pamona, California 91768

Ellen and Stephen McCarthy	71 Lake Avenue	20	9	\$ 1,953.08
Patrick and Siobhan Gallagher	34 Riverlawn Drive	27	10	\$ 5,983.73
Cameron and Charlotte Thorpe	83 Willow Street	53	9	\$ 1,129.35

**Payments to:**

Corelogic Refund Department  
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:**

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**RESOLUTION NO. 2023-287**

**TITLE: AWARD PROPOSAL FOR ENVIRONMENTAL SERVICE SUPPORT AND LSRP WORK FOR THE POLICE DEPARTMENT AND COMMUNITY CENTER FACILITIES TO COLLIERS ENGINEERING & DESIGN**

**WHEREAS**, there is a need for environmental service support and LSRP work to be conducted for the Police Department and Community Center Facilities Project, until project completion; and

**WHEREAS**, Colliers Engineering & Design submitted a proposal to the Borough of Fair Haven on April 14, 2023 that the total costs for this work, broken down as follows, shall not exceed a total of \$28,500:

<b>Task</b>	<b>Fee</b>
1.0 Bid Specifications	\$ 6,000
2.0 Abatement Monitoring	\$15,000
3.0 UST Closure Monitoring and Testing	\$ 4,000
4.0 UST Closure Report	\$ 3,500
<b>TOTAL</b>	<b>\$28,500</b>

**WHEREAS**, this proposal is being awarded as a professional service through the non-fair and open process.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven, that the proposal received from Colliers Engineering & Design, be accepted and awarded for environmental service support and LSRP work for the Fair Haven Police Department and Community Center Facilities at a cost not to exceed \$28,500 and the Mayor is authorized to execute paperwork, if required.

**BE IT FURTHER RESOLVED** that Colliers Engineering & Design will submit a proposal for any future scope of work that may be required.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

**RESOLUTION NO. 2023-288**

**TITLE: AUTHORIZING TRANSFERS IN THE 2023 MUNICIPAL BUDGET**

**WHEREAS**, pursuant to N.J.S.A. 40A:4-58, appropriation transfers are allowable during the last two months of a fiscal year; and

**WHEREAS**, it is deemed necessary that said transfers be done through various accounts.

**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 following transfers are made in the 2023 budget appropriations:

<u>From Acct # :</u>	<u>Acct. Description</u>	<u>Amount</u>
3-01-20-145-101	TAX COLLECTION - SALARIES	\$300.00
3-01-20-145-101	TAX COLLECTION - SALARIES	\$25.00
3-01-20-130-202	FINANCE - CONTRACTUAL SERVICES	\$1,120.00
3-01-20-130-202	FINANCE - CONTRACTUAL SERVICES	\$205.00
3-01-25-252-222	OEM - EQUIPMENT REPAIR	\$600.00
3-01-25-252-299	OEM - MISCELLANEOUS	\$250.34
3-01-25-252-235	OEM - NEW EQUIPMENT	\$631.85
3-01-26-290-102	STREETS & ROADS OT	\$15,000.00
3-01-31-447-276	FUEL OIL - UTILITIES	\$1,400.00
3-01-20-165-211	ENGINEERING - CONTRACTUAL SERVICES	\$10,000.00
3-01-20-165-244	ENGINEERING - PRINTING	\$1,000.00
3-01-26-290-202	STREETS & ROADS - CONTRACTUAL SERVICES	\$1,500.00
3-01-26-310-220	BLDGS & GRDS - EQUIPMENT MAINTENANCE	\$5,000.00

**\$36,707.19**

<u>To Acct # :</u>	<u>Acct. Description</u>	<u>Amount</u>
3-01-20-100-101	ADMINISTRATION - SALARIES	\$300.00
3-01-21-186-101	ZONING OFFICER - SALARIES	\$25.00
3-01-25-240-215	POLICE - DOCTOR'S FEE	\$1,120.00
3-01-25-240-216	POLICE - DUES	\$205.00
3-01-25-240-270	POLICE - TRAINING/CONFERENCES	\$86.92
3-01-25-240-275	POLICE - UNIFORMS	\$1,081.87
3-01-25-240-277	POLICE - COMPUTER MAINTENANCE & SUPPLIES	\$313.40
3-01-25-240-102	POLICE - OVERTIME	\$15,000.00
3-01-25-265-200	FIRE DEPT - FIRE HYDRANTS	\$1,400.00
3-01-26-315-235	VEHICLE MAINT - NEW EQUIPMENT/REPAIR	\$10,000.00
3-01-26-315-235	VEHICLE MAINT - NEW EQUIPMENT/REPAIR	\$1,000.00
3-01-26-315-235	VEHICLE MAINT - NEW EQUIPMENT/REPAIR	\$1,500.00
3-01-26-315-235	VEHICLE MAINT - NEW EQUIPMENT/REPAIR	\$5,000.00

**\$36,707.19**

**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. 2023-289**

**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. 2024 Staffing
3. Police Department

**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. 2023-290**

**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 November 27, 2023 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2022 CURRENT FUND ACCOUNT	\$     16,693.91
2023 CURRENT FUND ACCOUNT	\$  3,866,983.10
GENERAL CAPITAL	\$    209,342.74
GRANT FUND	\$       4,960.00
PAYROLL AGENCY	\$        121.39
OTHER TRUST	\$       5,717.44
DOG TRUST	\$        700.00
	<u>\$  4,104,518.58</u>