

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
JUNE 14, 2021, 7:00 P.M.**

Zoom Link: [HTTPS://US02WEB.ZOOM.US/J/81757016048](https://us02web.zoom.us/j/81757016048)
iPhone or Land Line Telephone Call In: 1-301-715-8592
Webinar ID: 817 5701 6048

1. **Call to Order:** pm
 2. **Salute to the Flag:**
 3. **Moment of Meditation:**
 4. **Sunshine Law Notice:**
 5. **Roll Call:** Councilmembers Chrisner-Keefe Koch McCabe
McCue Neff Rodriguez
 6. **Public Hearing:**
-NJDEP Green Acres Program Application
 7. **Workshop Session**
-Tree Appeal from Navesink Fine Home Building, 182 Oxford Avenue (carried from May 24th)
-Municipal Cannabis Regulation (Attorney Cannon).
 8. **Public Comment on Agenda Items**
 9. **Approval of Minutes**
-May 24, 2021 Regular Meeting
-May 24, 2021 Executive Session
 10. **Old Business**
-Hearing on 2021 Municipal Budget
 11. **New Business**
Council Committee Reports
Finance - Councilwoman Neff
Personnel - Councilwoman Chrisner-Keefe
Planning & Zoning - Councilwoman Koch
Parks and Recreation and Communications - Councilwoman Koch
Police, Fire & OEM - Councilman McCue
Engineering, DPW and Borough Facilities - Councilman Rodriguez
- Consent Agenda**
Resolutions
- | | |
|----------|--|
| 2021-153 | Approve Temporary Emergency Appropriation (Reductions) |
| 2021-154 | Approve Self Examination of the Budget |
| 2021-155 | Approve adoption of 2021 Municipal Budget |
| 2021-156 | Authorize 2 nd Quarter Tax Overpayment Refund - 129 Kemp Avenue |
| 2021-157 | Approve Block Party for Parker Avenue (between Smith and Cedar) – September 18 th |
| 2021-158 | Approve the 41 st Annual Red Bank Crop Hunger Walk - October 17 th |
| 2021-159 | Approve 2021/2022 Liquor License Renewal for Shrewsbury River Yacht Club |
| 2021-160 | Approve 2021/2022 Liquor License Renewal for Knights of Columbus |
| 2021-161 | Approve 2021/2022 Liquor License Renewal for Little Silver Liquors (The Cellar) |
| 2021-162 | Authorize Application for NJDEP Green Acres Grant |

Additional Resolutions required, if the budget is not approved

2021-164 Approve Amendment to Temporary Emergency Appropriation

2021-165 Authorize Tax Collector to Prepare and Mail 3rd Quarter Estimated Tax Bills

Department Reports

May 2021

-Municipal Clerk

-Dog License

-Tax Collector

-Municipal Court

-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.**

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-153

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions had arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2021 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total temporary emergency resolutions adopted in the year 2021 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total **\$4,370,292.98** for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that not less than two-thirds of all members of the Borough Council of the Borough of Fair Haven, New Jersey affirmatively concurring in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

Account Number	Description	Amount	Reason
Current Account			
1-01-20-130-202	Finance Contractual Services	-\$2,600.00	Reduce Temp Budget
1-01-31-446-276	Natural Gas Utilities	-\$12,000.00	Reduce Temp Budget
1-01-41-700-202	Recycling Tonnage Grant	-\$11,183.40	Reduce Temp Budget
1-01-43-492-204	Rumson ISLA Other Contractual Services	-\$15,000.00	Reduce Temp Budget
TOTAL		-\$40,783.40	

2. That said emergency temporary appropriations will be adjusted for in the 2021 budget under the appropriate titles.

3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-154

TITLE: SELF EXAMINATION OF 2021 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the **Borough of Fair Haven** has been declared eligible to participate in the program by the Division of Local Government Services and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the **Borough of Fair Haven** that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: 6/14/2021

By: _____
Chief Financial Officer

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-155

TITLE: APPROVE THE 2021 MUNICIPAL BUDGET

SEE THE RESOLUTION (2021-155) AS A SEPARATE ATTACHMENT TO THE AGENDA PACKET
(DOCUMENT IS A PDF).

IF THE BUDGET IS NOT ADOPTED, PLEASE SEE THE ATTACHMENT LABELED: "RESOLUTIONS
TO BE CONSIDERED IF BUDGET IS NOT ADOPTED"

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-156

TITLE: REFUND OF 2nd QUARTER, 2021 PROPERTY TAX OVERPAYMENTS

WHEREAS, the Tax Collector, has provided a request for a tax overpayment refund for 2nd Quarter 2021 due to duplicate payment and advises that the following property owners qualify for a refund as follows:

Owner	Address	Block	Lot	Refund
Heather and Scott Boyle	129 Kemp Avenue	69	7	\$4,084.55

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. 2021-157

**TITLE: APPROVING A BLOCK PARTY TO BE HELD ON PARKER
 AVENUE (BETWEEN CEDAR AND SMITH) - SEPTEMBER 18TH**

WHEREAS, a request was received to hold a Block Party on Parker Avenue on Saturday, September 18, 2021 from 5:30 pm to 10:00 pm with a rain date of Sunday, September 19th; and

WHEREAS, Police Chief McGovern reviewed the application and submitted his approval on June 3, 2021; 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 Parker Avenue on Saturday, September 18, 2021 from 5:30 pm to 10:00 pm with a rain date of Sunday, September 19th.

BE IT FURTHER RESOLVED that Permit No. BP 2021-03 will be issued for said event and that attendees with comply with the Governor's order regarding social gatherings.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-158

**TITLE: AUTHORIZING APPROVAL OF THE 41st ANNUAL RED BANK AREA CROP WALK
 FOR THE HUNGRY**

WHEREAS, the annual Red Bank Area Crop Walk for the Hungry helps to make a difference in the lives of people here at home through fourteen local partner programs and around the world in eighty countries by raising money and peanut butter for food pantries; and

WHEREAS, the Annual Red Bank Area Crop Walk for the Hungry has been serving those in need for many years; and

WHEREAS, the Annual Red Bank Area Crop Walk for the Hungry has requested permission to conduct their 41st Annual walk through Fair Haven between the hours of 2:00 pm and 3:00 pm on Sunday, October 17, 2021; and

WHEREAS, Fair Haven Police Chief Joseph McGovern, has advised, in writing, his approval for this event.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Haven that the request to permit the 41st Annual Red Bank Area Crop Walk for the Hungry in the Borough of Fair Haven is hereby approved to be held on Sunday, October 17, 2021 between the hours of 2:00 pm and 3:00 pm.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-159

TITLE: APPROVE 2021-2022 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, 2021 and ending June 30, 2022 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. 2021-160

TITLE: APPROVE 2021-2022 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, 2021 and ending June 30, 2022 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. 2021-161

TITLE: APPROVE 2021-2022 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, 2021 and ending June 30, 2022 upon application filed by:

1313-44-001-007

Little Silver Liquors, Inc.

otion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-162

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Fair Haven desires to further the public interest by obtaining funding in the amount of \$500,000 in the form of a \$500,000 matching grant and, if available, a \$0.00 loan from the State to fund the following project(s): Acquisition of a parcel of property known as 21 Fair Haven Road, Block 47, Lot 1 in the Borough of Fair Haven for the purposes of creating a waterfront park at a cost not to exceed \$2,000,000;

NOW, THEREFORE, the governing body/board resolves that Theresa S. Casagrande or the successor to the office of Business Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY the Mayor and Council of the Borough of Fair Haven

1. That the Business Administrator of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Acquisition of the Spagnuolo Property, 21 Fair Haven Road for the purposes of creating a waterfront park;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,500,000;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

CERTIFICATION

I, Allyson Cinquegrana, Municipal Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council of the Borough of Fair Haven at a meeting held on the 14th day of June, 2021.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 14th day of June, 2021.

Allyson Cinquegrana, Municipal Clerk

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2021-163

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 14, 2021 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$	256.75
2021 CURRENT ACCOUNT	\$	1,509,208.01
GENERAL CAPITAL	\$	29,659.86
PAYROLL AGENCY	\$	13,714.38
OTHER TRUST	\$	9,713.70
DOG TRUST	\$	16.20
TOTAL		\$1,562,568.90