

**FAIR HAVEN BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
AUGUST 16, 2021, 7:00 P.M.**

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**  
-Monmouth County Open Space Grant Application - Acquisition of Property: 21 Fair Haven Road
7. **Workshop Session**  
-Brush Site Update  
-Hance Road Update  
-NJ American Water Company Project Update  
-Fair Haven Dock
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**  
-July 26, 2021 Regular Meeting  
-July 26, 2021 Executive Session
10. **Old Business**  
**Hearing and Adoption of Ordinances**  
2021-09 Create Chapter 8 and Amend Chapter 30-5.3(B)(24): Cannabis Regulation Ordinance
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 and DPW** - Councilman McCue  
**Borough Facilities** - Councilman Rodriguez  
  
**Introduction of Ordinances**  
2021-11 Amend Chapter 7: "Vehicles and Traffic" to prohibit parking in certain locations and install new stop signs at certain intersections  
  
**Consent Agenda**  
**Resolutions**  
2021-196 Authorize Monmouth County Open Space Grant Application: 21 Fair Haven Road Property Acquisition  
2021-197 Executive Session: Personnel and Contract Negotiations  
2021-198 Appointment of Historic Preservation Commission, Alternate #1 Member – Carrie Nitka  
2021-199 Chapter 159: American Rescue Plan Act Funds (ARPA)

- 2021-200 Authorize Continued Participation in the Intra-County Mutual Aid and Assistance Agreements with Monmouth County
- 2021-201 Acknowledge and Accept a Body-Worn Camera Grant (21-BWC-144) from NJ Department of Law and Public Safety/Office of the Attorney General
- 2021-202 Payment of Vouchers

### **Department Reports**

#### **January 2021**

-Chief Financial Officer

#### **February 2021**

-Chief Financial Officer

#### **March 2021**

-Chief Financial Officer

#### **April 2021**

-Chief Financial Officer

#### **May 2021**

-Chief Financial Officer

#### **June 2021**

-Chief Financial Officer

#### **July 2021**

-Municipal Clerk

-Dog License

-Tax Collector

-Police Department

-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 WILL BE HELD: MONDAY, SEPTEMBER 13, 2021**

PLEASE SEE A COPY OF THE PUBLIC NOTICE PUBLISHED IN THE AUGUST 4, 2021  
ASBURY PARK PRESS (PDF Document below)



AP-GCI0700945-01.  
pdf

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF  
MONMOUTH TO OPT-OUT OF THE NEW STATE CANNABIS LAW AND TO PROHIBIT ALL  
CONSUMPTION OF CANNABIS IN PUBLIC PLACES AND ALL UNDERAGE POSSESSION OF  
CANNABIS ITEMS AND TO DEEM ALL RECREATIONAL CANNABIS BUSINESSES AS  
PROHIBITED USES UNDER THE LAND USE AND DEVELOPMENT REGULATIONS OF THE  
BOROUGH**

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**WHEREAS**, by Ordinance No. 2018-07, the Borough of Fair Haven (the “Borough”) previously prohibited all recreational marijuana businesses under its land use ordinances; and

**WHEREAS**, by Resolution No. 2018-94, the Borough previously expressed its opposition to the legalization of recreational marijuana within the State of New Jersey; and

**WHEREAS**, notwithstanding the Borough’s position, in November 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to legalize a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the “Act”), which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational cannabis operations, use and possession; and

**WHEREAS**, pursuant to Section 31(b) of the Act, “[o]nly an ordinance to prohibit one or more classes of cannabis establishment or cannabis distributors enacted pursuant to the specific authority to do so by this section shall be valid and enforceable”; and

**WHEREAS**, as set forth in its prior Resolution No. 2018-94 and Ordinance No. 2018-07, the Borough’s Mayor and Council are concerned about the health and safety problems posed by the legalization of cannabis products, the potential for abuse, and especially, any use by minors and/or operators of motor vehicles; and

**WHEREAS**, pursuant to the authority granted to the Borough under the Act, the Mayor and Council believe that opting out of the Act, and renewing and augmenting the Borough’s prior prohibition on recreational cannabis within the Borough will help address these concerns and be in the best interests of the Borough’s citizens; and

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

**SECTION 1.** The Revised General Ordinances of the Borough of Fair Haven are hereby supplemented with *new* Chapter 8 entitled “Cannabis” as follows:

**CHAPTER 8: CANNABIS**

**§ 8-1 Cannabis Businesses Prohibited.**

A. Pursuant to section 31(b) of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in

Borough of Fair Haven, except for the delivery of cannabis items and related supplies by a delivery service.

B. Pursuant to Borough Code Section 30-5.3(B)(24), the operation of Cannabis Cultivators, Cannabis Distributors, Cannabis Manufacturers, Cannabis Wholesalers, Cannabis Retailers, and Cannabis Delivery Services are prohibited uses in all zones within the Borough of Fair Haven.

### **§ 8-2 Public Consumption of Cannabis Prohibited.**

A. It shall be unlawful for any person to consume a cannabis item available for lawful consumption pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act in any public place as defined in said Act, including any public highway, public street, public sidewalk, public parking lot or lot, playground, park or other property owned by, belonging to or over which the Borough has control, other than school property for which unlawful consumption is a disorderly persons offense, or when not prohibited by the owner or person responsible for the operation of that public place.

B. Any person violating this Section 8-2 shall be subject to a civil penalty of up to \$200.00, which shall be recovered in a civil action by a summary proceeding in the name of the Borough pursuant to the Penalty Enforcement Law of 1999. The Municipal Court and the Superior Court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section.

### **§ 8-3 Possession or Consumption by Underaged Persons on Private Property.**

A. It shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes a cannabis item on private property.

B. Any person violating this Section 8-3, in the case of an adult under the legal age to purchase cannabis items, shall be punished as follows:

- (1) If the cannabis item possessed is an amount which may be lawfully possessed by a person of the legal age to purchase cannabis items pursuant to N.J.S.A. 2C:35-10a: for a first offense, a civil penalty of \$100.00; for a second offense, a civil penalty of \$200.00; and for a third or subsequent offense, a fine of \$350.00. The civil penalties provided for in this section shall be recovered in a civil action by a summary proceeding in the name of the municipality pursuant to the Penalty Enforcement Law of 1999. The Municipal Court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section.
- (2) If the cannabis item possessed is an amount that exceeds what may be lawfully possessed by a person of the legal age to purchase cannabis items pursuant to N.J.S.A. 2C:35-10a, or if any cannabis item is consumed: for a first offense, a fine of \$250.00; and for a second or subsequent offense, a fine of \$350.00.

**SECTION 2.** Section 2.4 entitled “Definitions” of Chapter 30 entitled “Land Use and Development Regulations” of the Revised General Ordinances of the Borough of Fair Haven is hereby supplemented with the following *new* definitions as follows:

**CANNABIS CULTIVATOR** - Any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

**CANNABIS DELIVERY SERVICE** - Any licensed person or entity providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchase items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**CANNABIS DISTRIBUTOR** - Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

**CANNABIS MANUFACTURER** – Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

**CANNABIS RETAILER** – Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers.

**CANNABIS WHOLESALER** - Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

**SECTION 3.** Subsection 30-5.3(b)(24) of Section 30-5.3 entitled “Permitted and Prohibited Uses” of Chapter 30 entitled “Land Use and Development Regulations” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

24. ~~Businesses selling recreational marijuana, its derivatives, accessories and/or the paraphernalia that facilitates the use of such~~ The operation of Cannabis Cultivators, Cannabis Distributors, Cannabis Manufacturers, Cannabis Wholesalers, Cannabis Retailers, Cannabis Delivery Services.

**SECTION 4.** Section 3-25.1 entitled “Smoking Prohibited” of Chapter 3 entitled Police Regulations” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**§ 3-25.1 Smoking Prohibited.**

No person shall smoke or consume any products, which include but are not limited to, cigarettes, pipes, cigars, cannabis items, etc. in any municipality owned building, public park, sanctuary or recreation area.

**SECTION 5.** Section 9-1.35 entitled “No Smoking in Public Parks” of Chapter 9 entitled “Parks and Recreation Areas” of the Revised General Ordinances of the Borough of Fair Haven is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**§ 9-1.35 No Smoking in Public Parks.**

No person shall smoke or consume any products, which include but are not limited to, cigarettes, pipes, cigars, cannabis items, etc. in any municipally owned building, public park, sanctuary or recreation area.

**SECTION 6.** 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 7.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Fair Haven are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 8.** After introduction, the Borough Clerk is directed to submit a copy of the within Ordinance to the Planning Board of the Borough for its review under 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 the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**SECTION 9.** This Ordinance shall take effect upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final 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. 2021-11**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF  
MONMOUTH AMENDING CHAPTER 7: “VEHICLES AND TRAFFIC” OF THE BOROUGH’S  
REVISED GENERAL ORDINANCES TO PROHIBIT PARKING IN CERTAIN LOCATIONS AND  
INSTALL NEW STOP SIGNS AT CERTAIN INTERSECTIONS TO ENHANCE TRAFFIC SAFETY  
WITHIN THE BOROUGH**

**WHEREAS**, the Mayor & Council of the Borough of Fair Haven (the “Borough”) consider pedestrian and traffic safety to be a significant and important priority for the Borough and the welfare of its residents; and

**WHEREAS**, the Borough’s Police Department has recommended the implementation of certain measures to enhance pedestrian and traffic safety, including the prohibition of parking in certain places and the installation of new stop signs at certain intersections; and

**WHEREAS**, the Mayor and Council find it to be in the best interests of the Borough’s residents to implement such measures recommended by the Borough’s Police Department;

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

**SECTION 1.** Section 7-14 entitled “Parking Prohibited At All Times On Certain Streets” of Chapter 7 entitled “Vehicles and Traffic” of the Revised General Ordinances of the Borough is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
<u>Navesink Avenue</u>	<u>Southerly</u>	<u>From River Road to a point 500 feet east therefrom.</u>
<u>River Road</u>	<u>Northerly</u>	<u>From Battin Road to a point 50 feet east therefrom</u>
Fair Haven Road	West	<del>Fairwater Lane</del> <u>Riverlawn Drive</u> northerly to terminus <u>at Navesink River.</u>

**SECTION 2.** Section 7-19 entitled “Through Streets” of Chapter 7 entitled “Vehicles and Traffic” of the Revised General Ordinances of the Borough is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

<u>Name of Street</u>	<u>Limits</u>
<del>Cedar Avenue</del>	<del>Entire length</del>
<del>Kemp Avenue</del>	<del>Entire length</del>
<u>Kemp Avenue</u>	<u>Between Ridge Road and Linden Drive</u>
<u>Kemp Avenue</u>	<u>Between Linden Drive and Willow Street</u>

**SECTION 3.** Section 7-20 entitled “Stop Intersections” of Chapter 7 entitled “Vehicles and Traffic” of the Revised General Ordinances of the Borough is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):



**Intersection**

**Stop Sign(s) On:** \_\_\_\_\_

~~Linden Drive at Kemp Avenue~~

~~Linden Drive~~

Cedar Avenue at Forman Street

Forman Street

Cedar Avenue at Jackson Street

Jackson Street

Fair Haven Road at Clay Street

Clay Street

**SECTION 4.** Section 7-21 entitled “Multi-Way Stop Intersections” of Chapter 7 entitled “Vehicles and Traffic” of the Revised General Ordinances of the Borough is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**Intersection**

**Stop Sign(s) On:** \_\_\_\_\_

Cedar Avenue at Fisk Street

Cedar Avenue and Fisk Street

Cedar Avenue at Parker Avenue

Cedar Avenue and Parker Avenue

Linden Drive at Kemp Avenue

Linden Drive and Kemp Avenue

**SECTION 5.** 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 6.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Fair Haven are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 7.** This Ordinance shall take effect 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. 2021-196**

**WHEREAS**, the Monmouth County Board of County Commissioners has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Governing Body of the Borough of Fair Haven desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund Spagnuolo Acquisition, 21 Fair Haven Road, Block 47, Lots 1 and 1.18)

**WHEREAS**, the total cost of the project including all matching funds is \$2,000,000.00; and

**WHEREAS**, the Borough of Fair Haven will be holder of any interest acquired with County Open Space Trust Funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF FAIR HAVEN THAT:**

1. Theresa S. Casagrande, Borough Administrator, or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above-named municipality; and
2. The Borough of Fair Haven is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Theresa S. Casagrande, Borough Administrator, or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. 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:**

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**RESOLUTION NO. 2021-197**

**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. Police Social Security

**Contract Negotiations**

1. Trash and Recycling Contract

**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. 2021-198**

**TITLE:       APPROVE APPOINTMENT OF HISTORIC PRESERVATION COMMISSION  
MEMBER, ALTERNATE #1 – CARRIE NITKA**

**WHEREAS**, there is a vacant seat in the Alternate #1 position on the Borough's Historic Preservation Commission that needs to be filled; and

**WHEREAS**, the Historic Preservation Commission Chairman has found a volunteer willing to fill the unexpired term and serve on the Historic Preservation Commission as follows:

Carrie Nitka, Alternate #1 member, for an unexpired term set to expire December 31, 2021

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. 2021-199**

**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) - LOCAL FISCAL RECOVERY FUND/AMERICAN RESCUE PLAN ACT- OTHER EXPENSES**

**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 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.

**WHEREAS**, the Borough of Fair Haven has received funds in the amount of \$300,189.41 from the State of New Jersey, Local Fiscal Recovery Fund – American Rescue Plan Act (ARPA) and wishes to amend its 2021 budget to include this amount as revenue.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Haven, that it 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 2021 in the amount of \$300,189.41 which item is now available as revenue from The State of New Jersey - Local Fiscal Recovery Fund – American Rescue Plan Act; and

**BE IT FURTHER RESOLVED** that a like sum of \$300,189.41 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

The State of New Jersey  
Local Fiscal Recovery Fund - American Rescue Plan Act

**BE IT FURTHER RESOLVED** that a copy of this resolution be forward 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:**

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**RESOLUTION NO. 2021-200**

**TITLE:        AUTHORIZE CONTINUAL PARTICIPATION IN THE MONMOUTH COUNTY  
                  INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENT**

**WHEREAS**, Chapter 222, Public Law 1989 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

**WHEREAS**, an Emergency Operations Plan will allow the Borough of Fair Haven in correlation with the Fair Haven Office of Emergency Management to better prepare and manage jurisdiction-wide emergencies; and

**WHEREAS**, the Borough of Fair Haven must submit an Emergency Operations Plan through the County Office of Emergency Management to the State Office of Emergency Management for initial review and approval and will require recertification every four (4) years; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Haven are in receipt of an Emergency Operations Plan and a request from the Fair Haven Office of Emergency Management for formal adoption; and

**WHEREAS**, on August 21, 2017, the Mayor and Council adopted Resolution No. 2017-169 which authorized continual participation with the Monmouth County, Intra-County Mutual Aid and Assistance Agreement between the County, Fair Haven and Participating Units.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Haven that the Fair Haven Emergency Operations Plan be and is hereby adopted.

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Fair Haven hereby authorize Fair Haven's continued participation in the Monmouth County Intra-County Mutual Aid and Assistance Agreement as referenced for the term consistent with the Municipal Emergency Operations Plan.

**BE IT FUTHER RESOLVED** that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

**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. 2021-201**

**TITLE: ACKNOWLEDGE AND ACCEPT GRANT AWARD 21-BWC-144 FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL THROUGH THE SFY21 BODY-WORN CAMERA GRANT PROGRAM**

**WHEREAS**, on July 22, 2021, the Borough of Fair Haven Police Department was awarded a SFY21 Body-Worn Camera grant in the amount of \$52,988.00 (Award No. 21-BWC-144) from the New Jersey Department of Law and Public Safety, Office of the Attorney General for the grant period of January 1, 2021 through December 31, 2025; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Haven acknowledges and accepts Grant Award 21-BWC-144 in the amount of \$52,988.00 through the SFY21 Body-Worn Camera Grant; and

**WHEREAS**, the Borough's contribution towards the grant will be zero dollars.

**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 Borough Administrator, Chief of Police, Borough Clerk or any officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

**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. 2021-202**

**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 August 16, 2021 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2020 CURRENT ACCOUNT	\$	7,864.40
2021 CURRENT ACCOUNT	\$	222,642.21
GENERAL CAPITAL	\$	288,465.00
PAYROLL AGENCY	\$	13,714.38
OTHER TRUST	\$	12,671.46
DOG TRUST	\$	<u>10.20</u>
	\$	<b>545,367.65</b>
LESS VOIDED CHECKS	\$	- 75.00
<b>TOTAL</b>	<b>\$</b>	<b>545,292.65</b>

Current Check No. 61128, \$75.00