

**FAIR HAVEN BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, NOVEMBER 8, 2021, 7:00 P.M.**

**Zoom Link:** <https://us02web.zoom.us/j/81492785449>

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

**Webinar ID:** 814 9278 5449

1. **Call to Order:** pm
  
2. **Salute to the Flag:**
  
3. **Moment of Silent Reflection:**
  
4. **Sunshine Law Notice:**
  
5. **Roll Call:** Councilmembers Chrisner-Keefe Koch McCabe  
McCue Neff Rodriguez
  
6. **Proclamations**  
-Random Acts of Beauty
  
7. **Workshop Session**  
-Request from Fair Haven Business Association to post lawn signs for Small Business Saturday (11/27) and Santa Visit/Holiday Stroll (12/10). There will be 30 lawn signs for each event placed 10 days prior to each event. Also, a banner for each event to be posted at the entrance to Fair Haven, River Road.  
-Request from The Columbus Club to post lawn signs (3 locations) advertising their November 11<sup>th</sup> blood drive.  
-2021 Small Ticket Capital  
-Municipal Fee Considerations  
-Borough Employee Policy Manual
  
8. **Public Comment on Agenda Items**
  
9. **Approval of Minutes**  
-October 12, 2021 Regular Meeting  
-October 25, 2021 Regular Meeting  
-October 25, 2021 Executive Session
  
10. **Old Business**
  
11. **New Business**  
**Council Committee Reports**  
**Finance** - Councilman 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

**Consent Agenda**

**Resolutions**

- 2021-237 Appointments to the Shade Tree Commission
- 2021-238 Chapter 159: COMCAST Cable Technology Grant
- 2021-239 Special Council Meeting - November 15<sup>th</sup>, 7:00 pm – via Zoom
- 2021-240 Executive Session - Contract Negotiations

- 2021-241 Authorize Borough Administrator to sign MOU with Monmouth County for Ballot Drop Box Security Camera  
2021-242 Amend Resolution No. 2021-235: School Crossing Guard Status for Sergio Germinario  
2021-243 Payment of Vouchers

### **Department Reports**

#### **October 2021**

- 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.**

**A SPECIAL COUNCIL MEETING WILL BE HELD, VIA ZOOM:**

**NOVEMBER 15<sup>TH</sup> AT 7 PM – IMPROVEMENTS TO HANCE AND COONEY TERRACE, PHASE II BIDS (DISCUSSION AND AWARD)**

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2021-237**

**TITLE:        APPOINTMENTS TO SHADE TREE COMMISSION**

**WHEREAS**, on September 13, 2021, Resolution No. 2021-211 was approved by the Mayor and Council which appointed Peter D'Agati to the position of Alternate #1 and the resolution stated the term for Alternate #1 expired on December 31, 2021 when the year should have been 2022; and

**WHEREAS**, there is a vacant seat in the Alternate #2 position on the Borough's Shade Tree Commission that needs to be filled; and

**WHEREAS**, the Shade Tree Commission Chairman has found a volunteer willing to fill the unexpired term of Alternate #2 to serve on the Shade Tree Commission as follows:

Kristen Hoey, Alternate #2 member, for an unexpired term set to expire December 31, 2021

**NOW, THEREFORE, BE IT RESOLVED** that the Book of Boards reflect the following:

The term of Peter D'Agati, as Shade Tree Alternate #1 member shall expire on December 31, 2022

The term of Kristen Hoey, as Shade Tree Alternate #2 member shall expire on December 31, 2021

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2021-238**

**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) COMCAST CABLE TECHNOLOGY 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 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 a \$5,500.00 grant from COMCAST Cable for a Technology Grant 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 \$5,500.00 which item is now available as revenue from the COMCAST Cable Technology Grant; and

**BE IT FURTHER RESOLVED** that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of General Appropriations – Operations Excluded from CAPS:

COMCAST Cable Technology Grant

**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:**

---

**RESOLUTION NO. 2021-239**

**TITLE:        AUTHORIZE THE MAYOR AND COUNCIL TO HOLD A SPECIAL MEETING ON  
MONDAY, NOVEMBER 15, 2021 AT 7:00 PM – AWARD BID FOR IMPROVEMENTS  
TO HANCE ROAD AND COONEY TERRACE, PHASE II**

**WHEREAS**, the Mayor and Council have determined that a special meeting is required to be held for a proposed plan for Borough Facilities with any and all business of the Borough to be conducted; and

**WHEREAS**, the Mayor and Council have selected Monday, November 15, 2021 at 7:00 p.m. via Zoom, for a Special Meeting to review and award the bid for Improvements to Hance Road and Cooney Terrace, Phase II; and

**WHEREAS**, the Borough Clerk will notice for and advertise the special meeting in accordance with the requirements of the Open Public Meetings Act.

**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 Mayor and Council shall hold a special meeting on Monday, November 15, 2021, at 7:00 p.m. via Zoom Platform for discussion and award of bid for Improvements to Hance Road and Cooney Terrace, Phase II and any and all business of the Borough to be conducted directly following, as deemed necessary and appropriate.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2021-240**

**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:

**Contract Negotiations**

1. Payroll Services
2. Animal Control
3. Facility Project Consulting Services

**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. 2021-241**

**TITLE:        AUTHORIZE BOROUGH ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF MONMOUTH FOR THE BALLOT DROP BOX SECURITY CAMERA**

**WHEREAS**, PL. 2020, c. 72 provides that a ballot drop box must be located at any municipal government building which is the main municipal office of a municipality with a population larger than 5,000 residents; and

**WHEREAS**, the ballot drop box must be placed at a location equipped with security cameras that allow for video surveillance of the ballot drop box 24 hours per day, 7 days per week; and

**WHEREAS**, said camera has been installed and the Borough is seeking reimbursement through the Elections 2021 Grant distributed by the State of New Jersey through the County of Monmouth; and

**WHEREAS**, the County of Monmouth requires that the Borough of Fair Haven enter into a Memorandum of Understanding with regard to the video security surveillance camera in order to seek the aforementioned reimbursement for same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Borough Administrator, Theresa Casagrande, is hereby authorized to execute the Memorandum of Understanding with the County of Monmouth.

**MEMORANDUM OF UNDERSTANDING (MOU)  
BETWEEN THE COUNTY OF MONMOUTH AND BOROUGH OF FAIR HAVEN**

This Memorandum of Understanding is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the County of Monmouth (hereinafter referred to as the “County”) and the Borough of Fair Haven (hereinafter referred to as “Municipality”).

**WHEREAS**, the State of New Jersey has put an emphasis on ballot drop boxes being made available for voters to cast their completed mail-in ballot; and

**WHEREAS**, PL 2020, c.72 provides that a ballot drop box must be located at any municipal government building which is the main municipal office in a Municipality with a population larger than 5,000 residents; and

**WHEREAS**, the ballot drop box must be placed at a location equipped with security cameras that allow for video surveillance of the ballot drop box 24 hours per day, 7 days per week; and

**WHEREAS**, a video surveillance system is required and can include existing systems on common municipal or private buildings; and

**WHEREAS**, the video system must be capable to capture and store video for the full time the ballot drop boxes are open to receive ballots during an election; and

**WHEREAS**, these videos are considered an election record, and must be retained, at a minimum, until the period to challenge the election results have passed; and

**WHEREAS**, the easiest way to provide the video surveillance is to position a ballot drop box within view of an existing video surveillance system; and

**WHEREAS**, if a municipality needs to install a video surveillance system, that Municipality is to work to determine whether or not there are similar systems used throughout the municipality or county; and

**WHEREAS**, the Elections 2021 Grant (“Grant”) has been created to fund activities consistent with the laws described in Section 906 of HAVA; and

**WHEREAS**, under this Grant, funds shall not be used in a manner which is inconsistent with the requirements of Title III of HAVA; and

**WHEREAS**, the funds available under the Grant are to be distributed to the Counties based on their Grant application and availability of funds; and

**WHEREAS**, Counties must follow the Federal Regulations to CFR 200.318 to 200.326 and to CFR 200, Appendix A, to procure items for which they seek reimbursement; and

**WHEREAS**, applications for reimbursement can be submitted on a rolling basis as the funds are expended; and

**WHEREAS**, under the Grant, funds can be used for the purchase and installation of security cameras and video surveillance for ballot drop boxes pursuant to PL 2020, c.72; and

**WHEREAS**, the Borough of Fair Haven has a population in excess of 5,000 residents; and

**WHEREAS**, pursuant to applicable law, the Borough of Fair Haven is required to place a ballot drop box on its municipal property; and



**WHEREAS**, the Borough of Fair Haven is required to provide video surveillance of said drop box pursuant to applicable law; and

**WHEREAS**, the Borough of Fair Haven seeks to procure security cameras and video surveillance system, as well as storage sufficient to capture and store video for said ballot drop box while it is open to receive ballots during the election; and

**WHEREAS**, the Borough of Fair Haven seeks to have the capacity to store that video at a minimum, until the period to challenge the election results has passed; and

**WHEREAS**, the Borough of Fair Haven and/or the County seeks to be reimbursed for the costs associated with the video security surveillance system related to the ballot drop box; and

**WHEREAS**, the County, pursuant to the Grant, seeks to submit a Grant Application; and

**NOW, THEREFORE**, in consideration of the foregoing recitals, the County and the Borough of Fair Haven agrees as follows:

**I. Responsibilities/Acknowledgement of the Parties**

A. To the extent applicable, the County agrees to advance the costs necessary to procure the video security surveillance system required in connection with PL 2020, c.72. This includes, but is not limited to, security cameras and a video storage system. The County will submit a Grant application for the costs incurred under the Grant Program for procurement of that equipment and video storage system.

B. In the event that the Borough of Fair Haven has already purchased the equipment and video storage system, the Borough of Fair Haven will provide the County with all documents associated with said procurement. The County will then submit an Application for reimbursement of the funds expended by the Municipality on behalf of that Municipality pursuant to the Grant Program.

C. The Borough of Fair Haven agrees to service and maintain the camera system and video storage system by a separate service contract with their respective third-party contractors throughout the duration of this MOU.

**II. Cooperation by the Parties/Access to Data**

A. The video system installed by the Municipality shall be robust enough to capture and store video for the full time the ballot drop box is open to receive ballots during an election. These videos are considered an election record, and must be retained, at a minimum, until the period to challenge the election results has passed. The Municipality shall not destroy or dispose of the video recorded during the election without the written consent of County.

B. The Municipality will cooperate with the County and will make video surveillance available to the County upon written request.

**III. Inspection of Equipment.** Upon advance written notice, the County shall have the right to inspect the security cameras of video storage system of the Borough of Fair Haven to ensure its functionality.

**IV. Notices.** All notices that are provided pursuant to this MOU shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To the County:

Office of Monmouth County Counsel  
Michael Fitzgerald, Esq.  
Hall of Records, Room 236  
One East Main Street

Freehold, NJ 07728  
Phone: 732-683-8640  
Fax: 732-431-0437  
Email: [michael.fitzgerald@co.monmouth.nj.us](mailto:michael.fitzgerald@co.monmouth.nj.us)

To the Borough of Fair Haven:

Allyson M. Cinquegrana  
Borough of Fair Haven  
748 River Road  
Fair Haven, NJ 07704  
Phone: 732-245-0969  
Fax: 732-747-6962  
Email: [acinquegrana@fhboro.net](mailto:acinquegrana@fhboro.net)

Or to such other address or individual as any party may from time to time notify the other.

**V. Indemnification.** The Municipality will indemnify and hold the County harmless from and against any losses, damage, claims, actions, liability and expense, in contract or in tort, in connection with the loss of life, bodily injury, and/or property damage, including the provisions of a defense, hereafter arising from the procurement of the equipment and software.

**VI. Authority to Bind.** By signing this agreement, representatives from both the County and Municipality have enacted all necessary ordinances, resolutions and/or other acts necessary to affect the lawful implementation of this agreement, and that they are authorized to sign this agreement on behalf of the Municipality and County respectively.

**VII. Severability.** Should any one or more of the provisions of this agreement be determined by a court of law to be null and void or otherwise unenforceable, all remaining provisions of this Agreement will continue to have full force and effect.

**VIII. Risk of Loss.** The Municipality shall bear risk of loss or damage to any equipment and/or software procured in connection with this Agreement.

**IX. Modification.** The Municipality or County from time to time may request changes to the terms of this agreement. Such changes shall be valid only if incorporated as a written amendment to this agreement.

**X. Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the parties with respect to the equipment procured, and this Agreement shall contain all of the covenants and agreements between the parties with respect to this Agreement. The parties agree that no oral representations or written representations, other than contained herein, relied on by the parties, or from additional terms of this Agreement.

**XI. Governing Law/Compliance with Law.** The MOU shall be governed, interpreted and construed in accordance with the laws of the State of New Jersey. Venue for any cause of action which may arise out of or be connected with this MOU shall be in Monmouth County, NJ unless changed by mutual agreement by the Parties.

**XII. Execution in Counterparts.** This MOU may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed by its duly authorized officers or representatives as the date first written above and on behalf of Monmouth County.

ATTEST OR WITNESS:

\_\_\_\_\_

COUNTY OF MONMOUTH

\_\_\_\_\_

Teri O'Connor  
Monmouth County Administrator

ATTEST OR WITNESS:

\_\_\_\_\_

BOROUGH OF FAIR HAVEN

\_\_\_\_\_

Theresa S. Casagrande, Administrator  
Borough of Fair Haven

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2021-242**

**TITLE:        AMEND RESOLUTION NO. 2021-235 REGARDING EMPLOYMENT STATUS FOR  
SERGIO GERMINARIO TO PERMANENT SCHOOL CROSSING GUARD**

**BE IT RESOLVED** that Resolution No. 2021-235, adopted by Mayor and Council at their October 25, 2021 meeting, made Sergio Germinario a part-time School Crossing Guard, at his request.

**BE IT FURTHER RESOLVED** that Mr. Germinario has reconsidered his request and would like to remain as Permanent School Crossing Guard.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Fair Haven that Sergio Germinario remain in the position of Permanent School Crossing Guard at the annual salary of \$10,200.00.

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

**Motion by:**

**Second by:**

**AFFIRMATIVE:**

**NEGATIVE:**

**ABSTAIN:**

**ABSENT:**

---

**RESOLUTION NO. 2021-243**

**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 8, 2021 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2021 CURRENT ACCOUNT	\$ 4,357,201.80
GENERAL CAPITAL	\$ 26,832.50
PAYROLL AGENCY	\$ 13,714.38
OTHER TRUST	\$ <u>3,909.50</u>
<b>TOTAL</b>	<b>\$ 4,401,658.18</b>