

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
FEBRUARY 7, 2022, 7:00 P.M.**

Zoom Link: <https://us02web.zoom.us/j/88993078993>
iPhone or Land Line Telephone Call In: 1-301-715-8592
Webinar ID: 889 9307 8993

1. **Call to Order:** pm
2. **Salute to the Flag:**
3. **Moment of Reflection:**
4. **Sunshine Law Notice:**
5. **Roll Call:** Councilmembers Chrisner-Keefe Cole Koch
McCue Neff Rodriguez
6. **Proclamations**
-Lifetime Membership to the Fair Haven Natural Area Advisory Committee
7. **Workshop Session**
-Tree Removal Appeal from Devin Bouton, 4 Rutgers Drive
-32 Fisk Street Tree Removal

-Street Opening Approval Requests (Borough Moratorium):
 - James Cady 137 Grange Avenue - New driveway installation
 - NJ Natural Gas for 102 Buena Vista Avenue - New service installation
 - NJ American Water for 30 Laury Drive - valve blow off installation
 - NJ American Water for 15 Laurel Drive – service line renewal
 - NJ American Water for 106 Park Avenue - service line renewal
 - NJ American Water for 62 Hillcrest Road – emergency opening for water leak on service line
-2022 Municipal Budget Update
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**
-January 24, 2022 Regular Meeting
-January 24, 2022 Executive Session
10. **Old Business**
11. **New Business**
Council Committee Reports
Finance - Councilwoman Neff
Personnel - Councilwoman Chrisner-Keefe
Planning & Zoning - Councilwoman Koch
Parks and Recreation - Councilwoman Koch
Police, Fire & OEM - Councilman McCue
Engineering and DPW - Councilman McCue
Borough Facilities - Councilman Rodriguez
Borough Communications and Community Outreach - Councilwoman Cole

Introduction of Ordinances

2022-01 Index Rate (COLA) Ordinance

Consent Agenda

Resolutions

2022-54 Executive Session: Contract Negotiations
2022-55 Authorize Monmouth County Mosquito Control Division to Conduct Aerial Spray
2022-56 Approved 2022 Temporary Budget Amendment
2022-57 Authorize Execution of Agreements with PBA Members
2022-58 Amend Joe Mule, Planning/Zoning and Code Compliance Officer, salary to an hourly rate
2022-59 Payment of Vouchers

Department Reports

December 2021

-Police Department

January 2022

-Municipal Clerk
-Dog and Cat Licenses
-Planning Board and Zoning Board

-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.**

THE NEXT COUNCIL MEETING WILL BE HELD MONDAY, FEBRUARY 28TH

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2022-01**

**2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Fair Haven in the County of Monmouth finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$74,529.97 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, Borough Council of the Borough of Fair Haven hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fair Haven, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Fair Haven shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$260,854.90 and that the CY 2022 municipal budget for the Borough of Fair Haven be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years, and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days of such adoption.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-54

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. DPW Foreman Recommendations
2. Borough Engineer 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:

RESOLUTION NO. 2022-55

**TITLE: AUTHORIZING THE MONMOUTH COUNTY MOSQUITO CONTROL DIVISION TO
CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE
BOROUGH OF FAIR HAVEN**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to NJSA 26:9-27, et seq., has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Fair Haven is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council of the Borough of Fair Haven hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides, by aircraft, for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations; and
 - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-56

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2022 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 2022 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total **\$2,106,372.07** 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			
2-01-37-480-299	Judgements/Settlements-Misc	\$33,000.00	Temp Budget
2-01-28-370-301	Recreation-Training & Conferences	\$4,000.00	Temp Budget
G-02-03-022-001	Body Armor Grant FY 2021	\$972.07	Temp Budget
TOTAL		\$37,972.07	

2. That said emergency temporary appropriations will be provided for in the 2022 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. 2022-57

**TITLE: AUTHORIZE BOROUGH ADMINISTRATOR TO EXECUTE SETTLEMENT
 AGREEMENTS WITH VARIOUS POLICE OFFICERS**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Theresa S. Casagrande, Borough Administrator, is hereby authorized to execute settlement agreements with the following Police Officers:

Sergeant Jesse Dykstra
Sergeant Stephen Schneider
Patrolman Eric Patton
Patrolman William Lagrotteria

BE IT FURTHER RESOLVED that a certified copy of this resolution and a fully executed copies of the agreements be forwarded to the PBA President and the officers named above.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-58

**TITLE: AMEND ANNUAL SALARY OF JOSEPH MULE, PLANNING, ZONING AND CODE
 COMPLIANCE OFFICER TO AN HOURLY RATE**

WHEREAS, Resolution No. 2021-69 established the 2021 salaries for Non-Union Borough Employees;
and

WHEREAS, the resolution set Joseph Mule, Planning Board, Zoning Board and Code Compliance
Officer's, annual salary as \$24,000.00 and there is a need to amend change his salary to an hourly rate of \$24.00
per hour retroactive to January 15, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven
that the hourly rate of \$24.00, retroactive to January 15, 2022, is hereby approved and the Payroll Department is
hereby advised of said amendment.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-59

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 February 7, 2022 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2021 CURRENT ACCOUNT	\$ 29,356.25
2022 CURRENT ACCOUNT	\$ 93,426.47
GENERAL CAPITAL	\$ 8,505.00
GRANT FUND	\$ 295.00
PAYROLL AGENCY	\$ 14,215.32
OTHER TRUST	\$ <u>6,020.00</u>
TOTAL	\$ 151,818.04