

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
NOVEMBER 14, 2022, 7:00 P.M.
HYBRID MEETING (IN-PERSON AND ZOOM)**

Zoom Link: [HTTPS://US02WEB.ZOOM.US/J/82877490209](https://us02web.zoom.us/j/82877490209)

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

Webinar ID: 828 7749 0209

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 Cole Koch
McCue Neff Rodriguez
6. **Presentation**
-Third Street Trail (Mark Olson/Bonnie Torcivia)
7. **Workshop Session**
-2023 Council/Student Government Council Meeting
-Fair Haven Library Structure and Audit
-Small Ticket Capital
-Borough Fee Schedule
-River Road Street Opening
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**
-October 24, 2022 Regular Meeting
10. **Old Business**
-Fence Ordinance
-Facilities Update
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
2022-17 Amend Police Special Duty Assignment Rate

Consent Agenda
Resolutions
2022-225 2022 Budget Transfers

2022-226	Set Council 2023 Reorganization Meeting Date - Tuesday, January 3, 2023
2022-227	Approve Appointment of Tax and Finance Office Assistant - Cydnei Singleton
2022-228	Authorize Fair Haven Police Department's Participation in the LESO 1033 Program
2022-229	Appoint Special Law Enforcement Officer, Class II - Domenick Fanelli, Jr.
2022-230	Award Bid, Improvements to Third Street, Phase II Project - Discover Construction
2022-231	Authorize Tax Payment Refund to Corelogic for payment error
2022-232	Payment of Vouchers

Department Reports

October 2022

- Municipal Clerk
- Dog License
- Police Department
- Municipal Court
- Tax Collector
- 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.**

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2022-17**

**ORDINANCE ADOPTING A FEE AND RATE SCHEDULE
FOR SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS
IN THE BOROUGH OF FAIR HAVEN**

WHEREAS, the Borough Council of the Borough of Fair Haven has authorized the establishment of guidelines for special duty assignments of police officers whereby said assignments are arranged by contract between the municipality and the private person or entity; and

WHEREAS, the compensation of special duty police officer services is to be channeled through a special trust fund to be established by the municipality under N.J.S.A. 40A:4-39 and the proceeds of said fund are to be dispersed through the Municipal Chief Financial Officer to the individual police officers performing such services, and

WHEREAS it is in the best interests of the Borough of Fair Haven and the police officers to establish uniform costs for the services of the police officers,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Fair Haven that it does hereby establish the following rates and fees regarding special duty assignments for police officers in the Borough of Fair Haven:

- | | | |
|----|--|---|
| A. | Traffic and Security | \$100/hour
4 hour minimum |
| B. | Fair Haven Taxing Entities
Religious
Fair Haven Volunteer Organizations
Borough Events Officially Sanctioned
by the Governing Body | \$50.00/hour or
Predetermined Rate
No Borough Fee |
| C. | Borough Road Projects | \$55.00/hour
No Borough Fee |

BE IT FURTHER ORDAINED that the above-mentioned Traffic and Security rates and fees are allocated at \$80.00 per hour to the police officer, with a four-hour (4) minimum, and a \$20.00 per hour surcharge for administrative and related costs to be retained by the Borough.

BE IT FURTHER ORDAINED that the rate or fee regarding special duty assignments for police officers for religious and Borough events shall be \$50.00 per hour, with a two (2) hour minimum and Borough Road Projects shall be \$55.00 per hour which both fees will be allocated totally to the police officer with no administrative and related costs allocation.

BE IT FURTHER ORDAINED that provisions of this ordinance shall take effect immediately.

BE IT FURTHER RESOLVED that the rates and authority given by this ordinance may be amended or revoked from time to time by the Governing Body.

BE IT FURTHER RESOLVED that any Borough officials required to take any action to implement this ordinance are hereby authorized to do so.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this ordinance to the Chief of Police and to the 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. 2022-225

TITLE: AUTHORIZING TRANSFERS IN THE 2022 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 2022 budget appropriations:

<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
2-01-32-465-201	Reclamation Fees-Municipal Waste Disposal/Tipping Fees	\$ 1,500.00
2-01-20-155-211	Legal Services - Contractual	\$ 350.00
Total		\$ 1,850.00
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
2-01-43-494-202	Recycling Tax Contractual Services	\$ 1,500.00
2-01-43-495-211	Public Defender Services	\$ 350.00
Total		\$ 1,850.00

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-226

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 3, 2023 at 7:00 p.m., in person and via Zoom Platform.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-227

**TITLE: APPOINT CYDNEI SINGLETON AS A FULL-TIME TAX AND FINANCE
OFFICE ASSISTANT**

WHEREAS, there is a need for an assistant in the Tax and Finance Office; and

WHEREAS, the Borough Administrator advertised the position on the Borough's website, the New Jersey League of Municipalities website and other Borough social media platforms; and

WHEREAS, resumes were received, and interviews were conducted for said position and the Borough Administrator, Assistant Chief Financial Officer and Personnel Committee have confirmed that Cydnei Singleton is qualified to fill said position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven, that Cydnei Singleton is hereby appointed as a full time Assistant for the Tax and Finance Offices at an annual salary of \$45,000.00 and in accordance with the terms in the Offer Letter attached hereto.

BE IT FURTHER RESOLVED that the start date of Ms. Singleton will be determined by the Borough Administrator.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-228

TITLE: RESOLUTION AUTHORIZING THE BOROUGH OF FAIR HAVEN THROUGH THE BOROUGH OF FAIR HAVEN POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE FAIR HAVEN POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Fair Haven Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31, 2021; and

NOW THEREFORE BE IT FURTHER RESOLVED that Fair Haven Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Fair Haven Police Department without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that Fair Haven Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes:

specifically listed controlled property items authorized for acquisition, including quantity, e.g., (1) utility truck, (12) 5.56 millimeter rifles, or (1) MRAP, etc.]; and

BE IT FURTHER RESOLVED that Joseph McGovern, Police Chief, shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Fair Haven Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31, 2023.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-229

TITLE: APPOINT SPECIAL LAW ENFORCEMENT OFFICER, CLASS II, DOMENICK FANELLI, JR.

WHEREAS, a request was made by Police Chief Joseph McGovern to appoint a Special Law Enforcement Officer Class II, effective November 15, 2022; and

WHEREAS, Joseph McGovern, Fair Haven Police Chief, has recommended that Domenick Fanelli, Jr. be appointed as a Special Law Enforcement Officer, Class II.

WHEREAS, the rate of pay for this position is \$19.50 per hour.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Domenick Fanelli, Jr. be appointed to the position of Special Class II Officer.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-230

TITLE: AWARDING A CONTRACT FOR IMPROVEMENTS TO THIRD STREET, PHASE II

WHEREAS, the Borough of Fair Haven was awarded a 2021 NJDOT municipal aid grant in the amount of \$240,000 for Improvements to Third Street, Phase II; and

WHEREAS, sealed bids were opened on November 9, 2022 at Borough Hall for Improvements to Third Street, Phase II; and

WHEREAS, the following bids were received:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>AMOUNT BID</u>
1. Discover Construction	Dayton, NJ	\$217,224.11
2. Fernandes Construction	Monroe, NJ	\$258,228.37
3. Fiore Paving Company, Inc.	Oceanport, NJ	\$268,634.24
4. Earle Asphalt Company	Farmingdale, NJ	\$281,513.13
5. A.B. Kurre Contracting, Inc.	Freehold, NJ	\$308,861.92
6. Diamond Construction	Brick, NJ	\$453,314.00

WHEREAS, Richard Gardella, PE, PP, CME, Borough Engineer and Gregory J. Cannon, Esq., Borough Attorney, reviewed the bids and recommend that a contract award be made to Discover Construction, 2207 Route 130, Dayton, New Jersey 08810 in the amount of \$217,224.11; and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for the low bid are available in Capital Fund Appropriations, as attached; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for Improvements to Third Street, Phase II to Discover Construction, 2207 Route 130, Dayton, New Jersey 08810.

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute NJDOT Form SA-22 and an agreement with Discover Construction.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-231

TITLE: AUTHORIZE REFUND TO CORELOGIC FOR TAX PAYMENT ERROR

WHEREAS, the Borough of Fair Haven's Tax Department received an e-mail file from CoreLogic with payment for nine properties for 4th quarter taxes; and

WHEREAS, one of the properties noted in the e-mail file had a block and lot number that matched a Fair Haven block and lot, however, payment was for a property in Harvey Cedars, NJ; and

WHEREAS, the Tax Collector contacted CoreLogic and verified that this payment was made in error, and they requested a refund in the amount of \$1,743.26.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Chief Financial Officer and Tax Collector are hereby authorized to send a refund in the amount of \$1,743.26 to CoreLogic Refund Department, 3001 Hackberry Road, Irving, Texas 75063.

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

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2022-232

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 14, 2022 Bill List are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2021 CURRENT ACCOUNT	\$	4,490.70
2022 CURRENT ACCOUNT	\$	3,761,674.82
GENERAL CAPITAL	\$	5,867.14
GRANT FUND	\$	67.87
PAYROLL AGENCY	\$	14,466.90
OTHER TRUST	\$	7,129.17
DOG TRUST	\$	4.20
LESS VOIDED CHECKS	-	\$ 294.16
TOTAL		\$3,793,406.64

CURRENT CHECK NO. 63277, \$294.16