

BOROUGH OF FARMINGDALE

Regular Meeting

Tuesday, August 2, 2022

This meeting has been advertised in accordance with the Open Public Meetings Act: A notice of the meeting has been published in the Asbury Park Press and Tri-Town News, posted in the lobby of Borough Hall and on the Borough Website. Public Comment is welcome at any time.

1. FLAG SALUTE, OPENING PRAYER and SUNSHINE STATEMENT

Mayor Daly opened the meeting at 7:05 pm with the flag salute. C/Linszky led the opening prayer. Mayor Daly noted the Borough's compliance with the open public meetings act.

2. ROLL CALL

PRESENT: Mayor James A. Daly, Council President Patricia Linszky
Councilmembers Don Steinfeld, George Dyevoich, Erich Brandl, Colleen Sagan

ABSENT: Councilmember Kaaren Corallo

3. PRESENTATIONS - None

4. MAYOR'S REPORT

Mayor Daly shared information from the MRRSA meeting; a sewer treatment plant was discussed. Mayor Daly provided an update on the school project which was completed early and under budget.

5. COUNCIL REPORTS

WATER & SEWER – Council President Patricia Linszky
C/Linszky had no report.

FINANCE & ORDINANCE - Councilmember Don Steinfeld
C/Steinfeld had no report.

STREETS & ROADS - Councilmember George Dyevoich
C/Dyevoich provided an update on the road project on Main Street, noting the first phase of stamping was complete. The light pole upgrades will begin tomorrow. C/Dyevoich requested that DPW spray the weeds that are popping up on the sidewalk; Mayor Daly noted the Borough does not have a license to be able to spray. Further discussion followed regarding the responsibility of the sidewalk belonging to the property owners.

BUILDINGS & GROUNDS - Councilmember Erich Brandl
C/Brandl noted there are many properties with debris and garbage on their property. The proper channel is to submit a request to Code Enforcement to review the issue.

PERSONNEL & COMPUTERS – Councilmember Kaaren Corallo
C/Corallo was absent.

COAH/LEGAL - Councilmember Colleen Sagan
C/Sagan had no report.

6. PUBLIC COMMENT

Motion to open the meeting to the public by C/Linszky; seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

Mr. Bob Lewis shared information about the opportunity for a grant for the Fire Department to apply for grant funds through the American Rescue Plan. The department plans to apply for turnout gear and SCBA equipment. Mr. Lewis noted it does require a resolution by the Governing Body authorizing application for the grant. Mayor Daly noted it

would Resolution 70 added to the Consent Agenda. Mr. Lewis further shared details of the Departments first place finish at the Monmouth County Fair.

Motion to close the meeting to the public by C/Linszky ;seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

7. APPROVAL OF MINUTES

A. Regular Meeting 07/19/2022

Motion to approve the minutes by C/Steinfeld; seconded by C/Brandl

Voice Vote: AYE - C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

ABSTAIN - C/Linszky

8. OLD BUSINESS

A. ORDINANCE ADOPTION

ORDINANCE 02-2022 - An Ordinance to Exceed the Municipal Budget Appropriations Limits and To Establish A CAP Bank (N.J.S.A. 40A: 4-45.14)

Mayor Daly read the Ordinance by Title

Motion to open the meeting to the public on Ordinance 02-2022 by C/Linszky; seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

There were no comments from the public on the ordinance.

Motion to close the meeting to the public on Ordinance 02-2022 by C/Linszky; seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

Motion to adopt Ordinance 02-2022 by C/Linszky; seconded by C/Brandl

Roll Call: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

ORDINANCE 02-2022: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it 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 Mayor and Council of the Borough of Farmingdale in the County of Monmouth finds it advisable and necessary to increase its current year 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 Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$22,857.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Mayor and Council 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 Mayor and Council of the Borough of Farmingdale, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the current year 2022 budget year, the final appropriations of the Borough of Farmingdale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$22,857.10, and that the current year 2022 municipal budget for the Borough of Farmingdale be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any 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 the Division 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 after such adoption.

B. BUDGET ADOPTION

Resolution 64-2022 - Auth. to Read the Budget by Title Only

Motion to approve Resolution 64-2022 by C/Linszky; seconded by C/Brandl

Roll Call: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

RESOLUTION 64-2022

AUTHORIZATION TO READ THE BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by L.2015, c. 95, §14, 2015, provides that the budget may be ready by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met.

BE IT THEREFORE RESOLVED, that the budget shall be read by title only

Public Hearing - 2022 Municipal Budget

Motion to open the meeting to the public on the 2022 Municipal Budget by C/Linszky; seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

CMFO Kirk presented a power point regarding the 2022 Municipal Budget. The sewer budget will decrease drastically because the meters were incorrect so MRRSA will be refunding the full amount this year; however, the budget will remain for this year while the Borough evaluates other needs and projects and the true usage of the Borough. CFO Kirk provided the details of appropriations and revenues. CFO Kirk detailed the amount to be raised by taxation and assessment and impact on the amount to be raised by taxation.

Motion to close the meeting to the public on the 2022 Municipal Budget by C/Brandl; seconded by C/Steinfeld

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

Resolution 65-2022 - Adoption of the 2022 Municipal Budget

Motion to approve Resolution 65-2022 by C/Linszky; seconded by C/Brandl

Roll Call: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

RESOLUTION 65-2022

RESOLUTION FOR ADOPTION OF MUNICIPAL BUDGET 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Farmingdale, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations and authorization of the amount of \$590,805.19 for municipal purposes.

SUMMARY OF REVENUES

1. General Revenues

Surplus Anticipated	\$210,000.00
Miscellaneous Revenues Anticipated	353,429.22
Receipts from Delinquent Taxes	33,000.00

2. Amount to be Raised by Taxation for Municipal Purposes	590,805.19
TOTAL REVENUES	\$1,187,234.41

SUMMARY OF APPROPRIATIONS

5. General Appropriations:

Within "CAPS"

Operations Including Contingent	\$628,520.00
Deferred Charges and Statutory Expenditures - Municipal	37,063.50
Excluded from "CAPS"	
Operations - Total Operations Excluded from "CAPS"	215,433.22
Capital Improvements	40,000.00
Municipal Debt Service	110,000.00

Deferred Charges - Municipal	0.00
Reserve for Uncollected Taxes	156,217.69
TOTAL APPROPRIATIONS	\$1,187,234.41

9. **NEW BUSINESS**

A. **ORDINANCE INTRODUCTION** - None

B. **CONSENT RESOLUTIONS**

(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request an item be removed for separate consideration).

- 1) **RESOLUTION 66-2022** - Auth. Payment of Bills
- 2) **RESOLUTION 67-2022** - Auth. Extension of Grace Period for 3rd Quarter Property Taxes
- 3) **RESOLUTION 68-2022** - Auth. Temporary Waiver of Marriage and Civil Union License Fees
- 4) **RESOLUTION 69-2022** - Recognition of Overdose Awareness Month (August 2022)
- 5) **RESOLUTION 70-2022** - Auth. Submission for American Rescue Plan Firefighter Grant

Mayor Daly read the titles of the resolutions into the record.

Motion to adopt items 1-5 (Resolution 66-70) as a group by C/Linszky; seconded by C/Brandl

Roll Call: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan

ABSENT - C/Corallo

RESOLUTION 66-2022

AUTHORIZING PAYMENT OF THE BILLS

BE IT RESOLVED that the bills as presented to the Finance Committee, all having been certified and approved as complete as to form, goods having been delivered, and/or services performed and sufficient funds being available for payment for said bills in the amount of **\$16,062.01**; and

BE IT FURTHER RESOLVED that payroll as verified by the Payroll Clerk be remitted for the current pay period.

Vendor Name	Description	Amount
Republic Services, Inc.	Ticket 20872	\$ 34.41
Republic Services, Inc.	Ticket 20876	\$ 41.49
Republic Services, Inc.	Ticket 20877	\$ 39.47
Republic Services, Inc.	Ticket 20898	\$ 19.23
Republic Services, Inc.	Ticket 20897	\$ 45.54
Republic Services, Inc.	Ticket 20893	\$ 51.61
Republic Services, Inc.	Ticket 20895	\$ 43.52
Republic Services, Inc.	Ticket 21073	\$ 44.53
Republic Services, Inc.	Ticket 21074	\$ 45.54
Republic Services, Inc.	Ticket 21076	\$ 50.60
Republic Services, Inc.	Ticket 21079	\$ 24.29
Republic Services, Inc.	Ticket 21097	\$ 60.72
Republic Services, Inc.	Ticket 21101	\$ 51.61
Republic Services, Inc.	Ticket 21103	\$ 43.51
VERIZON	Jun 11-Jul 10	\$ 53.42
NJ NATURAL GAS	Jun 02 - Jul 01	\$ 42.00
NJ NATURAL GAS	Jun 02 - Jul 01	\$ 177.05
VERIZON	7/8 - 8/7	\$ 77.59
ASBURY PARK PRESS	Order # 0005327488	\$ 150.48
ASBURY PARK PRESS	Order # 0005327501	\$ 51.48
MGL PRINTING SOLUTIONS	2022-2023 Blank Tax Bills	\$ 248.00
US POSTAL SERVICE	Postage: Tax	\$ 300.00
US POSTAL SERVICE	Postage: Sewer	\$ 180.00
US POSTAL SERVICE	Postage: Water	\$ 120.00

JERSEY CENTRAL POWER & LIGHT	Account: 100-011-416-888	\$ 1,534.98
JERSEY CENTRAL POWER & LIGHT	Account: 100-130-660-440	\$ 24.79
JERSEY CENTRAL POWER & LIGHT	Water Plants: 6/14-7/14	\$ 1,135.84
JERSEY CENTRAL POWER & LIGHT	Street Lighting: 6/14-7/14	\$ 18.64
JERSEY CENTRAL POWER & LIGHT	Buildings: 6/14-7/14	\$ 867.62
STATE OF NJ-PWT	APR-JUN public Water Sys Tax	\$ 98.82
NEW JERSEY DEPT COMM AFFAIRS	2nd QTR 2022 DCA	\$ 163.58
MIRACLE CHEMICAL COMPANY	15% Sodium Hypochlorite Gallon	\$ 228.60
MIRACLE CHEMICAL COMPANY	Fuel Surcharge	\$ 35.00
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TREASURER,STATE OF NJ MARRIAGE	2022: 2nd Quarter Marriage Fee	\$ 150.00
MONMOUTH COUNTY S.P.C.A.	June 2022: Animal Control Svcs	\$ 275.00
MONMOUTH COUNTY S.P.C.A.	July 2022: Animal Control Svcs	\$ 275.00
LEON S. AVAKIAN, INC.	FA20-08 Main St Pedestrian	\$ 425.00
LEON S. AVAKIAN, INC.	FA21-08: Phase 5 Main St. Impr	\$ 3,310.00
LEON S. AVAKIAN, INC.	FA17-06:Water Tower Improve	\$ 1,125.00
LEON S. AVAKIAN, INC.	FA 22-07	\$ 125.00
LEON S. AVAKIAN, INC.	FA 23-08 Transportation Trust	\$ 375.00
LEON S. AVAKIAN, INC.	FA 22-01 General Engineering	\$ 85.00
LEON S. AVAKIAN, INC.	FAPB 19-05	\$ 425.00
WEX, INC	fuel purchase 6-24 thru 7/22	\$ 889.92
WEX, INC	fuel purchase 6-24 thru 7/22	\$ 108.61
WEX, INC	fuel purchase 6-24 thru 7/22	\$ 290.64
WEX, INC	fuel purchase 6-24 thru 7/22	\$ 76.32
CANON FINANCIAL SERVICES INC	BW Meter Usage (4/1-6/30/22)	\$ 20.71
CANON FINANCIAL SERVICES INC	Contract Charge (7/1-7/31/22)	\$ 88.94
CANON FINANCIAL SERVICES INC	Maint.& Svc (7/1-7/31/22)	\$ 21.06
ONE CALL CONCEPTS	November markout request	\$ 21.45
LOWE'S CREDIT	Deliquent Amount from 4/7/2022	\$ 0.09
TOWNSHIP OF FREEHOLD	July: Water Operator	\$ 922.42
TOWNSHIP OF FREEHOLD	July: Sewer Operator	\$ 922.43
BEACON PROTECTION GROUP, LLC	Service Call - Ticket #77935	\$ 128.00
DIRECT ENERGY	614044-29627	\$ 0.45
DIRECT ENERGY	614044-29628	\$ 0.45
DIRECT ENERGY	614044-29629	\$ -
DIRECT ENERGY	614044-29630	\$ 0.99
DIRECT ENERGY	614044-29631	\$ 3.42
ONE CALL CONCEPTS	Void CK# 1472	\$ (21.45)
Crescent Shrine Pirates	Void Ck# 1611	\$ (350.00)
August 2, 2022 Bill List Total:		\$ 16,062.01

RESOLUTION 67-2022

EXTENDING GRACE PERIOD FOR PAYMENT OF 3RD QUARTER 2022 TAXES

WHEREAS, the Tax Collector has informed the Mayor and Council of the Borough of Farmingdale that the Monmouth County Board of Taxation was delayed in forwarding the necessary information for the preparation and mailing of final tax bills to the real estate taxpayers of the Borough of Farmingdale for the year 2022; and

WHEREAS, the present statute requires the imposition of late charges if 3rd quarter 2022 taxes are not paid by the 10th of August; and

WHEREAS, it would be unfair and unreasonable to impose a penalty for a delinquent payment when the amount of the payment is unknown.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Borough of Farmingdale is hereby ordered and directed, according to Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3rd quarter 2022 taxes shall be established as the twenty-fifth (25th) calendar day after the date the tax bills were mailed. The tax bills will contain the date on which interest shall start accruing.

RESOLUTION 68-2022

AUTHORIZING TEMPORARY WAIVER OF MARRIAGE AND CIVIL UNION LICENSE FEES

WHEREAS, P.L. 2022, C. 23, signed by Governor Murphy waives license fees for marriages and Civil Unions from July 1, 2022 through June 30, 2023; and

WHEREAS, Municipal Licensing Officers collect a \$3.00 (Three Dollar) fee for issuing a Marriage or Civil Union License; and

WHEREAS, in addition to this fee, Municipal Licensing Officers are also required to collect a \$25.00 (Twenty-Five Dollar) fee for each license, to be forwarded to the Department of Human Services for the purpose of providing shelter-related services to victims of domestic violence.

NOW THEREFORE BE IT RESOLVED, both of these fees are now waived for a period from July 1, 2022 through June 30, 2023. During this period, a Municipal Licensing Officer shall not charge or collect a fee for issuing a marriage or Civil Union License from an applicant.

BE IT FURTHER RESOLVED, the State shall reimburse Municipalities for license fees suspended during this period.

RESOLUTION 69-2022

RECOGNITION OF OVERDOSE AWARENESS DAY

WHEREAS, addiction is a chronic disease, characterized by compulsive or difficult to control drug use despite harmful consequences; and

WHEREAS, addiction is seen by both the Centers for Disease Control and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death; and

WHEREAS, in 2020, over 93,000 individuals died from drug overdoses in the United States; and

WHEREAS, New Jersey alone, 3,006 people died from drug overdoses in 2018; and

WHEREAS, as of April 30, 2022 Monmouth County alone has lost 47 persons due to overdose; and

WHEREAS, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on the individual, their family, and the community at large; and

WHEREAS, addiction can fuel feelings of shame, guilt, embarrassment, depression, and hopelessness, causing individuals to resist seeking treatment and support; and

WHEREAS, Overdose Awareness Day is a global event held on August 31st of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or had a permanent injury as a result of a drug overdose; and

WHEREAS, to further the goals of Overdose Awareness Day, all flags throughout the State should be flown at half-staff for the day's duration; and

WHEREAS, Overdose Awareness Day in New Jersey sends a strong message to former or current substance users, namely, that they are valued, and that overdose death is preventable.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Farmingdale and State of New Jersey:

1. August 31st of each year shall be designated as "Overdose Awareness Day" in the Borough of Farmingdale to raise awareness of overdose and reduce the stigma of a drug-related death.
2. The Governor is respectfully requested to order flags be flown at half-staff and to issue a proclamation calling upon public Officials and the citizens of this State to observe "Overdose Awareness Day" with appropriate activities and programs each year.
3. This resolution shall take effect immediately.

RESOLUTION 70-2022

AUTHORIZE FOR AMERICAN RESCUE PLAN FIREFIGHTER GRANT

WHEREAS, the Borough of Farmingdale desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$75,000 to carry out a project to purchase Fire Fighter Equipment; and

BE IT THEREFORE RESOLVED,

- 1) that the Mayor and Council of the Borough of Farmingdale does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Farmingdale and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the Chief of the Fire Department, Chief Municipal Finance Officer, Mayor and Municipal Clerk, who's signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Robert Lewis
Fire Chief

Robbin D Kirk
CMFO

Corinne DiCorcia Williams
Borough Clerk

James Daly
Mayor

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

C. CONSENT MOTION - None

10. COUNCIL COMMENTS

C/Steinfeld spoke about articles related to maleficence in the Asbury Park Press weekly, further noting we should all avoid doing the wrong thing.

Mayor Daly shared information regarding the upcoming Carnival Themed Farmers Market and the success of the recent trails.

11. CLOSED SESSION - None

12. ADJOURNMENT – 7:44 pm

Motion to adjourn by C/Linszky; seconded by C/Brandl

Voice Vote: AYE - C/Linszky, C/Steinfeld, C/Dyevoich, C/Brandl, C/Sagan
ABSENT - C/Corallo

By: Corinne DiCorcia Williams
RMC, Borough Clerk