

**REGULAR MEETING
MAY 16, 2023
BOROUGH COUNCIL**

Council President Manginelli called the Regular Meeting to order at 6:30 PM.

The Borough Clerk read the following statement: "Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on December 20, 2022."

ROLL CALL (Executive Session)

PRESENT: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli

ABSENT: None

EXECUTIVE SESSION

Council President Manginelli asked Mr. Starkey to read the following Executive Session Resolution:

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-084

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Director of Law that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Council shall go into executive session to discuss the following items:

- 1) **Potential Property Acquisitions or Sales** – N.J.S.A. 10:4-12(b)(5)
None
- 2) **Personnel Matters** – N.J.S.A. 10:4-12(b)(8)
None
- 3) **Contract Negotiations** – N.J.S.A. 10:4-12(b)(4) or (b)(7)
None
- 4) **Litigation/Potential Litigation** – N.J.S.A. 10:4-12(b)(7)
Discussion about pending lawsuit, Jones v. Ruffin Cemetery Co., Docket No. MON-L-1120-23

Mrs. Clay offered a motion to approve Resolution R-23-084, seconded by Dr. Dobrin.

ROLL CALL

AYES: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli

ABSTAIN: None

NAYS: None

ABSENT: None

Council President Manginelli advised that at this time Council would move into Executive Session.

Council President Manginelli advised that Council was back on the record at 7:30 PM for the start of the Regular Meeting.

ROLL CALL (Regular Meeting)

PRESENT: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli

ABSENT: None

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Charles Terefenko, Business Administrator
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

Council President Manginelli asked the Director of Law, Kevin Starkey to summarize the executive session discussion.

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Mr. Starkey stated that there was one item discussed in Executive Session, the Council discussion pertaining to litigation of pending lawsuit Jones vs. Ruffin Cemetery Company.

APPROVAL OF MINUTES

Dr. Dobrin offered a motion to approve the April 18, 2023, Regular Session Meeting Minutes seconded by Mr. Nesci.

ROLL CALL

AYES: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli

ABSTAIN: None

NAYS: None

ABSENT: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mr. Manginelli announced there are two proclamations listed on the agenda tonight, in celebration of: Marie Winslow Carter 102nd Birthday and Thomasina "May" Tocco, 100th Birthday.



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Borough Engineer – Thomas Neff

Mr. Neff discussed resolution on the consent agenda, R-23-087 Shrewsbury Avenue Pump Station Upgrade project installing a new valve and anticipates a decrease in the final price of the project.

Administrator – Mr. Terefenko

Mr. Terefenko reported that summer camp registration is now open, and applications are being accepted by Recreation Department. Regarding the Middletown Project, 331 Newman Springs Road, there is an article posted on the Borough's website providing clarification of the project by their attorney.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council's Reports

-Ms. Buckley announced the next Environmental Commission meeting is May 25th at 7:30pm at the Crawford House and hybrid online. The Green Team has submitted for the second-round application of Sustainable Jersey certification and hope to hear back in about a month. Third round application will be towards end of July.

-Mrs. Clay wished Ms. Carter and Ms. Tocco a Happy Birthday. Mrs. Clay reported this year's Memorial Day service is May 29th at 11:00am at Sycamore Park. She encouraged everyone to attend this fantastic ceremony. Also, recognizing Ms. Catalano in the audience who was last year's Mayor's candidate for Citizen of Tinton Falls.

-Dr. Dobrin reported the library will have their music festival on August 19th and personalized bricks are available for purchase. The library's remediation project is waiting for the architects to finish their work so the project can progress.

-Mr. Nesci had no new applications for the Planning Board and the Chicken Advisory Board had two application submissions. He gave a thank you to the police department for assistance with a false alarm in a Tinton Falls school.

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-Mr. Manginelli had no report.

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction this evening.

ORDINANCES FOR FINAL CONSIDERATION

There were no ordinances for adoption this evening.

PUBLIC DISCUSSION

Mrs. Clay offered a motion to open the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Manginelli asked the Clerk if there were any public comments submitted and the response was none.

There being no comments, Dr. Dobrin offered a motion to close the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: None
ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS - None

CONSENT AGENDA

Mrs. Clay offered a motion to approve the Consent Agenda, seconded by Mr. Nesci.

ROLL CALL

AYES: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli
ABSTAIN: None
NAYS: None
ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-085

**RESOLUTION AUTHORIZING PURCHASE UNDER
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #65MCECCPS
LABRIE AUTOMIZER 26 CUBIC YARD RIGHT-HAND AUTOMATED SIDE LOADER**

WHEREAS, the Tinton Falls Department of Public Works is in need of one (1) Labrie Automizer 26 Cubic Yard Right-Hand Automated Side Loader; and

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WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCECCPS as approved by Resolution #R-14-186; and

WHEREAS, Sanitation Equipment Corp., 80 Furler Street, Totowa, NJ 07512 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCECCPS, for the purchase of a one (1) Labrie Automizer 26 Cubic Yard Right-Hand Automated Side Loader for a total purchase price in the amount of \$186,093.95; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCECCPS:

I hereby certify funds are available from: Current Budget: Refurbish of Sanitation Truck

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-086

**RESOLUTION – AUTHORIZING MAYOR, ADMINISTRATOR AND DIRECTOR OF PUBLIC WORKS TO
EXECUTE TWA-1 FORMS FOR PROJECT:
STAVOLA MIXED USE DEVELOPMENT
157 HAMILTON ROAD & 1810 WAYSIDE ROAD**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the following are hereby authorized to execute TWA-1 Forms on behalf of the Borough of Tinton Falls for the proposed Stavola Mixed Use Development project.

Mayor	Vito Perillo
Administrator	Charles Terefenko
Director of Public Works	Mark Shaffery

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-087

**RESOLUTION AUTHORIZING CHANGE ORDER #2
INCREASING CONTRACT #21-2 IN THE AMOUNT OF \$20,791.50
SHREWSBURY AVENUE PUMP STATION UPGRADES**

WHEREAS, Contract #21-2 for the Shrewsbury Avenue Pump Station Upgrades was awarded to T. R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, NJ 08854 submitted the lowest responsible bid for a total amount of \$423,802 at a meeting held on August 10, 2021; and

WHEREAS, Change Order #1 dated July 28, 2022, only changed the contract completion date resulting in a zero (0) net change to the total contract amount; this was approved by Resolution #R-22-164 on August 9, 2022; and

WHEREAS, Change Order #2 dated April 13, 2023 from T & M Associates (annexed hereto and part hereof) increases the contract in the amount of \$20,791.50, for a total contract in the amount of \$444,593.50

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Change Order #2 increasing Contract #21-2 in the amount of \$20,791.50 for a total contract in the amount of \$444,593.50 is hereby authorized for the above contract awarded to T. R. Weniger, Inc.

I hereby certify funds are available from: Sewer Budget – Capital Outlay

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-088

RESOLUTION - REFUNDING FIREARMS REPORT FEE OVERPAYMENT

WHEREAS, fees were collected for a firearms report.

WHEREAS, said money was deposited by the Borough of Tinton Falls.

WHEREAS, the resident overpaid for the firearms report.

WHEREAS, The Brough of Tinton Falls needs to refund said overpayment.

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Payee	Address	Refund Amount
Theresa Trentacosta	12 Dover Court Tinton Falls, NJ 07753	\$25.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the refund in the amount listed in the “Refund Amount” column be issued.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-089

RESOLUTION – APPROVAL OF BILLS – MAY 16, 2023

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending May 16, 2023; and

WHEREAS, the Borough Council has reviewed said claims.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

SUMMARY

GENERAL	3,460,007.43
SEWER UTILITY	242,016.91
TRUST FUNDS	18,119.35
DOG TRUST FUND	
ESCROW	14,053.55
ADDITIONS	1,299,641.37
TOTAL	5,033,881.81

CERTIFICATION OF FUNDS:

EXECUTIVE SESSION

ADJOURNMENT

Ms. Buckley offered a motion to adjourn, seconded by Dr. Dobrin.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 7:38pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

John Manginelli, Council President

APPROVED AT A MEETING HELD ON: