

**REGULAR/WORKSHOP MEETING  
MAY 15, 2018  
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:33pm.

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."

**ROLL CALL**

PRESENT: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

ABSENT: None

ALSO PRESENT: Melissa Hesler, Borough Clerk  
Kevin Starkey, Esq.  
Vito Perillo, Mayor  
Michael Skudera, Borough Administrator  
Thomas Neff, Borough Engineer

All present stood for a salute to the flag

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**APPROVAL OF MINUTES**

*Mr. Pak offered a motion to approve the minutes of February 6, 2018, seconded by Mr. Manginelli*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

*Mr. Pak offered a motion to approve the minutes of April 3, 2018, seconded by Mr. Manginelli.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

*Mr. Pak offered a motion to approve the executive minutes of April 3, 2018, seconded by Ms. Fama*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

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**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Proclamation – June 1, 2018 National Gun Violence Awareness Day**

Council President Baldwin introduced Senator Vin Gopal, and welcomed him to present a proclamation for National Gun Violence Awareness Day. Mr. Baldwin introduced Ms. Eleanor Rubin and Ms. Lois Lyons, residents of Tinton Falls promoting legislation and awareness about gun safety.

Senator Gopal and Mayor Perillo read the following proclamation- *National Gun Violence Awareness Day June 1, 2018.*

**PROCLAMATION  
NATIONAL GUN VIOLENCE AWARENESS DAY  
JUNE 1, 2018**

*WHEREAS, Americans are 25 times more likely to be killed with guns than other developed countries, with approximately 96 Americans being killed by gun violence every day, and are nearly 13,000 gun homicides every year, and*

*WHEREAS, protecting public safety in the communities they serve is a Mayor's highest responsibility; and*

*WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and*

*WHEREAS, mayors and law enforcement officers are familiar with local criminal history and they strive to understand how to keep their citizens safe; and*

*WHEREAS, in January 2013 Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be celebrating her 21<sup>st</sup> birthday; and*

*WHEREAS, to help honor Hadiya and those Americans whose lives are cut short and the countless survivors who are injured by shootings every day, a national coalition of organizations has designated June 1, 2018, the first Friday in June, as the 4<sup>th</sup> National Gun Violence Awareness Day; and*

*WHEREAS, the idea was inspired by a group of Hadiya's friends who asked their classmates to commemorate her life by wearing orange, a color worn by hunters to announce themselves to other hunters when out in the woods and a color that symbolizes the value of human life; and*

*WHEREAS, anyone can join this campaign by pledging to wear orange on June 1<sup>st</sup>, 2018 to help raise awareness about gun violence and honor the lives of gun violence victims and survivors;*

*WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe;*

*NOW, THEREFORE BE IT RESOLVED, that Mayor Vito Perillo of the Borough of Tinton Falls declares June 1, 2018 to be National Gun Violence Awareness Day and encourages all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.*

**Eagle Scout Recognition – Kyle Anderson - Dylan Anderson – Joshua Jacoves – Joseph Schwarz**

Council President Baldwin welcomed the four Eagle Scouts being honored tonight for their accomplishments in completing their Eagle Scout projects.

Mayor Perillo read the following proclamation- *Kyle Anderson.*

**Honoring  
Eagle Scout Achievement of  
Kyle Anderson**

*WHEREAS, Kyle Anderson, has been involved in scouting for seven years and obtained the rank of Eagle Scout on December 4, 2017, and*

*WHEREAS, Kyle, is a member of Boy Scout Troop 124, and*

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**WHEREAS**, Kyle's project was to build a retaining wall at the Tinton Falls Public Library to prevent water and dirt from washing into the overnight book drop, and

**WHEREAS**, the honor of Eagle Scout is only bestowed to 2% of all boys who join the ranks of Scouting, and

**WHEREAS**, the Mayor and the Borough Council of the Borough of Tinton Falls would like to commend Kyle for his achievement in reaching a goal that a few Scouts acquire.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of Tinton Falls that Kyle Anderson be congratulated for receiving the rank of Eagle Scout, and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Boy Scouts of America, Troop 124.

Mayor Perillo read the following proclamation- *Dylan Anderson*.

**Honoring  
Eagle Scout Achievement of  
Dylan Anderson**

**WHEREAS**, Dylan Anderson, has been involved in scouting for seven years and obtained the rank of Eagle Scout on August 18, 2014, and

**WHEREAS**, Dylan, is a member of Boy Scout Troop 124, and

**WHEREAS**, Dylan's project was to provide pet first aid kits to Tinton Falls' four fire districts and two EMS squads. Dylan accomplished this by using funds raised through classes and workshops that taught pet owners and others basic first aid for dogs and cats, and

**WHEREAS**, the honor of Eagle Scout is only bestowed to 2% of all boys who join the ranks of Scouting, and

**WHEREAS**, the Mayor and the Borough Council of the Borough of Tinton Falls would like to commend Dylan for his achievement in reaching a goal that a few Scouts acquire.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of Tinton Falls that Dylan Anderson be congratulated for receiving the rank of Eagle Scout, and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Boy Scouts of America, Troop 124.

Council President Baldwin read the following proclamation- *Joshua Jacoves*.

**Honoring  
Eagle Scout Achievement of  
Joshua Jacoves**

**WHEREAS**, Joshua Jacoves has been involved in scouting for six years and obtained the rank of Eagle Scout on December 4, 2017, and

**WHEREAS**, Joshua, is a member of Boy Scout Troop 124, and

**WHEREAS**, Joshua's project was to renovate the Tinton Falls EMS North Ambulance Bay to create a more efficient and updated area for supplies to be organized. *Joshua* accomplished this task by removing old cabinetry and installing new cabinets and lockers, and

**WHEREAS**, the honor of Eagle Scout is only bestowed to 2% of all boys who join the ranks of Scouting, and

**WHEREAS**, the Mayor and the Borough Council of the Borough of Tinton Falls would like to commend Joshua for his achievement in reaching a goal that a few Scouts acquire.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of Tinton Falls that Joshua Jacoves be congratulated for receiving the rank of Eagle Scout, and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Boy Scouts of America, Troop 124.

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Council President Baldwin read the following proclamation- *Joseph Schwarz*

**Honoring  
Eagle Scout Achievement of  
Joseph Schwarz**

**WHEREAS**, Joseph Schwarz, has been involved in scouting for five years and obtained the rank of Eagle Scout on April 19, 2018, and

**WHEREAS**, Joseph, is a member of Boy Scout Troop 124, and

**WHEREAS**, Joseph's project was to re-landscape the front of the Luther Memorial Church, Tinton Falls, creating a pleasing appearance from the street. Joseph provided a more welcoming atmosphere and a safer entrance to the church, and

**WHEREAS**, the honor of Eagle Scout is only bestowed to 2% of all boys who join the ranks of Scouting, and

**WHEREAS**, the Mayor and the Borough Council of the Borough of Tinton Falls would like to commend Joseph for his achievement in reaching a goal that a few Scouts acquire.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of Tinton Falls that Joseph Schwarz be congratulated for receiving the rank of Eagle Scout, and

**BE IT FURTHER RESOLVED** that *a copy of this Resolution be forwarded to the Boy Scouts of America, Troop 124.*

**Presentation- Jersey Shore University Medical Center- Hope Tower**

Council President Baldwin introduced Ms. Donna Sellmann from Hackensack Meridian Health to give a presentation on the new Hope Tower.

Donna Sellmann, Public Relations Manager from Jersey Shore University Medical Center thanked the Mayor and Council for giving her the opportunity to speak about this project at tonight's meeting. Ms. Sellmann explained that the HOPE tower is an acronym for "Healing Out-Patient Experience." The Hope tower is a free-standing building that is not connected to the hospital. The tower's main purpose is to focus on out-patient procedures and she described the daily operations of this facility and the hours of operation. Ms. Sellmann discussed the overall design of the building and how it will act as a central location for out-patient services and cancer treatments.

Ms. Fama thanked Ms. Sellmann for her presentation and stated that the Hope Tower is a great addition and will benefit the community immensely.

Mayor Perillo inquired about how the project was financed and Ms. Sellmann clarified the \$265 million-dollar project was funded by several loans and donations.

Mr. Baldwin asked Ms. Sellmann to announce the Tower's anticipated opening date. She stated that the facility is expected to open by June 2018. Mr. Baldwin once again thanked Ms. Sellmann for her time and for her informative presentation.

**Mayor's Report – Vito Perillo**

Mayor Perillo had no report.

**Director of Law- Kevin N. Starkey, Esq. –**

Mr. Starkey had no report.

**Engineer's Report – Thomas Neff**

Mr. Neff reported that he wanted to provide some background information on resolution R-18-156 for Liberty Park Improvements. He explained Hannah Duffy Playground was recently completed at Liberty Park and they are now looking to improve the swing set area. Mr. Neff stated that he and DPW Director Mark Shaffery recently met to discuss installing a rubber safety surface to the Hannah Duffy Playground and that the cost of this project will be funded by the Open-Space budget.

**Borough Administrator- Michael Skudera**

Mr. Skudera reported that the Hance-Sycamore presentation has been posted to the homepage of the Borough website. He stated that public comments can be made via email to [hancesycamore@tintonfalls.com](mailto:hancesycamore@tintonfalls.com) until June 3, 2018 and that the emails will then be forwarded to Borough and County officials. Mr. Skudera stated that Ordinance No. 2018-1431 creating a stop intersection at Terry Lane and William Street has been reviewed by the Police Chief, Traffic Safety, the Borough Engineer and himself, and will be introduced at tonight's meeting. He reminded everyone that the scope and timeline of the Tinton Falls Library repairs will be discussed during tonight's workshop portion of the meeting.

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Ms. Fama inquired about the Hance-Sycamore plans and asked Mr. Skudera to clarify what the process will be going forward. Mr. Skudera stated that the County has asked for copies of the public comments to review, after the public comments have been reviewed the Borough will contact the county to see what action will be taken. Ms. Fama stated that it is important for the council to be both responsive and available in fielding any questions from the public regarding the Hance and Sycamore improvements. Ms. Fama stated that she wanted to be sure the rights of the residents are protected. Council President Baldwin stated that each Council member has the right to reach out to residents and the County to educate themselves regarding the proposals. Discussion ensued regarding the same. Residents were encouraged to use the email address on the website to voice their opinions.

**Borough Clerk's Report – Melissa Hesler**

Ms. Hesler had no report.

**Council's Report**

Councilwoman Fama reported the Library Board will be presenting during tonight's workshop. She states that she is very impressed with the dedication of the Library Board and thanked them for all of their hard work.

Councilman Pak reported that Senator Gopal will return on Monday for the Board of Education's meeting at Borough Hall.

Councilman Siebert thanked DPW for painting lines on borough roads that needed to be repainted.

Councilman Manginelli had no report.

Council President Baldwin reported the Planning Board will meet next week at 6:00 PM.

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**ORDINANCES FOR INTRODUCTION**

Ms. Hesler read Ordinance No. 2018-1431 entitled:

**ORDINANCE AMENDING § 7-6.2 OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF  
TINTON FALLS GOVERNING STOP INTERSECTIONS TO INCLUDE A STOP SIGN AT THE  
INTERSECTION OF TERRY LANE AND WILLIAM STREET**

**WHEREAS**, a request was made by the Tinton Falls Police Department's traffic division for the installation of a stop sign on Terry Lane at the William Street intersection so that traffic exiting Terry Lane must stop for William Street traffic; and

**WHEREAS**, the Chief of Police made a recommendation for the placement of such a stop sign, which has been reviewed by the Borough's engineer who concurs with the Chief's recommendation.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that § 7-6.2 of the General Revised Ordinances of the Borough of Tinton Falls be and are hereby amended and supplemented as follows:

**SECTION 1. Amendment to § 7-6.2.**

***7-6.2. Stop Intersections.***

*Pursuant to the provision of N.J.S.A. 39:4-140, the intersections described below are hereby designated as Stop Intersections. STOP signs shall be installed as provided therein.*

Terry Lane and William Street  
STOP sign shall be installed on Terry Lane

**SECTION 2. Repealer.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

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**SECTION 3. Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4. Effective Date.**

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

*Mr. Siebert offered a motion to introduce Ordinance 2018-1431 seconded by Mr. Manginelli*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

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**ORDINANCES FOR FINAL CONSIDERATION**

**Ms. Hesler read Ordinance No. 2018-1430 entitled: BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,791,800 FOR 2018 ROAD IMPROVEMENT PROGRAM FOR AND BY THE BOROUGH OF TINTON FALLS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$2,340,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.**

*Mr. Siebert offered a motion to open the Public Discussion on Ordinance 2018-1430 seconded by Mr. Pak.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC HEARING OPEN**

*There being no comments from the public Mr. Pak offered a motion to close the Public Hearing on Ordinance No. 2018-1430, seconded by Mr. Siebert.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC HEARING CLOSED**

*Mr. Siebert offered a motion to adopt Ordinance 2018-1430 seconded by Ms. Fama.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: None

ABSTAIN: None

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**PUBLIC DISCUSSION**

*Mr. Siebert offered a motion to open the Public Discussion, seconded by Mr. Pak*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**PUBLIC DISCUSSION OPEN**

*Tracey Buckley 17 Helene Court-* Ms. Buckley inquired about the Hance-Sycamore intersection and questioned why it was not on tonight's agenda. She asked the council to hold off on making any recommendations to the county until all public comments have been made after June 3<sup>rd</sup>. Mr. Baldwin agreed it would be beneficial to wait until all public comments are submitted and reviewed.

*Denise Catalano 11 Alpine Trail-* Ms. Catalano voiced her displeasure with one of the proposals presented by the county for the Hance-Sycamore intersection. She provided examples of other intersections that have a similar design. She also inquired about the final decision made by council regarding the library. Mr. Baldwin advised Ms. Catalano that the library will be discussed at length during the workshop portion of the meeting.

*Gerry Turning 32 Periwinkle Circle-* Mr. Turning discussed his disappointment with the Council and Administration for missing the opportunity to recognize National Police Week. He believes a proclamation should have been on tonight's agenda recognizing the police department. Council members apologized for missing this opportunity.

*There being no further comments from the public Mr. Pak offered a motion to close the Public Discussion, seconded by Mr. Manginelli.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**PUBLIC DISCUSSION CLOSED**

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**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER** – None

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**CONSENT AGENDA**

*Mr. Siebert offered a motion to approve the Consent Agenda, seconded by Mr. Pak.*

**ROLL CALL**

AYES: Ms. Fama, Mr. Manginelli, Mr. Pak, Mr. Siebert, Mr. Baldwin  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**R-18-147 RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR FOXCHASE IV PHASE II SECTION 4**

**WHEREAS**, a request has been made for the release of Maintenance Guarantees for Foxchase IV, Phase II – Section 4, Block 129.15 Lot 33.01; and

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**WHEREAS**, by letter dated April 26, 2018 (said letter attached and hereby made part of this Resolution), the Borough Engineer (T&M Associates) has certified that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition and recommends the release of the guarantees for Foxchase IV Phase II – Section 4, Block 129.15 Lot 33.01.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that Maintenance Guarantees and remaining engineering escrow fees associated with this project be released subject to the payment of any and all outstanding engineering and inspection fees.

**R-18-148 RESOLUTION AUTHORIZING PURCHASE UNDER MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM #65MCECCPS ONE (1) TORO WORKMAN DMX, 07235 UTILITY CART**

**WHEREAS**, the Tinton Falls Department of Public Works is in need of one (1) Toro Workman DMX, 07235 Utility Cart; and

**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**, Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCECCPS, for the purchase of a one (1) Toro Workman DMX, 07235 Utility Cart for a total purchase price in the amount of \$10,516.00 ; 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, Interim 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:

**R-18-149 RESOLUTION AUTHORIZING PURCHASE UNDER MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM #65MCECCPS ONE (1) TORO GROUNDSMASTER 7210 ZEE MODEL 30695 TIER FOUR\_FINAL WITH ACCESSORIES**

**WHEREAS**, the Tinton Falls Department of Public Works is in need of one (1) Toro Groundsmaster 7210 Zee Model 30695 tier four final with accessories; and

**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**, Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCECCPS, for the purchase of a one (1) Toro Groundsmaster 7210 Zee Model 30695 tier four final with accessories for a total purchase price in the amount of \$57,272.10 ; 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, Interim 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:

**R-18-150 RESOLUTION - REFUNDING SEWER OVERPAYMENT BLOCK 124.16 LOT 48 \$63.22**

**WHEREAS**, 2018 4<sup>th</sup> quarter Sewers on the following property has been paid in the year of 2017, in an amount exceeding the amount due by the homeowner.

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Borough of Tinton Falls<br>556 Tinton Avenue<br>Tinton Falls, NJ 07724 | 124.16       | 48         | \$63.22       |

Re: Douglas M. Gibson, Jr.  
125 Mill Lane



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and,

**WHEREAS**, said payment has resulted in an overpayment of the 2018 sewers in the amount of \$63.22, as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$63.22 is hereby approved for the aforementioned property. Said overpayment shall be applied to 2019 sewers.

**R-18-151 RESOLUTION - REFUNDING TAX OVERPAYMENT BLOCK 12.02 LOTS 20 & 22 \$990.55**

WHEREAS, an overpayment of 2018 Taxes has been made due to a subdivision resulting in an overbilling for the 2018 first half year to properties known as:

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u>             |
|---|--------------|------------|---------------------------|
| 18 Orchard Street, LLC                                | 12.02        | 20         | \$496.56                  |
| 28 Riverside Avenue<br>Suite 2A<br>Red Bank, NJ 07701 | 12.02        | 22         | <u>493.99</u><br>\$990.55 |

Re: Prop. Loc.: 52 & 58 Pear Street

and,

WHEREAS, said overbilling has resulted in an overpayment of the 2018 taxes by the property owner in the amount of \$990.55 as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$990.55 is hereby approved for the aforementioned property.

**R-18-152 RESOLUTION - REFUNDING TAX OVERPAYMENT BLOCK 145 LOT 19 \$691.54**

**WHEREAS**, an overpayment of 2018 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Attorney .

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Dominick Mazza<br>c/o Robert J.Inglima, Jr., Esq.<br>One Deerhill Drive<br>Ho-Ho-Kus, NJ 07423-1705 | 145          | 19         | \$691.54      |

Re: DeLisa Realty, LLC from Mazza  
3204 Shafto Road

and,

**WHEREAS**, said error has resulted in an overpayment of 2018 2<sup>nd</sup> quarter taxes in the amount of \$691.54, as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$691.54 is hereby approved for the aforementioned property.

**R-18-153 RESOLUTION - REFUNDING TAX OVERPAYMENT BLOCK 145 LOT 20 \$670.54**

**WHEREAS**, an overpayment of 2018 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Attorney .

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| James F. & Dominick Mazza<br>c/o Robert J.Inglima, Jr., Esq. | 145          | 20         | \$670.54      |

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One Deerhill Drive  
Ho-Ho-Kus, NJ 07423-1705

Re: DeLisa Realty, LLC from Mazza  
3200 Shafto Road

and,

**WHEREAS**, said error has resulted in an overpayment of 2018 2<sup>nd</sup> quarter taxes in the amount of \$670.54, as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$670.54 is hereby approved for the aforementioned property.

**R-18-154 RESOLUTION - REFUNDING TAX OVERPAYMENT BLOCK 16 LOT 1.28 \$1,206.40**

**WHEREAS**, an overpayment of 2018 taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the year of 2018.

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Leslie A. Tuthill<br>10 Edwards Farm Lane<br>Tinton Falls, NJ 07724 | 16           | 1.28       | \$1,206.40    |

and,

**WHEREAS**, said exemption has resulted in an overpayment of the 2018 taxes in the amount of \$1,206.40 as certified by the Borough Tax Collector.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$1,206.40 is hereby approved for the aforementioned property for the year of 2018.

**R-18-155 RESOLUTION AUTHORIZING A “PROFESSIONAL SERVICES” CONTRACT FOR THE DIRECTOR OF LAW CONTRACT PS #6-18**

**WHEREAS**, the Borough of Tinton Falls appointed Kevin N. Starkey, Esq. as the Director of the Department of Law by the adoption of Resolution 18-095 at the Council meeting on March 6, 2018, with an effective date of appointment of April 1, 2018; and

**WHEREAS**, such professional legal services are provided in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and Mr. Starkey and his law firm of Starkey, Kelly, Kenneally, Cunningham & Turnbach, Two Hooper Avenue, Toms River, NJ 08753 are so recognized as eligible for such appointment; and

**WHEREAS**, this contract is to be awarded for a rate of \$7,500.00 per month for an amount not to exceed \$67,500.00 for Professional Services as Borough Counsel in calendar year 2018; and

**WHEREAS**, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services must be publicly advertised;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that the firm of Starkey, Kelly, Kenneally, Cunningham & Turnbach, Two Hooper Avenue, Toms River, NJ 08753 is hereby retained to provide professional Borough Counsel Services for a rate of \$7,500.00 per month for an amount not to exceed \$67,500.00 for the period April 1, 2018 to December 31, 2018;

**R-18-156 RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT – PLAYGROUND IMPROVEMENTS – LIBERTY PARK**

**WHEREAS**, the Borough of Tinton Falls is in need to furnish and install a rubber safety surface at the Hannah Duffy Playground at Liberty Park II; and

**WHEREAS**, Picerno-Giordano Construction, 200 Market Street, Kenilworth, NJ 07033 has a valid State Contract #16-FLEET-00126 for Park and Playground Equipment for a total purchase price in the amount of \$16,312.32; and

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**WHEREAS**, this purchase is permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

**WHEREAS**, Thomas Neff, PE, PP, CME of T & M Associates recommends this purchase;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council authorizes the following purchase under the valid 2018 State Contract:

Playground Surface, Picerno-Giordano Construction

**R-18-157 RESOLUTION – APPROVAL OF BILLS – MAY 15, 2018**

**WHEREAS**, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending May 15, 2018; 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**

|                      |                     |
|----------------------|---------------------|
| <b>GENERAL</b>       | <b>350,390.76</b>   |
| <b>SEWER UTILITY</b> | <b>18,303.39</b>    |
| <b>TRUST FUNDS</b>   | <b>16,704.42</b>    |
| <b>GRANT FUND</b>    | <b>683.48</b>       |
| <b>DOG TRUST</b>     | <b>2,654.00</b>     |
| <b>ESCROW</b>        | <b>12,727.17</b>    |
| <b>ADDITIONS</b>     | <b>1,438,555.16</b> |
|                      | <hr/>               |
|                      | <b>1,840,018.38</b> |

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**ADJOURNMENT TO WORKSHOP**

TIME: 8:43

*Mr. Pak offered a motion to adjourn to workshop, seconded by Mr. Manginelli.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Baldwin called the workshop meeting to order and asked Mr. Skudera to lead the discussion. Mr. Skudera explained that there is a series of questions that we would like to have answered tonight regarding the Library project. Mr. Skudera stated that the estimated cost as per Mr. Neff, Borough Engineer is \$187,000. Mr. Skudera asked the Library Board if they had considered if they wanted to spend the allocated funds now, or wait to see if the grant is received from the state.

*Brian Perry 29 Columbia Drive- Vice President of the Library Association-* Mr. Perry explained that the Library Board met to discuss the project and decided that they would prefer to wait until they receive eligibility for a grant before moving forward with the project. Mr. Perry stated that he understands that this will delay the opening for the library, however but the Library Board felt it would benefit the Borough to wait and pursue the grant funds. Tom Neff, Borough Engineer explained the process for applying for the grant and stated there is still a chance the Borough may not receive the grant, thus further delaying the project. Mr. Perry wanted to clarify that he understands what needs to be done and would like to move forward focusing on the scope of the project. If they are unsuccessful in getting the grant, they will have to rely on backup funding. Mr. Perry addressed this process and clarified the fees associated with the application to Council. Mr. Skudera stated that he wanted to be sure that both the Borough Council and Library Board considered all options and weigh all possible risks.

**REGULAR/WORKSHOP MEETING  
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BOROUGH COUNCIL**

Council agreed that ultimately this decision is up to the Board and they will support their judgement. Mr. Neff asked Mr. Perry to clarify what aspects of the project will be funded by the grant and he listed several improvements and upgrades. Mr. Manginelli inquired about the trailer and Mr. Perry confirmed the trailer will be removed and will not be replaced. Discussion ensued concerning a prioritized list of improvements. Mr. Perry explained that the grant funds will only cover the construction portion of the project and that he does not anticipate needing any additional funds. Mr. Neff suggested alternative options for accumulating additional funds such as fundraising. Mr. Pak inquired as to what would happen to the unused funds. Mr. Skudera explained the money will go back into surplus and will be reallocated next year.

*Jerry Spumberg 11 Alpine Trail-* Asked Council and the Board if they have considered using a prefab building as an alternative to building an addition. He stated that they are generally well built and it would save the Borough money. Mr. Perry agreed this is an option they can present to the architect.

Borough Administrator Skudera stated that he wanted to be certain the funding is in place, he states that they are still come up short on funding. Mr. Neff explained that the funding will only fall short if an addition is added on to the library and that is not part of the scope. Mr. Perry explained that the current plan is an enormous improvement and at this time they are not looking to add any additional features to the library. Mr. Perry announced the library has received some donations from local landscaping companies to improve the exterior façade of the library.

*Gerry Turning 32 Periwinkle Circle-* Mr. Turning stated that he wanted to be sure that understands that the Borough puts aside \$140,000 each year for employee salaries and suggested they building upon the money they already have to avoid increasing the budget. Mr. Perry clarified that it is a matching grant, however they are unsure at this time what the match portion will be.

*Rosemary Kochman 38 Knollwood Drive-* Ms. Kochman inquired about budgeted monies for 2018 and 2019 for operating costs. Mr. Skudera discussed the budget amounts and the variable amounts that could affect the budgeted appropriations. Mr. Perry stated that he believes that there were only capital funds appropriated for 2018.

Borough Engineer Neff discussed the grant process and need for some architectural work prior to grant application. Discussion ensued regarding the budget of the project.

Ms. Kochman discussed the library's inventory and stated that if anything would have to be replaced, the County would be responsible for the new inventory and would provide the library with any necessary replacements. She stated that the inventory in the basement will be removed due to issues with mold.

Mr. Neff described the plan moving forward and stated that the Borough will work closely with the architect to generate a project proposal and briefly addressed the next step towards submitting the grant application. Mayor Perillo inquired about the fundraising process. Mr. Perry explained that they will seek donations through the Tinton Falls Public Library Association. Council thanked Mr. Perry and the Library Board for tonight's informative discussion.

**ADJOURNMENT:**

*Mr. Siebert offered a motion to adjourn, seconded by Mr. Manginelli at 9:22 PM*

Respectfully Submitted,

Melissa Hesler, Borough Clerk

**APPROVED AT A MEETING HELD ON: October 16, 2018**