

**REGULAR MEETING  
DECEMBER 18, 2018  
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:32 PM.

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. Siebert, Mr. Baldwin  
ABSENT: Mr. Manginelli, Mr. Pak  
ALSO PRESENT: Melissa A. Hesler, Borough Clerk  
Kira Dabby, Esq., for the Director of Law  
Vito Perillo, Mayor  
Michael Skudera, Borough Administrator  
Thomas Fallon, Director of Finance  
Thomas Neff, Borough Engineer  
Brian Nelson Esq. Special Counsel

Ms. Fama called in for the meeting and Mr. Siebert provided voice confirmation.

All present stood for Salute to Flag.

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**APPROVAL OF MINUTES**

*Mr. Siebert offered a motion to approve the minutes of September 18, 2018 and October 19, 2018, seconded by Ms. Fama*

**ROLL CALL**

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

*Mr. Siebert offered a motion to approve the minutes of November 19, 2018, seconded by Mr. Baldwin*

**ROLL CALL**

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

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Mayor's Report- Vito Perillo**

Mayor Perillo read a proclamation for John (Jack) H. Cunningham for his years of dedicated service to the Borough. Mr. Cunningham had served the Planning Board for fifteen years in various positions and Chairman for the last nine of those years. Council President Baldwin presented a plaque to Mr. Cunningham as a token of gratitude for his outstanding volunteer service to the Borough. Mr. Cunningham thanked the Mayor and Mr. Baldwin for their kind words. Mayor Perillo wished everyone a happy holiday season.

**Engineer's Report- Thomas Neff**

Mr. Neff provided an update on the Road Program with Earle Asphalt Company stating the drainage and concrete work on Old Mill Road, Liberty Drive and Marland Lane will be completed this week before the holidays. They will resume concrete clean-up work after the new year, weather permitting, for Liberty Drive. After the new year T.R. Weniger will start the project on the Heritage Boulevard pump station force main to prevent some of the issues on residential backyards.

**Director of Finance- Thomas Fallon**

Mr. Fallon had no report.

**Borough Administrator- Michael Skudera**

Mr. Skudera announced the new redesigned full color Borough calendar will be mailed out this week to businesses and residents.

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**Director of Law- Kira Dabby (for Kevin Starkey)**

Ms. Dabby reported that the Walz Property, which preserved 50 plus acres for the Borough, the purchase has been funded through the Open Space Fund without the need to borrow additional funds.

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

Ms. Hesler had no report.

**Council's Report**

Ms. Fama wished everyone a Merry Christmas and Happy New Year.

Mr. Siebert wished everyone a safe happy holiday. He asked Administration for an update on the new website and how the \$30,000.00 Comcast grant was applied. Mr. Skudera stated the website project is scheduled for first/second quarter of next year. The Comcast grant funds received this year will be applied to technology projects next year.

Mr. Baldwin introduced Mr. Richard Wallace a new member to the Zoning Board of Adjustment. He stated volunteers are what make this Borough great.

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**ORDINANCES FOR INTRODUCTION** - None

**ORDINANCES FOR FINAL CONSIDERATION** - None

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**PUBLIC DISCUSSION**

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

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

**PUBLIC DISCUSSION OPEN**

*There being no comments from the public, Mr. Siebert offered a motion to close the Public Discussion, seconded by Ms. Fama.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

**PUBLIC DISCUSSION CLOSED**

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**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER**

Ms. Fama asked for an update from Administration regarding last week's feral cat discussion. Mr. Skudera stated they are reaching out to other towns who have used this TNR program for feedback and examining the long-term costs involved. He stated next year for action on this project which maybe a resolution and/or Ordinance and possible contract with the Humane Society. Mr. Baldwin stated the Borough Attorney will be gathering the feedback from other towns and determine whether a resolution or ordinance is appropriate. Also, Brian Becker is the person who proposed the TNR program whereby they will control the feral cat population. Ms. Fama requested the update to make sure we are moving forward with this issue. Mr. Skudera added the Zoning Officer is looking into the violation aspect of this issue. Mr. Siebert added tomorrow at 6:00pm the *Shop with a Cop* program is at the outlet mall. He asked the DPW director about recycling dumpsters will be out in front and he answered affirmative. Mr. Baldwin announced Monmouth Regional High School is having their play tomorrow night and Council is invited.

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**CONSENT AGENDA**

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

**ROLL CALL**

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

**R-18-326 RESOLUTION AUTHORIZING RENEWAL OF ONE (1) YEAR CONTRACT WITH ASSOCIATED HUMANE SOCIETIES FOR ANIMAL CONTROL SERVICES FOR THE YEAR 2019**

**WHEREAS**, the Borough of Tinton Falls requires services for animal control on a daily basis as well as a facility to keep stray animals that are picked up, injured etc.; and

**WHEREAS**, the Associated Humane Societies, Inc., 2960 Shafto Road, Tinton Falls, NJ 07753, provides the services required as detailed in the contract attached hereto and made part hereof; and

**WHEREAS**, this is a one (1) year contract at the rate of \$2,559.00 per month for a total of \$30,708.00 for one year as well as other miscellaneous fees included in the attached contract; and

**WHEREAS**, this rate has remained the same for the past five (5) years.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey as follows:

- 1) That the Mayor and Borough Clerk are hereby authorized and directed to enter into a one (1) year contract with Associated Humane Societies, 2960 Shafto Road, Tinton Falls, NJ 07753 for the provision of animal control services for the fees set forth therein; and
- 2) That a copy of this Resolution be forwarded to the Monmouth County Regional Health Commission #1 along with a copy of the executed contract.

I hereby certify funds are available contingent upon the necessary funds being appropriated by the governing body in the 2019 budget from: Animal Control

**R-18-327 RESOLUTION AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, N.J.S.A. 40A:4-58 provides for transfers as permitted between budget appropriations during the last two months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that the transfers between the 2018 budget appropriations be made as follows:

Current Budget Appropriation	From	To
Group Insurance	\$ 37,000.00	
Human Resources - S & W		\$ 4,000.00
Office of Emergency Management - O/E		13,000.00
Division of Sanitation - S&W	20,000.00	
Division of Streets - S&W		10,000.00
Division of Central Maintenance - O/E		10,000.00
Landfill/Solid Waste Disposal Costs		20,000.00
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	\$ 57,000.00	\$ 57,000.00

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**R-18-328 RESOLUTION REFUNDING TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2018 4<sup>th</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Title Company and the Homestead Benefit Credit.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Jeremy Hanhart 775 Harbor Cliff Way #162 Oceanside, CA 92054	124.50	55	\$106.12

Re: Tetti from Hanhart  
41 Des Moines Court

and,

**WHEREAS**, said error has resulted in an overpayment of 2018 4<sup>th</sup> quarter taxes in the amount of \$106.12, 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 \$106.12 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$106.12.

**R-18-329 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2018 4<sup>th</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Jersey Shore Title Services, LLC 1340 A Campus Pkwy Wall, NJ 07753	124.47	9	\$1,874.61

Re: Zappella from Sapp  
34 Jonathan Drive

and,

**WHEREAS**, said error has resulted in an overpayment of 2018 4<sup>th</sup> quarter taxes in the amount of \$1,874.61, 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 \$1,874.61 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$1,874.61.

**R-18-330 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2018 4<sup>th</sup> quarter Added Assessment taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic P.O. Box 9202 Coppell, TX 75019	129.07	14	\$211.45

Re: Ramos, David III & Cymansky, Brenda  
10 Stirrup Court

and,

**WHEREAS**, said error has resulted in an overpayment of 2018 4<sup>th</sup> quarter Added Assessment taxes paid in the amount of \$211.45, 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 \$211.45 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$211.45.

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**R-18-331 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2018 4<sup>th</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic P.O. Box 9202 Coppell, TX 75019	56.02	45	\$1,292.70

Re: George Forman  
70 Deer Path Court  
and,

WHEREAS, said error has resulted in an overpayment of 2018 4<sup>th</sup> quarter taxes in the amount of \$1,292.70, 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 \$1,292.70 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$1,292.70.

**R-18-332 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, overpayments of the 2018 3<sup>rd</sup> quarter taxes on the following properties have been made by the Homeowner paying an estimated amount.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Thomas & Bernadette Delaney 94 Sunset Drive Tinton Falls, NJ 07724	76.02	82	\$1,640.56

and,

WHEREAS, said payments have resulted in an overpayments of the 2018 3<sup>rd</sup> quarter taxes in the amount of \$1,640.56, 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 \$1,640.56 is hereby approved for the aforementioned property

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,640.56.

**R-18-333 RESOLUTION – APPROVAL OF BILLS – DECEMBER 18, 2018**

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending December 18, 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>750,028.40</b>
<b>SEWER UTILITY</b>	<b>236,642.72</b>
<b>ANIMAL TRUST</b>	<b>2,562.60</b>
<b>TRUST FUNDS</b>	<b>13,781.52</b>
<b>GRANT FUND</b>	<b>65.96</b>
<b>ESCROW</b>	<b>14,058.41</b>
<b>ADDITIONS</b>	<b><u>1,735,053.79</u></b>
	<b>2,752,193.40</b>

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**R-18-334 RESOLUTION – REFUNDING CONTINUED CERTIFICATE OF OCCUPANCY “CCO” FEE  
AND CCO FIRE CERTIFICATE FEE – 222 Riveredge Road – \$125.00**

**WHEREAS**, CCO fees in the amount of \$125.00 was **paid by Bryant Acquaro, 210 Mounts Corner Road, Freehold, NJ 07728 (agent on transaction)** and

Continued Certificate of Occupancy	\$75.00
Fire Inspection Certificate	<u>\$50.00</u>
	\$125.00

**WHEREAS**, said monies were deposited by the Borough of Tinton Falls during the month of October 2018;  
and

**WHEREAS**, the applicant applied for a CCO for the sale of 222 Riveredge Road, Block 32.01 Lot 93 and the deal fell through before inspections were completed. Applicant does not have another buyer at this time and requested a refund; and

**WHEREAS**, the applicant informed the Code Enforcement Official and a full refund in the amount of \$125.00 shall be issued.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$125.00 be **issued to Bryant Acquaro, 210 Mounts Corner Road Freehold, NJ 07728.**

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**ADJOURNMENT**

*Mr. Seibert offered a motion to adjourn seconded by Ms. Fama.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

TIME: 7:51PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

**APPROVED AT A MEETING HELD ON: February 5, 2019**