

**REGULAR/WORKSHOP MEETING
AUGUST 7, 2018
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:34 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
 Brian M. Nelson for Kevin Starkey, Director of Law
 Vito Perillo, Mayor
 Michael Skudera, Borough Administrator
 Thomas Fallon, Director of Finance
 Thomas Neff, Borough Engineer

All present stood for Salute to Flag.

APPROVAL OF MINUTES

Ms. Fama offered a motion to approve the minutes of April 17, 2018, seconded by Mr. Siebert.

ROLL CALL

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

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

PRESENTATION – PAYROLL SOFTWARE UPGRADES AND BUSINESS PROCESS AUTOMATION

Council President Baldwin stated that a presentation will be given this evening by Borough Administrator Michael Skudera regarding upgrades to the new payroll system.

Mr. Skudera began by briefly explaining the current and outdated payroll processes which include handwritten timesheets that require an original wet signature. Currently, all Paid Time Off (PTO) requests are done manually for all 183 Borough employees as well as the manual sorting and distribution of paychecks and paystubs to each department. He discussed several inconsistencies with the paper process and provided examples of inaccurate timesheets. He explained that the payroll processes are different for Administration, DPW, and Police. Administration and DPW will be integrated into the new system, while the Police process will remain the same. Mr. Skudera's presentation provided examples on how this software will streamline, and simplify the current process saving both time and money. He discussed several benefits to both the Borough and the employees with the implementation of this software. Through this system, each employee will have access to a portal system for their paystub, which will also be available on a mobile application. This online system would allow Borough employees to request their time off through the Mobile App, eliminating paper timecards and reducing the risk of an error. Mr. Skudera explained that through this system all employees will be required to use Direct Deposit, he stated that there is an Ordinance for introduction tonight that would mandate this policy. He briefly discussed the PTO request process, eliminating the outdated manual requests and improving efficiency. He presented a timeline for this project which included Ordinance No. 2018-1433 mandating the direct deposit policy and a projected start date of December 29, 2018, he explained that this date starts the payroll cycle for 2019. He explained that the Borough would first try a pilot release to ensure that this system works and will be beneficial to the Borough.

Council President Baldwin thanked Mr. Skudera for his informative presentation and inquired about employee training. Mr. Skudera explained that ample time has been allotted for employee demonstrations. He stated he will hold an All-Hands Meeting with Borough employees to discuss objective goals and the new software. Councilman Siebert inquired about employee accessibility, specifically if this software is accessible at home and Mr. Skudera stated employees can access ADP through their mobile phones. Councilwoman Fama inquired about the cost of the software, Mr. Skudera stated it will cost about \$10,000 or less per year. Mayor Perillo expressed his feeling on the project and stated he is unsure if he can see the cost benefit at this time. Mr. Siebert inquired about the percentage of employees who currently use direct deposit and Mr. Skudera explained that about 80% of employees use direct

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deposit, however those employees still receive a paper paystub every two weeks because this process is not online. Discussion ensued regarding productivity of employees and cost savings through this system. Mr. Baldwin inquired about the direct deposit process for those employees who may not have a checking account, Mr. Skudera understands this may be an issue and explained how these employees will be accommodated.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report- Vito Perillo

Mayor Perillo thanked Director of Finance Tom Fallon for a commendable job on the Audit Report, he briefly read a section from this year's report. Council President Baldwin thanked Mr. Fallon for his hard work as CFO on behalf of the Council.

Engineer's Report- Thomas Neff

Mr. Neff discussed several current projects including the 2018 Road Program. He announced that the survey has been completed and they are currently working on the designs for the roads and sidewalks. Mr. Neff explained they are scheduled to finish this project by the end of August, and begin awarding contracts in September. He briefly discussed Resolution R-18-211 on tonight's Consent Agenda for the Borough Hall Curb and Sidewalk Replacement Project and detailed the costs.

Director of Finance- Thomas Fallon

Mr. Fallon briefly discussed the 2017 Audit Report and stated there is a Resolution on tonight's agenda certifying to the Local Finance Board of Review of the 2017 Audit by all Council Members. He also discussed Resolution R-18-206 allowing the extension of Tax Bill penalty deadline, he explained that this extension is required by law.

Borough Administrator- Michael Skudera

Mr. Skudera reported that he met with Chief of Police Scrivanic regarding the four-ton weight limit on Hope Road, and asked him to enforce this law. He announced that the Tinton Falls Community Day will be held on Saturday, October 13th at 3:00 PM with a rain date of Sunday, October 14th.

Director of Law- Brian Nelson in for Kevin Starkey

Mr. Nelson reported that the Affordable Housing Fairness Hearing will be held in Freehold Superior Court on September 18, 2018. He stated that copies of the Affordable Housing Plans will be available for review in the Clerk's office. Council President Baldwin stated he will be representing Tinton Falls at this hearing.

Borough Clerk's Report – Melissa Hesler

Ms. Hesler had no report.

Council's Report

Ms. Fama reported that she recently had the opportunity to meet with one of the Boy Scouts from troop 124 who wanted to meet with a member of the governing body to discuss the Tinton Falls library. She voiced her appreciation for Freeholders Lillian Burry and Tom Arnone for their efforts and consideration regarding the Hance-Sycamore intersection. She assured residents that Council will continue to support the town's best interests and will remain in communication with the County during this process.

Mr. Siebert thanked his fellow council members for their support of Ordinance No. 2018-1435, an Ordinance that prohibits the intentional release of balloons inflated with lighter than air gases. As liaison to the Environmental Commission he thanked Council for taking a step in the right direction. He stated that he recently attended the Monmouth County Freeholders meeting and discussed alternative plans presented by the County.

Mr. Baldwin had no report.

ORDINANCES FOR INTRODUCTION

Ms. Hesler read Ordinance No. 2018-1433 entitled: **ORDINANCE AMENDING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS ENTITLED "PERSONNEL POLICIES" TO IMPLEMENT A MANDATORY DIRECT DEPOSIT POLICY**

Ms. Fama offered a motion to introduce Ordinance No. 2018-1433, Seconded by Mr. Siebert.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

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**ORDINANCE AMENDING CHAPTER 9 OF THE GENERAL REVISED ORDINANCES OF THE
BOROUGH OF TINTON FALLS, ENTITLED "PERSONNEL POLICIES," TO IMPLEMENT A
MANDATORY DIRECT DEPOSIT POLICY**

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 Chapter 9 of the General Revised Ordinances of the Borough of Tinton Falls, entitled "Personnel Policies," be and is hereby amended and supplemented to add a new Section 9-5.7, to be entitled "Mandatory Direct Deposit Policy," and which shall read as follows:

SECTION 1. The following new section shall be added:

§ 9-5.7. Mandatory Direct Deposit Policy

- A. Commencing December 29, 2018, all full-time and part-time Borough employees shall be paid by direct deposit only, in conformance with the provisions of N.J.S.A. 52:14-15f.
- B. Temporary and seasonal employees, excluding Borough crossing guards, may be exempted from this policy at the discretion of the Borough Administrator, as administratively necessary, taking cost and other factors into consideration.
- C. Pursuant to N.J.S.A. 52:14-15f, all information concerning net pay, any accompanying information approved for distribution with net pay such as pay stubs, and W-2 forms in accordance with applicable federal laws, shall be made available to all employees only on the internet via restricted access accounts provided by the Borough or an authorized third-party payroll provider.

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.

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.

Ms. Hesler read Ordinance No. 2018-1434 entitled: **ORDINANCE AMENDING CHAPTER 40 OF THE GENERAL REVISED ORDINANCES FOR THE BOROUGH OF TINTON FALLS, ENTITLED "LAND USE REGULATIONS" TO AUTHORIZE AND REGULATE OUTDOOR DINING, and OUTDOOR EATING AND SIDEWALK CAFES**

Ms. Fama briefly inquired about the background of this Ordinance and Borough Administrator Skudera clarified any confusion.

Ms. Fama offered a motion to introduce Ordinance No. 2018-1434, seconded by Mr. Siebert.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

ORDINANCE 2018-1434

**ORDINANCE AMENDING CHAPTER 40 OF THE GENERAL REVISED ORDINANCES OF THE
BOROUGH OF TINTON FALLS, ENTITLED "LAND USE REGULATIONS" TO AUTHORIZE AND
REGULATE OUTDOOR DINING, OUTDOOR EATING AND SIDEWALK CAFES**

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 Chapter 40 of the General Revised Ordinances of the Borough of Tinton Falls, entitled "Land Use Regulations," be and is hereby amended and supplemented to add a new subsection to existing Section 40-33, "Accessory Structures and Uses," which shall read as follows:

SECTION 1. The following new subsection 40-33(D)(15) shall be added:

§ 40-33 Accessory Structures and Uses

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D. Requirements — Specific Accessory Structures and Uses

Requirements for specific accessory structures and uses.

* * *

15. Outdoor Dining Facilities

a. Definitions

As used in this subsection, these terms shall have the following meanings:

- (1) *Outdoor Dining Area* shall mean a designated area on the premises of a retail food establishment or restaurant, but outside the principal building, and where patrons may sit at tables while consuming food and beverages ordered from and served by a waiter or waitress.
- (2) *Outdoor Eating Area* shall mean a designated area on the premises of a retail food establishment, but outside the principal building, and where patrons may sit at tables while consuming foods, soft drinks, ice cream and similar confections purchased from the retail food establishment.
- (3) *Sidewalk Café Area* shall mean a designated area of a public sidewalk where patrons may sit at tables while consuming food and beverages ordered from and served by a waiter or waitress.

b. Permit Required

- (1) Areas in which Outdoor Dining Areas, Outdoor Eating Areas and Sidewalk Cafes are permitted as accessory uses: all zones where eating and drinking establishments are permitted.
- (2) No person shall operate an Outdoor Dining Area, Outdoor Eating Area or a Sidewalk Café unless a permit has been obtained from the Borough of Tinton Falls Zoning Officer.
- (3) Applicants shall apply for permit approval in accordance with the provisions of this Chapter. All such applications shall be approved by the Zoning Officer and shall be referred to the Chief of Police and the Fire Code Official, who shall provide the Zoning Officer with written reports of their opinions and recommendations regarding the application.
- (4) Applicants shall meet all general ordinance requirements and all other laws, rules, regulations and codes applicable to the proposed activity.
- (5) Applicants proposing to establish an Outdoor Eating Area, Outdoor Dining Area or Sidewalk Café Area must provide satisfactory proof to the Zoning Officer of the following:
 - a. The area utilized for dining must be accessory in nature to a fully enclosed permitted eating and/or drinking establishment.
 - b. All service areas shall be inside the enclosed restaurant area, or suitably screened.
 - c. Walkways with a minimum sixty (60) inch width shall be provided to facilitate patron and employee circulation and compliance with all ADA requirements.
 - d. Outdoor dining shall be restricted to the regular hours of the business' operation.
 - e. An applicant proposing an Outdoor Dining Area, Outdoor Eating Area or Sidewalk Café Area shall submit to the Zoning Officer a layout of the proposed seating area, which shall include but not be limited to: a depiction of all aisles, routes of ingress and egress; clearances between tables and between the seating area at the curb; the location of all food preparation and service areas; location and description of all plumbing, electrical and other equipment and fixtures that will be utilized; an illustration, rendering and/or photograph of all proposed furniture, umbrellas, trash receptacles, awnings, signage and other furniture proposed.
 - f. The Zoning Officer shall require each applicant to submit a litter control plan which shall include, but not be limited to: a description of the number and location of trash receptacles for the areas and the frequency with which the tables, surrounding area and adjacent public and private properties will be policed for litter. Failure to abide by an established litter control plan shall constitute a violation of the permit approval of which it was made a condition, and shall subject the applicant to a fine in an amount not less than one hundred (\$100.00) dollars per violation.

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- g. BYOB privileges for wine and malt alcoholic beverages are allowed in Outdoor Dining Areas, Outdoor Eating Areas or Sidewalk Café's subject to N.J.S.A. 2C:33-7. The service of alcoholic beverages in Outdoor Dining Areas, Outdoor Eating Areas or Sidewalk Café's is permitted only if the operator's liquor license specifically allows for such service.
- h. Additional seating shall be counted into the establishment's parking requirement except for those eating and drinking establishments that are located within an existing shopping center. The determination of whether a site qualifies as a shopping center will be determined by the Zoning Officer.
- i. Applicants receiving permit approval for an Outdoor Dining Area, Outdoor Eating Area or Sidewalk Café shall obtain a permit each year on January 1.
- j. Notwithstanding anything contained in this section, any Outdoor Dining Area, Outdoor Eating Area, or Sidewalk Café that was approved by the Planning or Zoning Board will still require an annual permit from the Zoning Officer to determine compliance with the approved plans. In addition, permit approval in accordance with this section shall also be required in the event: (1) the premises are conveyed to a new owner; (2) the use is expanded or substantially changed; or (3) the owner of the premises makes any alteration or improvement to the property that would otherwise require either major or minor site plan approval.
- k. When located within a Borough right-of-way, Applicant shall indemnify and save harmless the Borough of Tinton Falls, its employees, agents or officers from all claims, losses, liens, expenses, suits and attorney fees (liabilities) arising from the placement, operation and maintenance of the applicant's Sidewalk Café/Outdoor Dining/Outdoor Eating Area. Applicant agrees to name the Borough of Tinton Falls as an additional insured under the applicant's general liability insurance (minimum required limit of one million (\$1,000,000.00) dollars), bodily injury, property damage and personal injury, and to maintain such insurance for such time as the Sidewalk Café/Outdoor Dining/Outdoor Eating Area(s) exists. Owner shall provide the Zoning Officer with the evidence of such insurance.

c. Application – Form

All permits required by this Section shall be applied for and obtained from the Office of the Zoning Officer during normal business hours.

d. Fees

The annual fee for each yearly permit shall be \$100.00. The fee is non-refundable.

e. Appeals

The Zoning Board of Adjustment shall have the power to hear and decide appeals where it is alleged by the appellants that there is an error in any requirement, decision or refusal made by the Zoning Officer in the enforcement of this section. Additionally, the Planning Board or Zoning Board of Adjustment, as appropriate, shall have the power to hear and grant variance(s) from the regulations and conditions of this Subsection.

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.

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.

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Ms. Hesler read Ordinance No. 2018-1435 entitled: **ORDINANCE PROHIBITING THE INTENTIONAL RELEASE OF BALLOONS INFLATED WITH LIGHTER THAN AIR GASES**

Mr. Siebert offered a motion to introduce Ordinance No. 2018-1435, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

**ORDINANCE PROHIBITING THE INTENTIONAL RELEASE OF
BALLOONS INFLATED WITH LIGHTER THAN AIR GASES**

WHEREAS, balloons inflated with lighter than air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals that are attracted to bright colors, and therefore, mistake them for food, which can cause severe injury, entanglement from balloon strings, and even death; and

WHEREAS, several municipalities in the State, particularly in coastal communities or near coastal communities, have prohibited the intentional release of balloons inflated with lighter than air gasses; and

WHEREAS, Mylar balloons contain conductive material that can damage power lines and electrical equipment, cause circuits to short, spark or cause a fire; and

WHEREAS, in order to protect the health, safety and welfare of the community, the Borough of Tinton Falls believes that the intentional release of balloons containing lighter than air gases should be prohibited.

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 as follows:

SECTION 1. Purpose and Intent.

This ordinance is adopted in order to protect the environment, particularly marine and other wildlife, and the health, safety and welfare of persons and property by prohibiting the intentional release of balloons inflated with lighter than air gasses into the atmosphere.

SECTION 2. Prohibition on Intentional Balloon Releases.

It shall be unlawful for any person or entity to intentionally release, intentionally organize the release of, or otherwise intentionally cause the release of a balloon inflated with a gas that is lighter than air within the boundaries of the Borough of Tinton Falls, except for:

- A. a balloon released for scientific or meteorological purposes, on behalf of a governmental agency or pursuant to a governmental contract;
- B. a hot air balloon that is recovered after launching; or
- C. a balloon that is released and remains indoors.

SECTION 3. Violations and Penalties.

Any violations of this section shall be addressed by the penalties imposed under § 1-5 of the General Revised Ordinances of the Borough of Tinton Falls. The intentional release of multiple balloons at one time shall be considered a single offense for the purposes of this section.

SECTION 4. 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.

SECTION 5. 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 6. Effective Date.

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

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ORDINANCES FOR FINAL CONSIDERATION

Ms. Hesler read Ordinance No. 2018-1432 entitled: **ORDINANCE SETTING SALARIES FOR DEPARTMENT HEADS, STATUTORY EMPLOYEES, MAYOR AND COUNCIL**

Mr. Siebert offered a motion to open the Public Discussion on Ordinance No. 2018-1432, seconded by Ms. Fama

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

PUBLIC HEARING OPEN

There being no comments from the public, Mr. Siebert offered a motion to close the Public Hearing on Ordinance 2018-1432, seconded by Ms. Fama

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

PUBLIC HEARING CLOSED

Mr. Baldwin asked if there were any comments from Council.

There being no comments, Ms. Fama offered a motion to adopt Ordinance No. 2018-1432, seconded by Mr. Siebert.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER: None

CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli, Mr. Pak

ABSTAIN: None

R-18-202 RESOLUTION - CERTIFICATION TO LOCAL FINANCE BOARD OF REVIEW OF 2017 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by Resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations"; and

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WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit from the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Tinton Falls, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R-18-203 RESOLUTION ADOPTING AND RECERTIFYING THE EMERGENCY OPERATIONS PLAN FOR THE BOROUGH OF TINTON FALLS AND AUTHORIZING EXECUTION OF AN AGREEMENT FOR CONTINUED PARTICIPATION IN THE MONMOUTH COUNTY INTRA-COUNTY MUTUAL AID ASSISTANCE PROGRAM

WHEREAS, Chapter 222, Public Law 1989 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Municipality in correlation with the Municipal Office of Emergency Management to better prepare and manage jurisdiction-wide emergencies; and

WHEREAS, the Borough of Tinton Falls must submit an Emergency Operations Plan through the County Office of Emergency management to the State Office of Emergency Management for initial review and approval, and will require recertification every four (4) years, and

WHEREAS, the Borough Council of the Borough of Tinton Falls are in receipt of an Emergency Operations Plan and a request from the Borough of Tinton Falls Office of Emergency Management for formal Adoption, and

WHEREAS, On March 17, 2015 the Borough Council adopted R-15-055, authorizing the execution of the Monmouth County, Intra-County Mutual Aid and Assistance Agreement between the County, Borough of Tinton Falls and Participating Units.

NOW, THEREFORE, BE IT RESOLVED by, the Borough Council of the Borough of Tinton Falls that the Borough of Tinton Falls Emergency Operations Plan be and is hereby adopted.

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Tinton Falls hereby authorizing the continual participation in the Monmouth County Intra-County Mutual Aid and Assistance Agreement as referenced for the term consistent with the Municipal Emergency Operations Plan.

BE IT FUTHER RESOLVED that the Municipal Clerk forwards a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

R-18-204 RESOLUTION – AUTHORIZING THE MAYOR, ADMINISTRATOR AND DIRECTOR OF PUBLIC WORKS TO EXECUTE TWA-1 FORMS FOR THE SOLIDER ON PROJECT

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 Soldier On project.

Mayor	Vito Perillo
Administrator	Michael Skudera
Director of Public Works	Mark Shaffery

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**R-18-205 RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR FALLS VILLAGE - 1181
SYCAMORE AVENUE BLOCK 67.01 – LOTS 1.01 AND 8.01**

WHEREAS, a request has been made for the release of Maintenance Guarantees for Falls Village, 1181 Sycamore Avenue, Block 67.01, Lots 1.01 and 8.01; and

WHEREAS, by letter dated July 19, 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 Falls Village, Block 67.01, Lots 1.01 and 8.01; and

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-18-206 RESOLUTION - ALLOWING FOR THE EXTENSION OF THE TAX BILL INTEREST PENALTY
DEADLINE**

WHEREAS, certification of the tax rate was not received until July 18, 2018 causing the late printing of tax bills, and

WHEREAS, the third quarter property taxes were due on August 1, 2018 with a ten (10) day grace period for interest to August 10, 2018, and

WHEREAS, the Tax Collector was not able to mail the tax bills until July 31, 2018 for reasons stated above and requests the interest penalty date be extended to August 27, 2018, the first business day after 25 days from the date of mailing.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the interest penalty for the 2018 3rd quarter property tax bills be extended to August 27, 2018.

**R-18-207 RESOLUTION AUTHORIZING THE AWARD OF A “NON-FAIR AND OPEN” CONTRACT FOR
PROFESSIONAL AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT PS #11-18**

WHEREAS, the Borough of Tinton Falls has a need for professional Affordable Housing Administration services as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$20,000.00 for professional Affordable Housing Administration services; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is hereby retained to provide professional Affordable Housing Administration services for an amount not to exceed \$20,000.00 for a term expiring December 31, 2018.

**R-18-208 RESOLUTION AUTHORIZING THE AWARD OF A “NON-FAIR AND OPEN” CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES GREEN GROVE RD, HOPE ROAD AND OKROS
ROAD IMPROVEMENTS CONTRACT PS #12-18**

WHEREAS, the Borough of Tinton Falls has a need for professional Engineering services as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of Leon S. Avakian, Inc., 788 Wayside Road, Neptune, NJ 07753 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$112,852.10 for professional Engineering services; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the firm of Leon S. Avakian, Inc., 788 Wayside Road, Neptune, NJ 07753 is hereby retained to provide professional Engineering services for an amount not to exceed \$112,852.10 for a term expiring December 31, 2018.

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R-18-209 RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES RIVEREDGE ROAD OUTFALL REPAIRS

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Riveredge Road Outfall Repairs; and

WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-18-042 adopted on January 16, 2018; and

WHEREAS, these services will be described in proposal attached dated July 27, 2018; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$45,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in proposal dated July 27, 2018 for an amount not to exceed \$45,000.00; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish a public notice of this Resolution as required by law.

R-18-210 RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS WITHOUT PUBLIC BIDDING PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:11-6

WHEREAS, there is an emergency condition where the stormwater outfall pipe and steep slope at 310 Riveredge Road has collapsed requiring immediate emergency attention; and

WHEREAS, provisions of NJSA 40A: 11-6 permit the Borough to award contracts without public bidding when an emergency affecting the health, welfare and safety of the public requires the immediate performance of services; and

WHEREAS, Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751 has submitted a proposal dated July 13, 2018 in the amount of \$244,000.00 to repair the damage;

WHEREAS, Thomas Neff, Borough Engineer has described the situation and declared this situation an emergency condition in his letter dated July 13, 2018 attached;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls authorizes the award go to Lucas Construction Group, Inc. for the emergency repairs necessary to the drainage outfall pipe at 310 Riveredge Road;

R-18-211 RESOLUTION OF AWARD CONTRACT #18-3 BOROUGH HALL CURB AND SIDEWALK REPLACEMENT

WHEREAS, five (5) bids were received on Tuesday, July 31, 2018 for Contract #18-3 for the Borough Hall Curb and Sidewalk Replacement; and

WHEREAS, S. Batata Construction, 238 Ernston Road #1R, Parlin, NJ 08859 submitted the lowest responsible bid for a total amount of \$69,725.00 for the above contract; and

WHEREAS, the Director of Law has found the bid to be in order, and Thomas P. Neff, P.E., P.P., C.M.E., of T & M Associates, recommends award in his bid report attached dated July 31, 2018;

NOW, THEREFORE BE IT RESOLVED that S. Batata Construction, 238 Ernston Road #1R, Parlin, NJ 08859 be awarded a contract in the amount of \$69,725.00 for the Borough Hall Curb and Sidewalk Replacement;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract for the Borough of Tinton Falls as specified herein above.

R-18-212 RESOLUTION - AUTHORIZING THE CHIEF FINANCIAL OFFICER, BOROUGH ADMINISTRATOR AND DIRECTOR OF LAW TO PURCHASE TAX SALE CERTIFICATE(S) FROM THE BOROUGH'S TAX SALE WITH RESPECT TO AFFORDABLE HOUSING UNITS

WHEREAS, the Tax Collector of the Borough of Tinton Falls has advertised a tax sale to be held on October 17, 2018 for unpaid taxes and sewer fees which include affordable housing units; and

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WHEREAS, the sale of tax sale certificates to third parties could jeopardize the Borough’s Affordability controls that are included as part of the Borough’s Fair Share Plan pending substantive certification before the Council On Affordable Housing (“COAH”); and

WHEREAS, persons so designated to bid on the referenced tax sales are the Borough Administrator, Chief Financial Officer and Director of Law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Chief Financial Officer, Borough Administrator, & the Director of Law be and are hereby authorized to purchase the tax sale certificate(s) for any affordable housing units listed in the Borough’s Tax Sale Notice at the Tax Sale to be held in the Borough on October 17, 2018. Funds for said purchase will be provided for from the Borough’s Affordable Housing Trust Fund.

R-18-213 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of July 2018 fees were paid residents of Tinton Falls for their participation in our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June and July 2018.

WHEREAS, during the month of July 2018, the Recreation Superintendent informed the residents that due to insufficient player participation team play has been cancelled and a full refund would be offered. The processing fee does not apply.

Sarah Thomassen	\$90.00
Faith Amparo	\$90.00
Colleen Quinn	\$90.00
Taylor Kosowski	\$90.00
Maya Reece Hernandez	\$90.00
Alyson Amadruto	\$90.00
Caroline Camacho	\$90.00
Ava Conrade	\$30.00

Total	\$660.00
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NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$660.00 be issued.

R-18-214 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of June 2018 fees were paid by residents of Tinton Falls for their child’s participation in our Summer Camp Program for the Jersey Shore Pirates Trip.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June/July 2018

WHEREAS, during the month of July 2018, the Recreation Superintendent informed the residents that due to weather the trip was cancelled and a full refund would be offered in the amount of \$26.00 per child. The processing fee does not apply.

Laura/Carl Cuttita	\$26.00
Carolyn Degenhardt	\$26.00
Kerry Fagan	\$26.00
Kristi/Larry Fisher	\$26.00
Tamara Charlie Lyristis	\$26.00
Cyndie/Jackie Williams (3)	\$78.00
Laura/Greg Brooks	\$26.00
Rich/Chrissy English	\$26.00
Spencer Maran	\$26.00
Ingrid Ruiz	\$26.00
Louise Basch	\$26.00
Nicholas/Adrienne Ciambrione	\$26.00
Jenna Doran	\$26.00
Dee Pollak	\$26.00
Daniell/Larry Benner	\$26.00
Nicole/Eric Cruz	\$26.00
Brian/Erica McGuirk	\$26.00
Simon Smock	\$26.00
Tobi Hacker	\$26.00

Total	\$546.00
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NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$546.00 be issued.

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R-18-215 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 5/12/17, A. Bailey Plumbing & Heating, 5108 State Route 33/34, Wall, NJ 07727, posted a \$250.00 street opening cash repair deposit for sewer line repair at 46 Oakdale Drive.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, A. Bailey Plumbing & Heating, 5108 State Route 33/34, Wall, NJ 07727 has completed the work described in Street Opening Permit 2017-05-008; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$250.00 posted by A. Bailey Plumbing & Heating, 5108 State Route 33/34, Wall, NJ 07727 be released.

R-18-216 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, on 6/16/17, Steven Mercurio, 9 Marland Lane, Tinton Falls, NJ 07724, posted a \$250.00 street opening cash repair deposit for sewer line repair at 46 Oakdale Drive.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, Steven Mercurio, 9 Marland Lane, Tinton Falls, NJ 07724 has completed the work described in Street Opening Permit 2017-06-001; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$250.00 posted by Steven Mercurio, 9 Marland Lane, Tinton Falls, NJ 07724 be released.

R-18-217 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 7/10/17, S. Thomas Westerman, 23 Hazelwood Terrace, Tinton Falls, NJ 07724, posted a \$400.00 street opening cash repair deposit for a driveway installation at 31 Society Hill Way, Tinton Falls, NJ 07724.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, S. Thomas Westerman, 23 Hazelwood Terrace, Tinton Falls, NJ 07724 has completed the work described in Street Opening Permit 2017-07-001; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$400.00 posted by S. Thomas Westerman, 23 Hazelwood Terrace, Tinton Falls, NJ 07724 be released.

R-18-218 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 7/12/17, Michael V. Terzano, 18 Society Hill Way, Tinton Falls, NJ 07724, posted a \$250.00 street opening cash repair deposit for a driveway installation at 18 Society Hill Way, Tinton Falls, NJ 07724.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, Michael V. Terzano, 18 Society Hill Way, Tinton Falls, NJ 07724 has completed the work described in Street Opening Permit 2017-07-003; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$250.00 posted by Michael V. Terzano, 18 Society Hill Way, Tinton Falls, NJ 07724, be released.

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R-18-219 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 7/10/17, Robert J Dominick, 19 Society Hill Way, Tinton Falls, NJ 07724, posted a \$400.00 street opening cash repair deposit for a driveway installation at 19 Society Hill Way, Tinton Falls, NJ 07724.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, Robert J Dominick, 19 Society Hill Way, Tinton Falls, NJ 07724 has completed the work described in Street Opening Permit 2017-07-002; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$400.00 posted by Robert J Dominick, 19 Society Hill Way, Tinton Falls, NJ 07724 be released.

R-18-220 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 2nd quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Vista Abstract 3901B Main Street, Ste 305 Philadelphia, PA 19127	124.53	5	\$2,105.86

Re: John J. & Mary A. O'Neill
15 Chicago Street
and,

WHEREAS, said error has resulted in an overpayment of 2018 2nd quarter taxes in the amount of \$2,105.86, 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 \$2,105.86 is hereby approved for the aforementioned property.

R-18-221 RESOLUTION - REFUNDING TAX OVERPAYMENT TO BE APPLIED TO 2019 TAXES

WHEREAS, overpayments of the 2018 taxes on the following properties have been made by the owners paying estimated taxes in the year 2017.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724			(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

-LIST APPEARS ON NEXT PAGE-

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2018 Credits - Paid in the year 2017 - to be applied to 2019 property taxes					2018 Credit
BLOCK	LOT	NAME	PROP LOC	DATE PAID	Apply to 2019
					R-18-221
16	1.09	HOU, NANCY T, STEPHANIE & MICHE	16 HAZELWOOD TERRACE	12/28/2017	(250.95)
16	1.23	WOLL, RICHARD & MARIE	14 MINERAL SPRINGS LN	12/27/2017	(196.71)
23.02	46	ELLIOTT, DAVID S.	4 DAWN COURT	12/29/2017	(353.47)
24.03	15	WESTERMAN, LIANE M	31 SOCIETY HILL WAY	12/27/2017	(111.05)
24.05	2	ALKHALEEL, ALI & FATIN A	82 SOCIETY HILL WAY	12/28/2017	(92.22)
26	23	NADLER, MERYL G.	25 BEAUMONT COURT	12/27/2017	(116.45)
26	104	MOHAMMADI, KHASHAYAR	55 SUN BEAU COURT	12/27/2017	(117.66)
26	126	TARPEY, BERNADETTE	17 STEEPLE CHASE COURT	12/27/2017	(190.17)
26.01	18	KRAEUTLER, THOMAS & SUSAN M.	32 PLAYERS CIRCLE	12/28/2017	(107.04)
26.01	147	ZEIGLER, DIANNE	94 SECRETARIAT COURT	12/29/2017	(102.82)
26.01	248	RINALDI, NICHOLAS & TINA	15 CHURCHILL DOWNS DRIVE	12/27/2017	(147.53)
27	6.01	YOUNG, CHRISTOPHER & BRENDA	25 HOPE ROAD	12/27/2017	(171.58)
27	24	ARMSTRONG, JAMES E. & LEILA K.	119 HOPE ROAD	12/29/2017	(3,012.42)
31.01	4.02	BOSCO, SIMON M. & NANCY S.	19 RIVERVIEW DRIVE	12/28/2017	(164.36)
32.02	109	HOMZA, WILLIAM J JR.	121 GLENWOOD DRIVE	12/28/2017	(74.14)
53.02	77	WADDLETON, DANIEL J & CHERYL M	32 EDISON AVENUE	12/27/2017	(240.12)
61.06	102	CONFESSORE, ROBERT & DEBER A	119 SWIMMING RIVER ROAD	12/29/2017	(435.03)
62.02	2	TERRONE, ALFONSO & CONCETTA	7 GALLANT FOX DRIVE	12/27/2017	(52.16)
62.03	6	LANGLOIS, ALAN & KATHRYN	22 SIRE STAKES DRIVE	12/27/2017	(524.92)
64.01	2	PAVLINEC, KENNETH & CLAIRE	7 WHIRLAWAY DRIVE	12/29/2017	(302.97)
65.04	27	GRABBE, PAUL & KATHERINE	14 WILKINS COURT	12/27/2017	(126.08)
67.01	18.09	SHAW, MICHAEL R & JODI	11 HARVEST LANE	12/27/2017	(81.55)
75	39	CURTIS, JEFFREY A	12 RAMBLING MEADOWS COI	12/28/2017	(25.78)
76.02	38	MALONEY, WILLIAM G JR & JILL M	30 NORTHCREST DRIVE	12/21/2017	(54.04)
76.02	81	MENELLO, RONALD J & LINDA S	92 SUNSET DRIVE	12/29/2017	(66.98)
89.02	21	GASS, ALBAN P. & ELIZABETH W.	20 CORNELL COURT	12/27/2017	(278.18)
97	15.04	SINGH, PARMINDER & SUPREET	20 IMPERIAL COURT	12/28/2017	(112.01)
117	63	THOMAS, SAMUEL C III	17 BROOK STREET	12/29/2017	(916.72)
124.15	32	DEBSKI, SUZANNE M	55 FRONTIER WAY	12/27/2017	(232.84)
124.61	37	PARMAR, HITEN SURESH & JINAL HI	112 CHEYENNE STREET	12/29/2017	(164.24)
129.05	20	POUZANOV, NATALIA	15 MAIN BRAID COURT	12/27/2017	(225.66)
129.10	127	PAONE, CATERINA	4 SPUR COURT	12/29/2017	(57.85)
147.01	8	LANNON, JAMES J & NANCY	16 WYNCREST LANE	12/27/2017	(118.35)
					(9,224.05)

and,

WHEREAS, said payments have resulted in an overpayments of the 2018 taxes totaling \$9,224.05 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 \$9,224.05 is hereby approved for the aforementioned property. Said overpayment shall be applied to 2019 taxes.

R-18-222 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayments of 2018 Taxes have been made as a result of overbillings for the 2018 first half year to properties known as:

BOROUGH OF TINTON FALLS - TAX OVERBILLING IN THE 2018 1ST HALF BILLINGS					R-18-222
BLOCK	LOT	NAME	PROPERTY LOCATION	OVERBILL TO BE REFUNDED	
14.02	15	BONILLA, RUBEN & FLUVIA	101 APPLE STREET	359.84	
		101 APPLE STREET			
		TINTON FALLS, NJ 07724			
101.03	4.01	RADAR PROPERTIES, LLC	1 RADAR WAY	342.61	
		1 RADAR WAY			
		TINTON FALLS, NJ 07724			
120	20.04	5 S REALTY CO.	1990 SHAFTO ROAD	145.95	
		PO BOX 8370			
		RED BANK, NJ 07701			
					848.40

and,

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WHEREAS, said overbillings have resulted in overpayments of the 2018 taxes by the property owners in the total amount of \$848.40 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$848.40 is hereby approved for the attached properties.

R-18-223 RESOLUTION - REFUNDING TAX OVERPAYMENT

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Year</u>	<u>Amount</u>
Corelogic Real Estate Tax Service	124.05	45	2017	\$ 1,438.15
Attn: Tax Refunds			2018	<u>\$ 2,956.71</u>
3001 Hackberry Road				\$ 4,394.86
Irving, TX 75063				

Re: Nationstar Mortgage on behalf of
Former Owner: Goncalo S. Pereira
Property Location: 1 Pioneer Drive

WHEREAS, on September 3, 2014 property known as 1 Pioneer Drive, then owned by Goncalo S. Pereira, was sold at Tax Sale and issued Tax Sale Certificate number 2919 for non-payment of debris liens, sewer, interest, and costs, and

WHEREAS, the lienholder of Tax Sale Certificate number 2919, Lark Investments, LLC, foreclosed said Certificate on October 20, 2017, and

WHEREAS, the mortgage company for the previous owner, Goncalo S. Pereira, has submitted payments for the 2017 4th quarter and the 2018 first half year taxes, after said foreclosure in error and is requesting a refund,

WHEREAS, said payments have been paid in error by the mortgage company in the amount of \$1,438.15 for the 2017 property taxes and \$2,956.71 for the 2018 property taxes, 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 \$4,394.86 is hereby approved for the aforementioned property.

R-18-224 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 2nd 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 Refund Department P.O. Box 9202 Coppel, TX 75019-9978	76.02	96	\$413.38

Re: Debra Pizzo & Thomas Poloskonka
122 Sunset Drive
and,

WHEREAS, said error has resulted in an overpayment of 2018 2nd quarter taxes in the amount of \$413.38, 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 \$413.38 is hereby approved for the aforementioned property.

R-18-225 RESOLUTION – CANCELING 2018 TAXES

WHEREAS, an overbilling of 2018 taxes has been made as a result of a Tax Court Judgement reducing the assessed value for the tax year 2018 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
800 Shrewsbury Avenue, LLC 800 Shrewsbury Avenue Tinton Falls, NJ 07724	21	5	\$5,072.13

and,

WHEREAS, said reduction has resulted in the cancellation of the 2018 taxes in the amount of \$5,072.13, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that an adjustment in the amount of \$5,072.13 is hereby approved for the aforementioned property.

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R-18-226 RESOLUTION - CANCELLING TAXES FOR A VETERAN'S DEDUCTION

WHEREAS, an overbilling of 2018 taxes has been made as a result of a Veteran's deduction for the year 2018 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Robert P. & Elizabeth C. Simko 55 Willow Road Tinton Falls, NJ 07724	47.04	55	\$250.00

and,

WHEREAS, said deduction has resulted in an cancellation of the 2018 taxes in the amount of \$250.00, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that an adjustment in the amount of \$250.00 is hereby approved as a result of the cancellation of the taxes for the aforementioned property for the year 2018.

R-18-227 RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A_100% TOTALLY DISABLED VETERAN EXEMPTION

WHEREAS, an overbilling and an overpayment of 2018 Taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the year of 2018 (from May 17, 2018 through December 31, 2018).

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Ruben A. & Guillermina E. Price 11 Edison Avenue Tinton Falls, NJ 07724	53.01	2	\$3,209.52	\$1,893.87	\$5,103.39

and,

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2018 taxes in the amount of \$5,103.39 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$3,209.52, be cancelled for the year 2018 and that a refund in the amount of \$1,893.87 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$3,209.52 and the amount of overpayment to be \$1,893.87.

R-18-228 RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A_100% TOTALLY DISABLED VETERAN EXEMPTION

WHEREAS, an overbilling and an overpayment of 2018 Taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the year of 2018 (from January 16, 2018 through December 31, 2018).

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Kevin M. Dodig 132 Frontier Way Tinton Falls, NJ 07753	124.17	5	\$1,983.16	\$1,837.12	\$3,820.28

and,

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2018 taxes in the amount of \$3,820.28 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$1,983.16, be cancelled for the year 2018 and that a refund in the amount of \$1,837.12 is hereby approved for the aforementioned property.

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R-18-229 RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A 100% TOTALLY DISABLED VETERAN EXEMPTION

WHEREAS, an overbilling and an overpayment of 2018 Taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the year of 2018 (from May 16, 2018 through December 31, 2018).

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Lloyd Robinson & Denise Rhudy 18 Hackamore Court Tinton Falls, NJ 07753	129.10	18	\$1,593.82	\$462.15	\$2,055.97

and,

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2018 taxes in the amount of \$2,055.97 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$1,593.82, be cancelled for the year 2018 and that a refund in the amount of \$462.15 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$1,593.82 and the amount of overpayment to be \$462.15.

R-18-230 RESOLUTION – APPROVAL OF BILLS – AUGUST 7, 2018

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 7, 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

GENERAL	5,785,248.64
SEWER UTILITY	36,071.93
TRUST FUNDS	152,655.46
CAPITAL FUND	13,483.75
GRANT FUND	5,661.63
DOG TRUST	2,576.40
ESCROW	25,491.85
ADDITIONS	1,672,475.64
	<hr/>
	7,693,665.30

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Pak, Mr. Manginelli

ABSTAIN: None

PUBLIC DISCUSSION OPEN

Korri Ann Seaman, 103 Players Circle- Ms. Seaman inquired about maintenance fees at Society Hill affordable housing. She explained that because their 30 year contract is up, they are now required to pay the market value maintenance fees. She described the increase as exorbitant and stated she simply cannot afford it. Ms. Seaman stated that she has written to her local senators and is seeking the Borough's assistance in this matter. She expressed her love for Tinton Falls and mentioned that she has raised two children here. Borough Administrator Skudera stated that he understands her concerns and explained that he has personally reached out to the condo association for answers. He asked the Director of Law Mr. Nelson to further explain this issue. Mr. Nelson briefly explained the Borough's

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affordable housing obligations and discussed monies in the affordable housing trust fund. He clarified that the Borough has no power over the condo association, however they are working to address this issue.

Denise Catalano, 11 Alpine Trail- Ms. Catalano inquired about the Borough Road Program, and if Hope Road between Wyckoff and West Park Avenue are in the plans to be repaved. Mr. Neff, Borough Engineer explained that this was a part of a separate project and that construction should begin in the spring. Ms. Catalano voiced safety concerns between Hope and Wyckoff Road, she explained that speeding is one of the many issues at this intersection and should be enforced.

Jerry Spumberg, 11 Alpine Trail- Mr. Spumberg explained that he recently received his tax bill in the mail and briefly discussed the attached letter. He inquired about the new ADP system and asked if additional staffing would be needed to support this software. Mr. Skudera explained that Dan Romanov Director of IT and other Borough employees will help facilitate the transition process. Mr. Spumberg stated that he is happy to see the Borough moving in a positive direction and thanked the Administration and Council for their hard work and efforts.

Lisa Shire, 769 Sycamore Avenue- Ms. Shire stated that she is here to discuss the potential widening of Sycamore Avenue. She explained that her property would be affected by this project and thanked the Council for their support and concern regarding this matter. Ms. Shire discussed possible solutions to the issues such as enforcing the speed limit and truck weight limits. She encouraged Council to protect the historic value of this area while keeping residents safe. Councilwoman Fama informed Ms. Shire about the discussion at the recent Freeholders meeting and explained they are considering incorporating safe walkways along Sycamore Avenue. Councilman Siebert briefly discussed the purpose of a County road and explained that the large trucks are required to travel these roads because they cannot use local roadways.

Joe Crimi, 95 Hance Avenue- Mr. Crimi inquired about the Hance-Sycamore discussion and asked Council to briefly explain the recent progress. Councilwoman Fama briefly summarized the overall discussion at the recent Freeholders Meeting on August 1, 2018. She explained that the County is taking all public comments and concerns into consideration and are working to propose a safe, alternative solution.

David Kloman, 53 Hope Road- Mr. Kloman inquired about the recent weight restriction on Hope Road and was interested in hearing the outcome of this enforcement. Mr. Skudera stated that he will follow up with the Chief of Police for any data or information regarding this issue.

Jack Braun, 274 Water Street- Mr. Braun thanked Council and Administration for repaving Water Street, he stated that he understands that this road will eventually need to be replaced. He discussed his concerns with Pinebrook and Water Street not having a sewer and asked Council to consider putting a sewer in at this location. Mr. Neff explained that this was not part of the original scope of the project, however he will look into the issue.

Joe Porenski, 15 Edgebrook Court- Mr. Porenski thanked Council for their service and dedication to the Borough. He inquired about the speed limit on Hope Road and encouraged Council to consider reviewing the speed limit.

Gerald M. Turning, 32 Periwinkle Circle- Mr. Turning discussed his time here as Tinton Falls Chief of Police and stated his thoughts on the weight limit on Hope Road. He encouraged Council and the Director of Law to research the history of the weight restriction and inquire if it has ever been enforced. Mr. Turning congratulated the Tinton Falls Police Department for the wonderful Police Cadet program. He inquired about the mailing of the temporary tax bills. Mr. Fallon explained the tax bills are delayed due to the State not having State Aid figures and a tax rate could not be determined. Mr. Turning expressed interest in reviewing the Recreation Master Plan for park improvements. Mr. Skudera explained that it is not finalized and should be ready in the fall.

Drew Deganahl, 76 Hope Road- Mr. Deganahl personally thanked Council and Administration for their dedication to the Borough and its residents. He briefly discussed the County's Hance-Sycamore project and stated that he is impressed with the direction the Borough has taken.

Leo Lomangino, 93 Colonial Drive- Mr. Lomangino expressed his thanks towards the Council and Administration for their contributions to the Borough. He inquired about the Solar Farm on the Scarano piece of land and the tax assessment process, Mr. Baldwin directed him to contact the Borough Tax assessor for clarity.

Paul Abrams, 23 Taylors Run- Mr. Abrams complimented Borough Administrator Skudera on his informative presentation and his dedication to improving technology and efficiency in the Borough. He thanked Borough Clerk Melissa Hesler for catching up on the backlog of minutes and discussed the importance of staying up to date. He suggested streaming the Borough Council Meetings on the public access channel for those who cannot attend the monthly meetings but want to stay informed.

David Elko, 692 Tinton Avenue- Mr. Elko expressed his support for implementing the ADP system within the Borough, stating it will improve payroll efficiency. He inquired if any other payroll systems were considered and if there will be employee training while transitioning into the new software. Mr. Skudera briefly explained the scope of this project and stated that the ADP provider was the best option. Mr. Elko asked Mayor Perillo to discuss the tentative plans for Community Day. Mayor Perillo explained that it was announced earlier in the meeting that Community Day will be held on October 13, 2018.

**REGULAR/WORKSHOP MEETING
AUGUST 7, 2018
BOROUGH COUNCIL**

Pam Farley, 206 Riverdale East- Ms. Farley inquired about signage for the dangerous intersection at Hance and Sycamore Avenue, she asked Mr. Neff if the Borough would consider this option. Mr. Neff explained that because Sycamore is a County road it is under the County's jurisdiction. Councilwoman Fama stated that the County is listening to all concerns and are working towards a safe solution.

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Pak, Mr. Manginelli

ABSTAIN: None

ADJOURNMENT

Mr. Siebert offered a motion to adjourn, seconded by Ms. Fama

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Pak, Mr. Manginelli

ABSTAIN: None

TIME: 9:25 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: November 19, 2018