

**REGULAR MEETING
MAY 3, 2022
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 7:30 PM.

The Borough Clerk read the following statement: "Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on January 4, 2022."

ROLL CALL

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

ABSENT: Mr. Manginelli

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

All present stood for Salute to Flag.

Mrs. Clay made a special statement congratulating the newly promoted officers, stating that it takes a special person to be a great officer. She also congratulated and thanked their family members as well.

ADMINISTRATION OF THE OATH OF OFFICE

At this time the Business Administrator Terefenko and Chief DeLucia recognized and congratulated the Officers to be promoted.

Kyle Pierson and Scott Trocchia were sworn in as Captains by Michelle Hutchinson, Borough Clerk.

Joseph LoPresti, Blake Rutherford, Keith Terbecki, and Anthony Turso were sworn in as Lieutenants by Michelle Hutchinson, Borough Clerk.

Robert Wilson, Elena Mazzeo, Joseph Schuler, Daniel Osofsky, Matthew Yurcisin, Christopher Grimm were sworn in as Sergeants by Michelle Hutchinson, Borough Clerk.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer -Thomas Neff

Mr. Neff had no report.

CFO – Thomas Fallon

Mr. Fallon had no report.

Business Administrator - Charles Terefenko

Mr. Terefenko had no report. Mr. Terefenko thanked to the Council and the Mayor for all their support throughout the promotional process as well as the new hiring process within the Police Department.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council's Report

-Mrs. Clay stated that the Green Team met on April 20th and is moving right along. Mrs. Clay also reported that she attended the Board of Education meeting, and that there will be a shift of administration in our K-8 schools following the resignation of the Middle School principal. Additionally, there were some retirements announced at the meeting. Mrs. Clay shared that this week is teachers' appreciation week, and it's important to thank all the teachers you know. She also announced that the Board will be holding a ceremony on May 23rd to honor the retirees and the educators of the year. Lastly, Mrs. Clay stated that she and the Council President attended the Monmouth House tour last weekend and that it was interesting and very nicely done.

- Dr. Dobrin extended his congratulations to the officers of the Tinton Falls Police Department on well-deserved promotions. Dr. Dobrin stated that he and the Council President represented the Mayor and the follow Council members while attending the opening of the Tinton Falls Little League season. Dr. Dobrin thanked all that helped make this a special occasion.

-Mr. Nesci stated that there is no planning board report this evening and the next meeting will be May 11th at 7:00pm. Mr. Nesci announced that the Chicken Advisory Board met last week and the application for residents to apply for

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backyard chickens is now available on the Borough website along with other relevant information. Mr. Nesci reported that the Tinton Falls Recreation Department had a great opening day at Hockhockson Park for the Tinton Falls Little League. Mr. Nesci announced the Summer Camp program dates, registration will be held the week of May 23rd. Additional details can be found on the Borough website under recreation and Community Pass.

-Ms. Buckley also congratulated the newly promoted Officers. Ms. Buckley echoed Dr. Dobrin's comments with regard to the Tinton Falls opening day Little League parade stating it was a wonderful morning. She thanked the Department of Public Works and the Recreation Department as well as the Borough Engineer for their work the fields looked fantastic. Ms. Buckley reported that on Saturday the Tinton Falls Police Department participated in the National Drug take back day and it was very successful.

BUDGET

Recap of the 2022 Budget Presentation

Director of Finance- Thomas Fallon

Mr. Fallon stated that he is please to be providing a recap of the detailed presentation that was given at the April 5th meeting. He advised the public that the presentation has been posted to the borough website and all participants who have joined via the YouTube platform should be able to follow along with the presentation on their screen. Mr. Fallon discussed how the municipal portion of the tax dollar is distributed and the percentage of each portion. He discussed the essential services, quality of life services, the 2022 budget structure which is fiscally sound and responsible with no gimmicks or structural issues. The budget funds all municipal necessary services and capital investments and allows for the regeneration of the surplus utilized. He reviewed operating expenses, state aid appropriations, municipal revenue, delinquent tax collections, and fund balance expenses. Mr. Fallon stated that there will be a decrease in the municipal tax rate by 12.73 percent. He reviewed Anticipated budget revenue, reserve, the Borough's strong bond rating and gave an overview of the summary of appropriations and appropriations by function. Mr. Fallon discussed net statutory debt and the steady decrease of over \$950,000 per year over the past 8 years. He discussed the upgrade of the credit rating to Aa1, which reflects the Borough's increasingly strong finances, this allows the Borough to attain lower interest rates. Mr. Fallon discussed the open space trust fund account, sewer utility budget, which is debt free and self-supporting, and gave a brief capital plan overview. In addition to the robust capital projects, the following capital improvements have been provided for in the operating budget, library improvements, and the sewer utility improvements. Tom Neff, Borough Engineer reviewed the Capital Projects which include the road program of 11 roads that span approximately 3 miles. The roads selected are in very poor condition. The standalone sidewalk project utilizing the NJDOT municipal aid grant which spans along Shrewsbury Avenue from Newman Springs Road to Sycamore Avenue is ongoing and will be completed shortly. He discussed the park improvement capital projects at Sycamore Recreation Complex, Hockhockson Park, Riverdale West Park, Liberty Park, and Wardell Park. He also discussed that survey permitting and design for Waltz Park in preparation for next year's budget. Mr. Neff discussed the sanitary sewer upgrades at Hovnanian pump station as well as the start of the inflow and infiltration study for some of the sewer mains throughout the Borough.

Mr. Fallon stated this concludes the recap presentation.

R-22-104 Resolution to Read 2022 Budget by Title

Ms. Hutchinson read Resolution R-22-104 by title: Resolution to Read 2022 Budget by Title.

Mrs. Clay offered a motion to approve R-22-104, seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-104

RESOLUTION – TO READ 2022 MUNICIPAL BUDGET BY TITLE

WHEREAS, N.J.S.A. 40A:4-8 as amended provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved Budget:

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- a.) shall be made available for public inspection, and
- b.) shall made available to each person upon request.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that it is hereby declared that the condition of N.J.S.A. 40A: 4-8, as amended set forth in subsections 1(a) and 1(b), have been met and therefore the Budget for 2022 shall be read by title only.

Public Hearing on the 2022 Municipal Budget

Council President Buckley stated this is the time the public may comment only on the 2022 Municipal Budget.

Dr. Dobrin offered a motion to open the public hearing on the 2022 Municipal Budget, seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

There being no comments on the budget, Mr. Nesci offered a motion to close the public hearing on the 2022 Municipal Budget, seconded by Dr. Dobrin.

R-22-105 Resolution Certifying Self-examination of the 2022 Municipal Budget

Ms. Hutchinson read Resolution R-22-105 by title: Resolution Certifying Self-examination of the 2022 Municipal Budget

Mr. Nesci offered a motion to approve R-22-105, seconded by Mrs. Clay.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-105

**RESOLUTION - SELF-EXAMINATION OF BUDGET
[as required by DCA]**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Tinton Falls* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Tinton Falls that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school

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purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

R-22-087 Resolution Adopting the 2022 Municipal Budget

Ms. Hutchinson read Resolution R-22-087 by title: Resolution Adopting the 2022 Municipal Budget

Dr. Dobrin offered a motion to approve R-22-087, seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

SECTION 2 - UPON ADOPTION FOR YEAR 2022
RESOLUTION 22-087

Be it Resolved by the COUNCIL MEMBERS of the BOROUGH
of TINTON FALLS, County of MONMOUTH that the budget hereinbefore set forth is hereby
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 16,460,918.62 (Item 2 below) for municipal purposes, and
 (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
 (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
 Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of
 the following summary of general revenues and appropriations.
 (d) \$ 963,208.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
 (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
 (f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE (Insert last name)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Ayes</td> <td style="width: 50%; text-align: center;">Nays</td> </tr> <tr> <td style="text-align: center;">Mrs. Clay Dr. Dobrin Mr. Nesci Ms. Buckley</td> <td style="text-align: center;">None</td> </tr> </table>	Ayes	Nays	Mrs. Clay Dr. Dobrin Mr. Nesci Ms. Buckley	None	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Abstained</td> <td style="width: 50%; text-align: center;">None</td> </tr> <tr> <td style="width: 50%; text-align: center;">Absent</td> <td style="width: 50%; text-align: center;">Mr. Manginelli</td> </tr> </table>	Abstained	None	Absent	Mr. Manginelli
Ayes	Nays									
Mrs. Clay Dr. Dobrin Mr. Nesci Ms. Buckley	None									
Abstained	None									
Absent	Mr. Manginelli									

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated	08-100	\$	4,460,000.00
Miscellaneous Revenues Anticipated	13-099	\$	6,762,638.26
Receipts from Delinquent Taxes	15-499	\$	500,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSE (Item 6(a), Sheet 11)	07-190	\$	16,460,918.62
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	-
Total Revenues	13-299	\$	28,183,556.88

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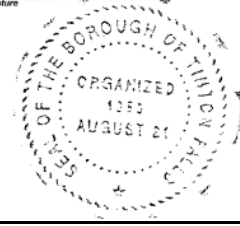
SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXXXXXXXX
Within "CAPS"	XXXXXX	XXXXXXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$ 19,797,972.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 3,327,914.00
(g) Cash Deficit	46-885	\$ -
Excluded from "CAPS"	XXXXXX	XXXXXXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 778,640.26
(c) Capital Improvements	44-999	\$ 975,500.00
(d) Municipal Debt Service	45-999	\$ 2,506,858.00
(e) Deferred Charges - Municipal	46-999	\$ -
(f) Judgments	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes	50-999	\$ 796,672.62
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 28,183,556.88

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 3rd day of May, 2022. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2022 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 3rd day of May, 2022, _____ Clerk

Sheet 42



ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **Bond Ordinance 2022-1488 Bond Ordinance Amending In Part Bond Ordinance No. 2021-1477 Adopted On July 13, 2021, Providing For The Borough's 2021-2022 Road Improvement Program, In Order To Appropriate An Additional \$311,800 Therefor For A Total Appropriation Of \$2,911,800, Authorized In And By The Borough Of Tinton Falls, In The County Of Monmouth, New Jersey**

Ms. Hutchinson stated that public hearing would be scheduled for Tuesday May 17, 2022.

Mr. Nesci offered a motion to introduce Ordinance No. 2022-1488 seconded by Mrs. Clay.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 2022-1488

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2021-1477 ADOPTED ON JULY 13, 2021, PROVIDING FOR THE BOROUGH'S 2021-2022 ROAD IMPROVEMENT PROGRAM, IN ORDER TO APPROPRIATE AN ADDITIONAL \$311,800 THEREFOR FOR A TOTAL APPROPRIATION OF \$2,911,800, AUTHORIZED IN AND BY THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Tinton Falls, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance 2021-1477 on July 13, 2021 (the "Prior Ordinance"), providing for the Borough's 2021-2022 Road Improvement Program, including (i) improvements to various Borough roads, including but not limited to, Glenwood Drive, Riverview Drive, Fairfield Drive, William Street, Terry Lane, Orchard Street, Wellington Drive, Gilbert Street, Wardell Road, Lyndell Lane and Garden Place; and (ii) sidewalk improvements along Shrewsbury Avenue, for which a New Jersey Department of Transportation ("NJDOT") grant funds were expected and Fox Chase Drive; and

WHEREAS, the Borough received an additional NJDOT grant in the amount of \$311,800 after the Prior Ordinance was adopted; and

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WHEREAS, the Borough desires to increase the appropriation and the expected grant from the NJDOT authorized by the Prior Ordinance to \$2,911,800 and \$576,800, respectively.

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 1. of the Prior Ordinance is hereby amended to read as follows:

Section 1. The improvements to be undertaken in and by the Borough of Tinton Falls, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,911,800 said sum being inclusive of all appropriations heretofore made therefore, including \$576,800 grant funds expected to be received from the New Jersey Department of Transportation ("NJDOT") and the sum of \$135,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section Two. Section 3.(c) of the Prior Ordinance is hereby amended to read as follows:

Section 3.(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,911,800, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,911,800 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$135,000 down payment for said purposes, and the \$576,800 grant funds expected to be received from NJDOT.

Section Three. The debt authorization of \$2,200,000 and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

Section Four. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Five. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

ORDINANCES FOR FINAL CONSIDERATION

Director of Law explained the Ordinance.

Mrs. Hutchinson read Ordinance 2022-1487 entitled: **An Ordinance Releasing The Affordability Controls Attached To The Affordable Housing Units For The Tinton Pines Development**

Mrs. Clay offered a motion to open the Public Hearing on Ordinance No. 2022-1487, seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

PUBLIC HEARING OPEN

There being no comments, Dr. Dobrin offered a motion to close the Public Hearing on Ordinance No. 2022-1487, seconded by Mrs. Clay.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

PUBLIC HEARING CLOSED

Mr. Nesci offered a motion to adopt Ordinance No. 2022-1487, seconded by Dr. Dobrin.

ROLL CALL

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

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NAYS: None
ABSTAIN: None
ABSENT: Mr. Manginelli

PUBLIC DISCUSSION

Dr. Dobrin offered a motion to open the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

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

Council President Buckley asked if there were any written comments submitted to be read into the record this evening. Mrs. Hutchinson stated there were none.

Ellen Goldberg, 90 Glenwood Drive- Ms. Goldberg thanked the Council President for her help handing out reusable bags at the little league parade this past weekend. Ms. Goldberg stated that the plastic bag ban goes into effect on May 4th. More information on the bag ban can be found on the NJDEP website. She announced that there are more bags at the department of public works if you have not received one. One bag per family.

Nancy Ann Fama, 36 Gallant Fox Road- Commended Council as well as administration on another fantastic budget. Ms. Fama is excited to see all the police promotions. She requested an update on the hiring of additional police officers. Business Administrator Charlie Terefenko explained that the assessment and hiring process has begun. Ms. Fama asked for clarification. Council President Buckley explained that the Borough will first fill the current positions that are available and await the completion of the assessment before any additional hiring will be done.

Frank Matula, 43 Lennox Drive – Inquired about the Riverdale West electronic speeding sign being removed and if it was to be replaced. Mr. Matula stated his opposition to the idea of this road being turned into a two-way street. Requested that the Borough provide guidance with getting clarification from JCP&L on the frequent power outages in the neighborhood. Commented on the increase of cars parking on the streets. Inquired if permits are required. Council President Buckley addressed the comments, stating follow up will be done by the Borough Administrator regarding the electronic speeding sign. Ms. Buckley stated there is a number to reach JCP&L for outages. Borough Engineer Neff explained that parking in the grass is not allowed and should be reported to the Code Enforcer.

Mitch Kulberg, 21 Cedar Place – Commented on Mr. Matula’s comment regarding the electronic speed limit sign to clarify that the pole is still there but the sign has been removed.

Mrs. Clay offered a motion to close the Public Discussion, seconded by Dr. Dobrin.

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER – None

RESOLUTIONS - None

CONSENT AGENDA

Mr. Nesci offered a motion to approve the Consent Agenda, seconded by Dr. Dobrin.

ROLL CALL

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

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NAYS: None
ABSTAIN: None
ABSENT: Mr. Manginelli

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-106

**RESOLUTION OF AWARD
OF CONTRACT #22-1
2022 ROAD IMPROVEMENT PROGRAM**

WHEREAS, twelve (12) bids were received on Tuesday, April 12, 2022 for Contract #22-1 for the 2022 Road Improvement Program; and

WHEREAS, Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 submitted the lowest responsible bid in the amount of \$1,971,332.46 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., T&M Associates recommends award in his bid report attached dated April 18, 2022; and

WHEREAS, this award shall be made subject to New Jersey Department of Transportation Local Aid concurrence; and

NOW, THEREFORE BE IT RESOLVED that Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 be awarded a contract in the amount of \$1,971,332.46 for the 2022 Road Improvement Program;

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.

I hereby certify funds are available from: Capital Ordinance #18-1430 - \$ 76,936.26
Capital Ordinance #19-1451 - \$ 189,914.04
Capital Ordinance #21-1477 - \$1,704,482.16

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-107

**RESOLUTION RELEASING MAINTENANCE GUARANTEES FOR CAPELLI SPORT COMPLEX
(PHASES 2 & 3)
BLOCK 111, LOTS 10.01, 11 & 12.01**

WHEREAS, a request has been made for the release of Maintenance Guarantees for Capelli Sport Complex (Phases 2 & 3) Block 111, Lots 10.01, 11 & 12.01; and

WHEREAS, by letter dated April, 21, 2022 (said letter attached and hereby made part of this Resolution), the Borough Engineer (T&M Associates) has certified that all bonded items remain in acceptable condition and recommends the release of the guarantees for Capelli Sport Complex (Phases 2 & 3) Block 111, Lots 10.01, 11 & 12.01; 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.

TFLS-I1370
April 21, 2022

Michelle Hutchinson, Borough Clerk
Borough of Tinton Falls
556 Tinton Avenue
Tinton Falls, NJ 07724

Re: Capelli Sport Complex – Phases 2 & 3
Block 111, Lots 10.01, 11 & 12.01
Borough of Tinton Falls
Maintenance Bond Release

Dear Ms. Hutchinson:

The maintenance bonds for the above-referenced project were previously set to expire. Accordingly, this office conducted an inspection of the property for purposes of releasing the maintenance bond and issued

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a deficiency list on September 21, 2021. The developer has since addressed all items from our previous deficiency list. Based on the observations at the time of re-inspection, it appears that all bonded items are now in acceptable condition. Accordingly, I have no objection to the release of the maintenance bonds in the amount of \$219,544.84 (Phase 2) and \$2,453.63 (Phase 3).

By copy of this letter to the developer, they are reminded that they remain responsible for continued maintenance and operation of all drainage basins at the site.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,
T&M ASSOCIATES
THOMAS P. NEFF, P.E., P.P., C.M.E.
TINTON FALLS BOROUGH ENGINEER

TPN:TJL

cc: Charles Terefenko, Borough Administrator
Thomas Fallon, CFO
Keri Stencil, Borough Finance Office
Kevin Starkey, Esq., Director of Law
Lynn Coppola, Zoning Assistant
Paul Golden, The "A" New Jersey Sports Complex, LLC
Tony Vlahos, Precise Construction, Inc.

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-108

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2019 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2019 to property known as

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Rosemary Dallas 32 Santa Rosa Lane Tinton Falls, NJ 07753	129.15	33.16	\$131.47

and,

WHEREAS, said reduction has resulted in an overpayment of the 2019 taxes by the property owner in the amount of \$131.47, 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 \$131.47 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 \$131.47.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-109

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2020 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2020 to property known as

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Rosemary Dallas 32 Santa Rosa Lane Tinton Falls, NJ 07753	129.15	33.16	\$131.67

and,

**REGULAR MEETING
MAY 3, 2022
BOROUGH COUNCIL**

WHEREAS, said reduction has resulted in an overpayment of the 2020 taxes by the property owner in the amount of \$131.67, 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 \$131.67 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 \$131.67.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-110

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2021 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2021 to property known as

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Rosemary Dallas 32 Santa Rosa Lane Tinton Falls, NJ 07753	129.15	33.16	\$129.04

and,

WHEREAS, said reduction has resulted in an overpayment of the 2021 taxes by the property owner in the amount of \$129.04, 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 \$129.04 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 \$129.04.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-111

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2020 Taxes has been made as a result of a Tax Court of New Jersey reductions in the assessed value for the year 2020 to properties known as

<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)			

and,

WHEREAS, said reductions have resulted in overpayments of the 2020 taxes by the property owners in the amount of \$8,508.68 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds in the amount of \$8,508.68 are hereby approved for the attached properties. Said refunds shall be applied to future taxes as specified in the Stipulation of Settlement.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayments to be \$8,508.68.

**BOROUGH OF TINTON FALLS - 2020 TAX OVERPAYMENTS DUE TO TAX COURT JUDGEMENTS
OVERPAYMENTS WILL BE APPLIED TO FUTURE TAXES**

BLOCK	LOT	REFUND TO:	IN REFERENCE TO:	TOTAL TAXES OVERPAID
111	10.02	BOROUGH OF TINTON FALLS	GA SPORTS COMPLEX, LLC	3,427.41

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		556 TINTON AVENUE	1660 WAYSIDE ROAD	
		TINTON FALLS		
113.01	16.02	BOROUGH OF TINTON FALLS	AGE SPORTS COMPLEX, LLC	5,081.27
		556 TINTON AVENUE	1659 WAYSIDE ROAD	
		TINTON FALLS		
				8,508.68

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-112

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2021 Taxes has been made as a result of a Tax Court of New Jersey reductions in the assessed value for the year 2021 to properties known as.

<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)

and,

WHEREAS, said reductions have resulted in an overpayments of the 2020 taxes by the property owners in the amount of \$8,125.80 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds in the amount of \$8,125.80 are hereby approved for the attached properties. Said refunds shall be applied to future taxes as specified in the Stipulation of Settlement.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayments to be \$8,125.80.

**BOROUGH OF TINTON FALLS - 2021 TAX OVERPAYMENTS DUE TO TAX COURT JUDGEMENTS
OVERPAYMENTS WILL BE APPLIED TO FUTURE TAXES**

BLOCK	LOT	REFUND TO:	IN REFERENCE TO:	TOTAL TAXES OVERPAID
111	10.02	BOROUGH OF TINTON FALLS 556 TINTON AVENUE TINTON FALLS	GA SPORTS COMPLEX, LLC 1660 WAYSIDE ROAD	3,251.09
113.01	16.02	BOROUGH OF TINTON FALLS 556 TINTON AVENUE TINTON FALLS	AGE SPORTS COMPLEX, LLC 1659 WAYSIDE ROAD	4,874.71
				8,125.80

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-113

**RESOLUTION - REFUNDING TAX OVERPAYMENT FOR A
TOTALLY DISABLED VETERAN**

WHEREAS, an overpayment of the 2022 taxes has been made as a result of a 2018 Homestead Rebate Credit being applied to the 2022 2nd quarter taxes on a property that has been exempt due to a 100% Totally Disabled Veteran since January 1, 2019.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Vincent D. & Nancy P. Torre 112 Roslyn Drive Tinton Falls, NJ 07753	124.09	11	\$354.17

and,

WHEREAS, said credit has resulted in an overpayment of the 2022 taxes in the amount of \$354.17 as certified by the Borough Tax Collector.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$354.17 is hereby approved for the aforementioned property for the year of 2022.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$354.17.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-114

**RESOLUTION - REFUNDING TAX OVERPAYMENT FOR A
TOTALLY DISABLED VETERAN**

WHEREAS, an overpayment of the 2022 taxes has been made as a result of a 2018 Homestead Rebate Credit being applied to the 2022 2nd quarter taxes on a property that has been exempt due to a 100% Totally Disabled Veteran since January 1, 2021.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Joseph & Domenica Poremski 15 Edgebrook Court Tinton Falls, NJ 07724	47.02	59	\$836.95

and,

WHEREAS, said credit has resulted in an overpayment of the 2022 taxes in the amount of \$836.95 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 \$836.95 is hereby approved for the aforementioned property for the year of 2022.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$836.95.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-115

RESOLUTION – REFUNDING ESCROW – HOVTOWN, INC HELIPAD

WHEREAS, the following listed applicant has posted consultant escrow fees in conjunction with various Land Use applications in accordance with the Borough of Tinton Falls Land Use Ordinance, and

WHEREAS, the Planning Board Secretary, Trish Sena, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

WHEREAS, the Director of the Department of Audit, Accounts & Control has certified funds are available for release.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the consultant escrow fees, plus any accrued interest, are hereby authorized to be released for the following applicant:

HOVTOWN, INC. HELIPAD HOV7697CU \$631.25

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-116

RESOLUTION – REFUNDING ESCROW – HOVSONS/HOVCHILD OFFICE PARK

WHEREAS, the following listed applicant has posted consultant escrow fees in conjunction with various Land Use applications in accordance with the Borough of Tinton Falls Land Use Ordinance, and

WHEREAS, the Planning Board Secretary, Trish Sena, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

WHEREAS, the Director of the Department of Audit, Accounts & Control has certified funds are available for release.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the consultant escrow fees, plus any accrued interest, are hereby authorized to be released for the following applicant:

HOVSONS/HOVCHILD OFFICE PARK HOV8794CU \$913.87

**REGULAR MEETING
MAY 3, 2022
BOROUGH COUNCIL**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-117

RESOLUTION REFUNDING COMPOST DELIVERY

WHEREAS, On 4/18/22, Chris Antoniadis, 1920 Wayside Road, Tinton Falls, NJ 07724 paid \$200.00 for delivery of Compost to 1920 Wayside Road Tinton Falls, NJ 07724.

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

WHEREAS, Compost was not available for delivery. Chris Antoniadis, 1920 Wayside Road, Tinton Falls, NJ 07724 has requested a refund; and

WHEREAS, the Director of Public Works recommends a refund of Compost delivery fee.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the compost delivery fee in the amount of \$200.00 posted by Chris Antoniadis, 1920 Wayside Road, Tinton Falls, NJ 07724 be refunded.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-22-118

RESOLUTION – APPROVAL OF BILLS – May 3, 2022

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending May 3, 2022; 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	5,998,1
SEWER UTILITY	281,4
GRANT FUND	43,9
TRUST FUNDS	407,8
DOG TRUST FUND	2,5
ESCROW	9
TOTAL	6,734,8

CERTIFICATION OF FUNDS:

ADJOURNMENT

Mrs. Clay offered a motion to adjourn, seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Manginelli

TIME: 8:38 PM

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Tracy Buckley, Council President

APPROVED AT A MEETING HELD ON: July 12, 2022