

**REGULAR/WORKSHOP MEETING
FEBRUARY 20, 2018
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:30pm.

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

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Doreen D'Annunzio, Deputy Borough Clerk

Kevin Starkey, Esq.

Vito Perillo, Mayor

Michael Skudera, Borough Administrator

Thomas Fallon, Director of Finance

Thomas Neff, Borough Engineer

All present stood for a salute to the flag

WORKSHOP MEETING

Council President Baldwin advised that the Workshop portion of tonight's meeting will precede the regular meeting.

Mr. Baldwin welcomed representatives from both fire districts to the meeting, and expressed his gratitude on behalf of the Governing Body to the men and women that volunteer their time.

Mr. Baldwin read the following proclamation- *Tyler Hawkins*.

Proclamation Honoring Tyler Hawkins

WHEREAS, in the early morning hours of December 26, 2017, Tyler Hawkins was awoken by a strange noise and the pungent odor of smoke in a residence on Bridle Path he was staying at. After investigating the odor, he discovered a fire in the garage and awoke other sleeping occupants totaling about eight people, and;

WHEREAS, Tyler helped facilitate the evacuation of all occupants resulting in no loss of life or injury, and;

WHEREAS, additionally, Tyler summoned emergency assistance via 911 telling emergency dispatchers there was a fire in the residence and that everyone had evacuated safely, which ultimately prevented further loss of property, and;

WHEREAS, without the swift actions of Tyler Hawkins, the outcome most certainly would have been more disastrous, and;

WHEREAS, Tyler Hawkins exemplifies the spirit of bravery seen in our first responders, and;

NOW, THEREFORE, I, Mayor and Council of Tinton Falls, do hereby honor Tyler Hawkins as a treasurer to our community.

Joint Meeting of Fire Districts 1 and 2 – Shared Services Discussion

Mr. Braslow, attorney representing the districts, stated for the record, that the fire districts have in fact published notice of this meeting in accordance of the Open Public Meetings Act.

Mr. Braslow thanked the Mayor and Council for giving them the opportunity to discuss the status of firematic services in Tinton Falls. Mr. Braslow indicated that Commissioner Andrew Calvo will address some of the joint services the districts have undertaken.

Mr. Calvo, President of Fire District #1, discussed the ways the districts manage and merge their services, to better streamline service. Mr. Calvo indicated that one of the discussed initiatives underway is to minimize the number of line officers. Mr. Calvo stated that both districts have met to discuss this initiative, and while a decision has not been made, they are looking to implement same. Mr. Calvo discussed another initiative to move the fire elections to November, this

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initiative was set forward by the state. Mr. Calvo discussed the positive and negative aspects of moving the fire elections to November. He stated that the districts have until December of 2018 to decide if the elections will move to November of 2019. Mr. Braslow gave the historical background of the February election date.

Mr. Baldwin expressed that he is in favor of combining the elections to save time and costs, as the Borough is a non-partisan town.

Mr. Braslow described the process of making the change in election date. Mayor Perillo asked a question about the offices that are voted on in the election. Mr. Calvo responded that only the Fire Commissioners are voted on in these elections. Mr. Braslow added that the only other item that could appear on the ballot would be a Capital Appropriation. Mr. Pak asked about the possible reduction in Fire Chiefs. Mr. Calvo responded that it is still under discussion between the two districts. Mr. Fallon asked Mr. Braslow about the Best Practices Questionnaire that Municipalities have to file each year, particularly the question regarding municipalities annually assessing the efficiency the Fire Districts. Mr. Fallon asked if Mr. Braslow has any studies or numbers that could be forwarded to the Borough. Mr. Braslow indicated that there are no such studies, and most districts are in the discussion phase. Mr. Braslow did indicate for the record that the two Tinton Falls Fire Districts are extremely efficient.

Mr. Skudera thanked the Fire Districts for coming to tonight's meeting, and asked a question regarding the consolidation and timeline of the elections. Mr. Braslow answered that the next meeting is in June, and that he is working with DCA on the regulations for the election dates. Mr. Braslow stated that he wanted to be sure that the regulations don't throw the districts any curve balls, and as far as the consolidation goes there is a lot of homework to do, as once you make a decision to move the election date you cannot go back.

Mr. Baldwin stated that he feels it would be a good move to consolidate the election and move it to November, and asked that the districts keep council informed as to their decision.

REGULAR MEETING

Mr. Baldwin moved the meeting into regular session at 8:00pm.

APPROVAL OF MINUTES

Mr. Baldwin commented regarding the Clerk's office being behind on minutes. He indicated that the office is currently short staffed and that there are many responsibilities that the Clerk's office has that take precedence over minutes, however they are working to get the minutes caught up as quickly as possible. Mr. Baldwin stated that if anyone, in the meantime, would like to request the recordings of a meeting they are welcome to do so. Mr. Baldwin also stated that a new Borough Clerk, Melissa Hesler, has been hired and will start on February 28th.

RESOLUTIONS

Mr. Baldwin advised that he will be taking the following resolution out of the meeting order.

R-18-079 RESOLUTION - THANKING GARY GEBELE FOR HIS DEDICATED SERVICES TO THE BOROUGH OF TINTON FALLS

WHEREAS, Gary Gebele will be retiring his position as Director of Public Works of the Borough of Tinton Falls on March 1, 2018; and

WHEREAS, Gary Gebele's dedication and devotion to the Borough of Tinton Falls is a testimonial of his services of over 41 years; and

WHEREAS, over the years Gary Gebele has shown consistent professionalism, high ethical standards, dedication, loyalty and has been an outstanding employee for the Borough of Tinton Falls.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Tinton Falls that they hereby extend their sincere appreciation to Gary Gebele for his outstanding services and dedication to the Borough of Tinton Falls and extend to him their sincere best wishes for continued success and best wishes in all of his future endeavors.

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Ms. Fama offered a motion to approve Resolution R-18-079, seconded by Mr. Pak.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Baldwin expressed his appreciation for Mr. Gebele's service, and presented him with a token of said appreciation.

Mr. Gebele expressed his gratitude for the hard work of the Department of Public Works' employees, and that it has been a pleasure working in the Borough of Tinton Falls.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report – Vito Perillo

Mayor Perillo thanked the council and Brian Nelson for getting his attorney on board, and working together.

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

Mr. Starkey thanked the Mayor and Council, and stated that Brian Nelson will continue with the Borough as special counsel. He continued that it was important to both the Mayor and Council to work out an agreement with no financial burden to the tax payers. Mr. Starkey also reported that the Affordable Housing Council anticipated having the fair-share settlement by tonight, however due to needing additional information, it is expected to be ready by the next council meeting.

Engineer's Report – Thomas Neff

Mr. Neff expressed his gratitude towards Gary Gebele, noting that Gary has been a huge help to him and will be missed. Mr. Neff discussed an update on the library, noting that the structural repairs for the library would cost about \$10,500. He further discussed the probable cause of mold in the library being the HVAC system and lack of de-humidification, Mr. Neff stated that this should resolve with an upgraded HVAC system, which is currently being estimated at \$130,000. Mr. Neff indicated that he is working to get that number reduced, and that there a few more tests that haven't come back yet.

Ms. Fama commented that \$150,000 is what is normally budgeted for the library, and asked that Council and Administration consider the overall impact to the community if we lost the library. Ms. Fama stated that despite the fact that the library has been out of commission since August, the board members of the library have been very active and willing to fundraise to help get us where we need to be. Ms. Fama thanked Mr. Neff for his work on the library, and stated that she hoped the council will view the work favorably.

Finance Director – Thomas Fallon

Mr. Fallon discussed working with Gary Gebele through his years, and expressed that he will be missed.

Mr. Fallon reported Resolution R-18-083 Making Cost of Living Adjustment for the Borough's LOSAP Program, will increase the LOSAP contribution by \$11.58 for 2017.

Mr. Fallon indicated that the budget process is moving along, and expects that the budget will be ready to introduce at the March 20th council meeting.

Mr. Baldwin asked that Mr. Fallon explain to the public the LOSAP program. Mr. Fallon described same indicating that the program, in place since 2003, is a Length of Service Awards Program which provides a small incentive for emergency service volunteers.

Mr. Baldwin expressed his appreciation for the volunteerism within the Borough.

Borough Clerk's Report- Doreen D'Annunzio

Ms. D'Annunzio thanked Gary Gebele for his help through the years, especially during elections, and expressed that he will be missed.

Administrator – Michael Skudera

Mr. Skudera thanked Gary Gebele for his service and wished him well on his retirement.

Mr. Skudera noted that he met with all departments regarding the budget along with Mr. Fallon. The numbers have been reviewed with the Mayor and they are on schedule for introduction to Council on March 20th.

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Council's Report

Councilwoman Fama thanked Gary Gebele, and expressed that he will be missed. Ms. Fama expressed her concern with the high school shooting in Florida, and requested that the Police Chief present to the Governing Body what is happening in our schools and how they are being kept safe. Ms. Fama stated that on a national level it needs to start to be a ground swell for safety from our local leaders. Mr. Baldwin indicated that he has spoken with Chief Scrivanic and asked that he give a report on the schools at the next council meeting.

Councilman Pak thanked Gary Gebele for his service to our community. Mr. Pak also welcomed Mr. Starkey to the Borough.

Councilman Siebert thanked Gary Gebele for the wonderful job he has done.

Councilman Manginelli thanked Gary Gebele for his service, and welcomed Mr. Starkey to the Borough.

Council President Baldwin reported that the Planning Board met last Wednesday night and began discussions on housing Parcel C on the old Ft. Monmouth property. Mr. Baldwin indicated that 243 homes will be built on the parcel, and stated that the number of homes was designated by the state. Mr. Baldwin also indicated that there will also be retail and townhomes built in the future. Mr. Baldwin indicated the next Planning Board meeting is scheduled for February 28th, where Lennar will continue to present to the Board regarding said project.

ORDINANCES FOR INTRODUCTION

Ms. D'Annunzio read Ordinance No. 2018-1425 entitled:

ORDINANCE AMENDING § 2-9.2 OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH GOVERNING THE APPOINTMENT OF SPECIAL COUNSEL TO THE BOROUGH

WHEREAS, the Mayor and Borough Council collectively believe it is in the best interests of the Borough to make certain amendments to the Borough Code governing the organization of the Department of Law.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Tinton Falls that § 2-9.2 of the General Revised Ordinances of the Borough of Tinton Falls be and is hereby amended and supplemented as follows:

SECTION 1. Amendment of § 2-9.2 of the General Revised Ordinances

§ 2-9.2. Special Counsel to the Borough

Whenever the ~~Mayor~~ Director of Law deems the interests of the Borough to so require, he may, with the ~~approval~~ **advice and consent** of the Borough Council within the limits of available appropriations, appoint ~~a~~ Special Counsel **to the Borough** to assist ~~him~~ in the preparation, trial or argument of such legal matters, ~~transactions,~~ or proceedings as ~~he~~ may ~~determine~~ **be deemed necessary**. Should the Director of Law be disqualified with respect to any matter, the Director, with approval of Borough Council shall appoint, **or if already appointed, utilize the** Special Counsel to represent the Borough therein. **The Special Counsel to the Borough, while not serving as a department head, shall be subject to the provisions of the Faulkner Act, specifically N.J.S.A. 40:69A-43, governing appointment and removal, and N.J.S.A. 40A:9-165, requiring compensation be set by ordinance.**

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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Mr. Pak offered a motion to introduce Ordinance No. 2018-1425, seconded by Mr. Siebert.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Ms. D’Annunzio read Ordinance No. 2018-1426 entitled:

**ORDINANCE AMENDING SALARIES FOR THE
BOROUGH CLERK AND DEPARTMENT OF LAW**

WHEREAS, both the general municipal law (N.J.S.A. 40A:9-165) and the Faulkner Act (N.J.S.A. 40:69A-43a and 180) require that certain salaries be adopted by ordinance; and

WHEREAS, the Borough of Tinton Falls (“the Borough”) does currently have an ordinance establishing these salaries, which is periodically updated as necessary; and

WHEREAS, the Borough is restrained in establishing certain salaries pursuant to the terms of pre-existing collective bargaining agreements and New Jersey law impacting statutory employees.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the following management salaries be established as set forth herein:

SECTION ONE. Statutory Employees

Borough Clerk	\$80,000
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SECTION TWO. Department of Law

Director of Law	\$90,000
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Special Counsel to the Borough	\$90,000
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SECTION THREE. Repealer

Any ordinances, or portions thereof, which are inconsistent with the provisions of this ordinance shall hereby be repealed to the extent of any such inconsistency.

SECTION FOUR. Effective Date

This ordinance shall take effect immediately upon publication pursuant to law.

Mr. Manginelli offered a motion to introduce Ordinance No. 2018-1426, seconded by Mr. Siebert.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

ORDINANCES FOR FINAL CONSIDERATION – None

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PUBLIC DISCUSSION

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

ROLL CALL

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

PUBLIC DISCUSSION OPEN

Denise Catalano, 11 Alpine Trail – Ms. Catalano expressed that she will miss Gary Gebele, and shared a personal experience.

Ms. Catalano asked if there are any electrical upgrades to the library proposed. Mr. Neff stated that he is still waiting on information regarding electrical upgrades, and if they will be needed. Ms. Catalano asked about the lead paint and Radon testing, and Mr. Neff indicated that being the library was built in the 1940s or 1950s existing lead paint is a possibility. Ms. Catalano asked if asbestos was found, and Mr. Neff replied that nothing appeared to be asbestos during testing. Ms. Catalano asked about the cost to remove the trailer, and Mr. Neff confirmed it will be approximately \$10,000. Ms. Catalano asked if the Borough was pursuing any Grants, and Mr. Neff indicated that grants are something that can be looked at.

Ms. Catalano expressed her feelings regarding the library and the number of people that hold a library card versus the number of people who actually use it. She noted that she has held a library card for many years, however only used the library twice, and actually had to go to the County Library to obtain what she needed.

Nancy Britton, 158 Cloverdale Circle – Ms. Britton expressed her strong opinion of keeping the library in the Borough. She further expressed that the number of residents that frequent the library is probably much more than anticipated, especially children and senior citizens. She stated that the library offers so much to our community that is missing right now.

Paul Abrams, 23 Taylor's Run – Mr. Abrams thanked the Mayor and Council for recognizing Tyler Hawkins tonight. He further stated that the family lost everything in that fire on Christmas night, but thankfully Tyler saved everyone's lives.

Mr. Abrams asked when the public will be able to review the proposed budget. Mr. Fallon replied that after introduction the budget will be on the Borough website, a copy will be in Clerk's office, and it will be published in the newspaper. Mr. Abrams asked if the litigation with the library had been resolved as the discussion seemed to be more open tonight. Mr. Starkey replied that he has been trying to get up to speed on a number of items, and did not have an update on the litigation regarding the library.

Gerald Turning, 32 Periwinkle Circle – Mr. Turning commended Chief Scrivanic as a result of the shooting in Parkland Florida. Mr. Turning read a post that Chief Scrivanic made on the Tinton Falls Police Department site. Mr. Turning discussed the public debate on whether armed security should be at school, and commends Chief Scrivanic for getting ahead of the issue at hand as he has placed police officers at the schools.

Mr. Turning thanked Gary Gebele's wife for putting up with the endless hours and calls throughout Gary's 41 years with the Borough. Mr. Turning congratulated Mr. Gebele on his retirement, stated that it was an honor to work with him, and thanked him for everything he has done for the Borough of Tinton Falls.

Mr. Turning asked what the status was on the letter received from TNSA with regards to the sewer pumping station on Jumping Brook Road. Mr. Neff replied that a number of OPRA requests have been filed with TNSA seeking additional information, and stated that the Borough is also looking into options of hiring a special attorney to assist in the effort. Mr. Turning expressed his concern that a letter was sent to the Borough several months ago, giving us 6 months to fix a problem that is certainly not our problem. He further stated that TNSA allowed the County to put leachate into the system which we had nothing to do with, and are now put on notice that we are violating the rules and regulations governing TNSA. Mr. Turning stated that he does not believe that to be accurate, and advised that we are half way to that 6 month period of time. He further stated that the pumps continued to be used extensively, and should they fail it will cost the Borough additional money that we should not have to pay, because the sewer line has never been cleared. Mr. Turning suggested that the potential for litigation is great for the Borough, and that he thinks the litigation will come from the Township of Neptune Sewer Authority.

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Mr. Turning asked if there was any information on the closing of the Waltz property. Mr. Neff replied that a Phase II Environmental Study was issued, and the seller was informed they had to fix up the site or pay the Borough to clean it up.

Mr. Turning asked about a warehouse being built on Essex Road, and implied that if we are going to continue to build on this road perhaps we should look into the Borough acquiring ownership of said road. Mr. Neff indicated that he had been in contact with the Turnpike Authority regarding Essex Road, and will follow up on this. Mr. Turning also reminded everyone that we have a similar situation with Pearl Harbor Road.

Tara Tote, 10 Phipps Place – Ms. Tote described a concern with her property. She explained that with the new development taking place on Phipps Place, she is losing part of her land and was never notified of the impact said development would have to her property. Ms. Tote further explained that this impact is making her a non-conforming lot, where the minimum set back goes into her living room.

Mr. Neff gave a background of the development of Phipps Place, which includes a temporary cul-de-sac easement on the plans. He further explained that the easement was never filed, thus is not in place. Mr. Neff further explained that the unimproved portion of Phipps Place has an existing subdivision that dates back to the 1950s. Mr. Neff discussed the options to appease Ms. Tote, which are either to leave the property lines as they are and finalize the easement, or have the Borough accept the land as right-of-way.

Ms. Tote indicated that she understands the two options outlined by Mr. Neff, and continued to express her frustration with her situation.

Mr. Siebert asked if it was Ms. Tote’s understanding that Phipps Place was not going to remain a cul-de-sac. Ms. Tote stated that the cul-de-sac was intended to be temporary and she believed she would get her property back.

Mr. Baldwin indicated that Ms. Tote should work with administration to come to an agreement.

Ms. Tote thanked the Council for listening.

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

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER – None

RESOLUTIONS

Mr. Baldwin stated that Resolution R-18-093 will need to be pulled from the consent agenda and voted on separately, as there is a council member with a conflict.

RESOLUTION R-18-093 – APPROVAL OF BILLS – FEBRUARY 20, 2018

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending February 20, 2018; and

WHEREAS, the Borough Council has reviewed said claims.

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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	\$ 167,029.48
SEWER UTILITY	27,188.63
GRANT FUND	997.80
TRUST FUNDS	17,211.34
ESCROW	6,501.91
ADDITIONS	1,308,173.97
	<hr/>
	1,527,103.13

Ms. Fama offered a motion to approve Resolution R-18-093, seconded by Mr. Pak.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Siebert

CONSENT AGENDA

Ms. Manginelli offered a motion to approve the Consent Agenda, seconded by Ms. Fama.

ROLL CALL (to approve Consent Agenda)

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

NAYS: None

ABSENT: None

ABSTAIN: None

R-18-080 RESOLUTION – APPOINTMENT OF BOROUGH CLERK

BE IT RESOLVED that the appointment of Melissa A. Hesler as Borough Clerk made by the Borough Council be and the same is hereby confirmed, said term effective February 28, 2018 to expire February 27, 2021.

R-18-081 RESOLUTION AMENDING RESOLUTION #R-17-080 PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES TINTON AVENUE PUMP STATION UPGRADES

WHEREAS, the Borough of Tinton Falls adopted Resolution R-17-080 on May 16, 2017 wherein T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 was awarded the above contract for an amount not to exceed \$20,900.00;

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

WHEREAS, this contract is to be increased for an amount not to exceed \$2,000.00 for a total contract for T & M Associates for the Tinton Avenue Pump Station Upgrades in the amount of \$22,900.00; 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 attached dated February 13, 2018, for an amount not to exceed \$22,900.00; and

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

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R-18-082 RESOLUTION AMENDING RESOLUTION #R-18-049_RFP #12-18 PROFESSIONAL SERVICING & MAINTENANCE OF SEWER SYSTEM

WHEREAS, the Borough of Tinton Falls adopted Resolution R-18-049 on January 16, 2018 wherein Hughes Environmental Services, Inc., P.O. Box 327, Forked River, NJ 08731 was awarded the above contract for an amount not to exceed \$121,600.00; and

WHEREAS, the Borough of Tinton Falls has a need for Professional Servicing and Maintenance of 14 pump stations and standby generators as well as lab sampling and flow meter reading; and

WHEREAS, this contract is to be decreased in the amount of \$600.00 per month, not to exceed as follows:
\$8,750.00 per month or \$105,000.00 for 12 months for servicing 14 pump stations;
\$ 600.00 per month or \$7,200.00 for 12 months for flow meter readings;
\$ 550.00 per quarter or \$2,200.00 for 4 months for laboratory analysis of Jumping Brook Pump Station for a total contract not to exceed \$114,400.00 from January 1, 2018 through December 31, 2018, plus \$250.00 flat rate for each emergency service call, and \$600.00 for each additional pump station added throughout the year as described in proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls as follows that Hughes Environmental Services, Inc., P.O. Box 327, Forked River, NJ 08731 is hereby authorized to provide Professional Servicing & Maintenance of Sewer Systems for an amount not to exceed \$114,400.00 in 2018.

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

R-18-083 RESOLUTION MAKING COST OF LIVING ADJUSTMENT FOR THE BOROUGH'S LOSAP PROGRAM

WHEREAS, the Borough of Tinton Falls has had a Length of Service Awards Program ("LOSAP") in place since July 22, 2003 upon adoption of Ordinance No. 03-1100 to provide a small incentive for emergency service volunteers; and

WHEREAS, LOSAP provides for annual contributions to eligible volunteer members of the Borough's emergency medical services, which for 2016 was set at a rate of \$1,447.79; and

WHEREAS, the Division of Local Government Services has authorized a maximum contribution increase for those serving in 2017 of 0.8% or \$11.58 for a total 2017 contribution of \$1,459.37; and

WHEREAS, the Borough Council has determined to set the 2017 maximum LOSAP contribution to \$1,459.37 in order to continue to recruit and retain emergency service volunteers.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that it hereby sets the 2017 LOSAP contribution rate at \$1,459.37 for each eligible member of the Borough's emergency medical service squads.

R-18-084 RESOLUTION – REFUNDING ESCROW – American Timber

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, Deanna Keefer, 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:

American Timber AME3802CO \$4322.53

R-18-085 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 4th quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company paying twice.

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<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
CoreLogic/Ditech Attn: Tax Refunds Department P.O. Box 9220 Coppell, TX 75019	26	76	\$779.87

Re: Richard Howell Estate
14 Sun Beau Court

and,

WHEREAS, said error has resulted in an overpayment of 2017 4th quarter taxes paid in the amount of \$779.87, 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 \$779.87 is hereby approved for the aforementioned property.

R-18-086 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 4th quarter Added Assessment has been paid in error creating an overpayment by the Mortgage Company and the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Joseph Fazekas 92 Willow Road Tinton Falls, NJ 07724	47.05	11	\$1,958.14

and,

WHEREAS, said error has resulted in an overpayment of 2017 4th quarter taxes paid in the amount of \$1,958.14, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$1,958.14 is hereby approved for the aforementioned property.

R-18-087 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter Regular and Added Assessment taxes has been paid in error creating an overpayment by the Mortgage Company and the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
PNC Bank P.O. Box 1820 Dayton, OH 45401-1820	62.02	2	\$4,092.09

Re: Alfonso & Concetta Terrone
7 Gallant Fox Drive

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter Regular and Added Assessment taxes in the amount of \$4,092.09, 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 \$4,092.09 is hereby approved for the aforementioned property.

R-18-088 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 4th quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Property Management Company.

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<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
24 Asset Management 13155 SW 42 nd Street Ste. 200 Miami, Florida 33175	75	49	\$1,328.56

Re: David Jordan to Fannie Mae
22 Rambling Meadows Court

and,

WHEREAS, said error has resulted in an overpayment of 2017 4th quarter taxes paid in the amount of \$1,328.56, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$1,328.56 is hereby approved for the aforementioned property.

R-18-089 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2016 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2016 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Stavola Leasing, LLC c/o Zipp, Tannenbaum & Caccavelli, LLC 280 Raritan Center Parkway Edison, NJ 08837	76.01	2	\$3,395.52

Re: Stavola Leasing, LLC
620 Tinton Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2016 taxes by the property owner in the amount of \$3,395.52 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 \$3,395.52 is hereby approved for the aforementioned property.

R-18-090 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2017 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Stavola Leasing, LLC c/o Zipp, Tannenbaum & Caccavelli, LLC 280 Raritan Center Parkway Edison, NJ 08837	76.01	2	\$5,042.59

Re: Stavola Leasing, LLC
620 Tinton Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2017 taxes by the property owner in the amount of \$5,042.59 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 \$5,042.59 is hereby approved for the aforementioned property.

**REGULAR/WORKSHOP MEETING
February 20, 2018
BOROUGH COUNCIL**

R-18-091 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter Added Assessment taxes on the following property has been paid in error creating an overpayment by the Homeowner and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Clifton Savings Bank Attn: Andrew Troy 4 Brighton Road - Ste 306 Clifton, NJ 07012	147	10.37	\$2,328.18

Re: Jacob & Mary Ann Grubesich
46 Abbey Road

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter Added Assessment taxes in the amount of \$2,328.18, 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 \$2,328.18 is hereby approved for the aforementioned property.

R-18-092 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Matthew Rodman 138 Shark River Road Tinton Falls, NJ 07753	147.01	4	\$2,152.99

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$2,152.99, 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 \$2,152.99 is hereby approved for the aforementioned property

Mr. Pak advised that unemployment for the library personnel will be running out shortly, and asked Mr. Neff and Council to keep that in mind when dealing with time constraints on library repairs.

ADJOURNMENT

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

ROLL CALL

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

TIME: 9:15p.m.

Respectfully Submitted,

Doreen D'Annunzio, Deputy Borough Clerk

APPROVED AT A MEETING HELD ON: June 12, 2018