

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 6:33pm.

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

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Maureen L. Muttie Borough Clerk
Brian Nelson, Director of Law
Gerald M. Turning, Mayor
Michael Muscillo, Borough Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

EXECUTIVE SESSION

Mr. Pak offered the following Resolution and moved its adoption, seconded by Mr. Manginelli.

R-17-057 - RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Director of Law that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Council shall go into executive session to discuss the following items:

- 1) **Potential Property Acquisitions or Sales** – N.J.S.A. 10:4-12(b)(5)
Potential Open Space Acquisition (ATOD May 2017)

- 2) **Personnel Matters** – N.J.S.A. 10:4-12(b)(8)
None

- 3) **Contract Negotiations** – N.J.S.A. 10:4-12(b)(4)
None

- 4) **Litigation/Potential Litigation** – N.J.S.A. 10:4-12(b)(7)
None

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Council President Mr. Baldwin advised that at this time Council would move to Executive Session.

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

Council President Baldwin advised that Council was back on the record at 7:45pm and asked Mayor Turning to read the Proclamation on Autism Awareness Month.

Proclamation

Borough of Tinton Falls County of Monmouth

2017 World Autism Month and World Autism Awareness Day

WHEREAS, autism spectrum disorders are a broad range of conditions characterized by challenges with social skills, repetitive behaviors, and speech and nonverbal communication; and

WHEREAS, autism spectrum disorders affect at least one in sixty-eight children and unknown number of adults in the United State of all genders, races, ethnicities, and socioeconomic backgrounds; and

WHEREAS, early, accurate diagnosis and appropriate education, intervention, and therapy are vital to the well-being of those with autism spectrum disorders; and

WHEREAS, persons with an autism spectrum disorder should have access to the care, services, and opportunities they need to be happy and to achieve their greatest potential; and

WHEREAS, The BOROUGH of TINTON FALLS is honored to take part in the annual observance of World Autism Month and World Autism Awareness Day in the hope that it will lead to more research and better understanding and acceptance of autism spectrum disorder; and

*THEREFORE, I, MAYOR GERALD M. TURNING, do hereby proclaim April 2017 as **WORLD AUTISM MONTH** and April 2, 2017 as **WORLD AUTISM AWARENESS DAY** in BOROUGH OF TINTON FALLS to raise public acceptance and understanding of autism spectrum disorder, as well as to increase knowledge of the efforts that have been and are being made to support individuals with autism spectrum disorder and their families.*

DATED this 4th day of April, 2017

Mayor Gerald M. Turning”

Council President Mr. Baldwin advised that at this time Council would move to recess the meeting. He requested that everyone move outside in front of the Municipal Building to view a surprise display for the Mayor in support of Autism Awareness Month.

Mr. Pak offered the following motion to recess the meeting, seconded by Ms. Fama.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Council President Baldwin called the regular meeting back to order at 7:45pm.

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Maureen L. Muttie, Borough Clerk
Brian Nelson, Director of Law
Gerald M. Turning, Mayor
Michael Muscillo, Borough Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

All present stood for Salute to Flag.

APPROVAL OF MINUTES

Mr. Pak offered a motion to approve the minutes of December 6, 2016 and December 20, 2016, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report – Gerald M. Turning, Sr.

Mayor Turning thanked everyone for participating in the Autism Awareness message and grateful for the large sign displayed in front of the municipal building in support of this message.

Engineer's Report – Thomas Neff

Mr. Neff reported the bid opening is April 25th for the Parmly Road Outfall Repair project with anticipation of contract awarded in early May. The 2016 Road Program is near completion with two more streets left to repave which were delayed due to weather conditions. Also, Resolution R-17-060 Heritage Boulevard Pump Station Upgrades will include a remedy for the overflow to a nearby residential property.

Finance Director – Thomas Fallon

Mr. Fallon reported Resolution R-17-059 Increasing the Amount of the Borough of Tinton Falls LOSAP Contribution, that the amount will be increased from \$1,429.00 per year to \$1,447.00 per year which is a 1.3% increase based upon the CPI increase for 2016.

Administrator – Michael Muscillo

Mr. Muscillo had no report.

Director of Law – Brian Nelson

Mr. Nelson had no report.

Borough Clerk's Report – Maureen L. Muttie

Ms. Muttie had no report.

Council's Report

Councilwoman Fama complimented the staff on a great job in support of the Autism Awareness campaign.

Councilman Manginelli reminded everyone the Environmental Commission will be having a "clean-up" day on April 22nd. The targeted area for cleaning will be at lot near West Park Avenue/Shafto Road (North of WaWa) at 10:00am. All are invited to participate.

Councilman Roche thanked everyone involved with the Autism Awareness display.

Councilman Pak complimented the staff on the great job with the display for Autism Awareness and thanked Mayor Turning for being a great champion for this cause. Councilman Pak also spoke to Mr. Karavites, Board of Education President, regarding Earle Weapons Station issue and Mr. Karavites accepted Council's invite to provide a presentation on the subject.

Council President Baldwin reported there will be a Planning Board meeting April 12th.

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

2017 MUNICIPAL BUDGET

Ms. Muttie read Resolution R-17-058 by title:

Mr. Pak offered a motion to approve the Resolution R-17-058, seconded by Mr. Manginelli.

R-17-058 - RESOLUTION TO READ 2017 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:
 - a.) shall be made available for public inspection, and
 - b.) shall be 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 2017 shall be read by title only.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Baldwin asked the Finance Director, Mr. Fallon, if he would like to comment on the budget.

2017 Budget Summary – Mr. Fallon’s Comments:

Mr. Fallon stated the 2017 Municipal Budget process is a four month process beginning in October 2016. The budget was available for review early March and published according to regulatory requirements. Every three years the budget is required to be reviewed in detail by the State Department of Local Government Services and this year the State reviewed the Borough’s budget and no changes requested or required. The adoption of the budget can proceed.

The budget will have a minimal tax impact on residents. It will increase the tax rate by one half of one cent per one hundred dollars of assessed valuation. The average residential property assessment in Tinton Falls is \$331,000.00 which calculates to an annual increase of \$17.00 or \$4.00 per quarter for property taxes. The municipal debt will be reduced by two half million dollars or 11.8% of our debt burden. Mr. Fallon stated this forward thinking budget will leave the Borough in sound financial footing going forward.

Mr. Pak offered a motion to open the Public Hearing on the 2017 Municipal Budget, seconded by Mr. Roche.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING ON 2017 MUNICIPAL BUDGET OPEN

There being no comments from the public on the Budget, Mr. Pak offered a motion to close the Public Hearing on the 2017 Municipal Budget, seconded by Mr. Manginelli.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

PUBLIC HEARING ON 2017 MUNICIPAL BUDGET CLOSED

Ms. Muttie read Resolution R-17-038 by title.

Mr. Pak offered a motion to approve the Resolution R-17-038, seconded by Mr. Roche.

**SECTION 2 - UPON ADOPTION FOR YEAR 2017
(Only to be Included in the Budget as Finally Adopted)
RESOLUTION R-17-038**

Be It Resolved by the Borough Council of the Borough of Tinton Falls, County of Monmouth that the budget herein before 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) 15,196,680.96 (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. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
 (d) 670,737.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
 (e) (Item 5 below) Minimum Library Tax

Offered: _____ Second: _____ Abstained {
 RECORDED VOTE (Insert last name) Ayes { Nays { Absent {

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated		08-100	3,375,000.00
Miscellaneous Revenues Anticipated		13-099	6,150,723.20
Receipts from Delinquent Taxes		15-499	900,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	15,196,680.96
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 13 (N.J.S. 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 Amount to be Raised by Taxation for School in Type II School Districts Only:			
Item 6(d), Sheet 13 (N.J.S. 40A:4-14)		07-191	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		07-192	
Total Revenues		40000-00	25,622,404.16

Sheet 41

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS			
Within "CAPS"			
(a&b) Operations Including Contingent	XXXXXXX	XXXXXXXXXXXXXXXXXXXX	
(c) Deferred Charges and Statutory Expenditures - Municipal	34-201		18,544,263.00
(g) Cash Deficit	34-209		2,550,835.00
Excluded from "CAPS"	46-885		
(a) Operations - Total Operations Excluded from "CAPS"	XXXXXXX	XXXXXXXXXXXXXXXXXXXX	
(c) Capital Improvements	34-305		441,532.67
(d) Municipal Debt Service	44-999		596,300.00
(e) Deferred Charges - Municipal	45-999		2,464,941.00
(f) Judgements	46-999		
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	37-480		
(g) Cash Deficit	29-405		
(b) For Local District School Purposes	46-885		
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	29-410		
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	50-899		1,024,532.29
	07-195		
Total Appropriations	37-499		25,622,404.16

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 4th day of April, 2017. 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 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 4th day of April, 2017 Clerk
 Sheet 42

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

ROLL CALL *(to adopt 2017 Municipal Budget)*

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

NAYS: None

ABSENT: None

ABSTAIN: None

ORDINANCES FOR INTRODUCTION - None

ORDINANCES FOR FINAL CONSIDERATION – None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION OPEN

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Mayor Turning commented the 2018 budget process will begin sometime in May and he complimented Mr. Fallon on his budgetary efforts. Mr. Baldwin concurred and thanked Mr. Fallon for all his efforts.

RESOLUTIONS

CONSENT AGENDA

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

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

ROLL CALL (to approve Consent Agenda)

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

NAYS: None

ABSENT: None

ABSTAIN: None

**R-17-059 - RESOLUTION INCREASING THE AMOUNT OF THE BOROUGH OF TINTON FALLS
LOSAP CONTRIBUTION**

WHEREAS, the Borough of Tinton Falls created a Length of Service Award Program (LOSAP) by Ordinance 03-1100 adopted July 22, 2003; and

WHEREAS, said Length of Service Award Program provides for annual contributions to eligible members of the Emergency Medical Service Squads; the initial maximum contribution of \$1,150.00 per year being periodically adjusted for CPI increases when so determined by the Borough Council of the Borough of Tinton Falls pursuant to law; and

WHEREAS, the current individual permitted maximum contribution of \$1,429.21 was last adjusted for the CPI in 2016 for the year 2015; and

WHEREAS, the Director of the Division of Local Government Services has authorized the maximum contribution to be increased 1.3% for the year 2016, which would bring the Borough's contribution to \$1,447.79 for each eligible member; and

WHEREAS, the Borough Council of the Borough of Tinton Falls has determined that the annual contribution shall be increased by 1.3% for the year 2016.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the 2016 LOSAP contribution shall be \$1,447.79 for each eligible member of the Emergency Medical Service Squads.

**R-17-060 - RESOLUTION AUTHORIZING CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES
HERITAGE BOULEVARD PUMP STATION UPGRADES**

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Heritage Boulevard Pump Station Upgrade; and

WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-16-289 adopted on December 20, 2016; and

WHEREAS, these services will be described in proposal attached dated March 24, 2017; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$36,735.00; 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 March 24, 2017 for an amount not to exceed \$36,735.00; and

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

I hereby certify funds are available from: Sewer Operating Budget – Capital Outlay

R-17-061 - RESOLUTION REFUNDING RECREATION FEES

WHEREAS, during the month of March fees were paid by a resident of Tinton Falls for their participation in our Father Daughter Dance; and

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of March; and

WHEREAS, during the month of March the Recreation Superintendent was informed by the resident Gregg Klein that they will be unable to attend the Father Daughter Dance due to a unforeseen scheduling conflict. A refund in the amount of \$77.00 shall be issued in which the \$10.00 processing fee and late withdrawal request has been applied.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$77.00 be issued.

R-17-062 - RESOLUTION – APPROVAL OF BILLS – APRIL 4, 2017

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending April 4, 2017; 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.

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

SUMMARY

GENERAL	\$2,921,713.42
SEWER UTILITY	814,422.24
CAPITAL	68,143.35
TRUST FUNDS	15,174.47
DOG TRUST	132.00
ESCROW FUND	15,543.38
ADDITIONS	1,998.78
	<hr/>
	3,837,127.64

ADJOURNMENT TO WORKSHOP

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

ROLL CALL

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

Unfinished Business

None

New Business

Park Improvements:

Mr. Baldwin stated there are Open Space Trust funds to assist with park improvements and Council will discuss both suggested ideas. He invited into the discussions Gary Gebele, Director of Public Works and Sherri Eisele, Superintendent of Recreation.

New Park Facility:

Mayor Turning stated presently there are no recreational facilities past West Park Avenue south to Route 33. He provided a handout from the Borough Engineer who designed a park concept plan with tennis courts, walking trails, fitness stations and parking lots along with a cost estimate provided by the Finance Director. He stated our recreation facilities have increased the property values in Tinton Falls and that is why everyone wants to live here. We need to keep maintaining and growing our recreational facilities. Taxpayers are in favor of their Open Space funds being utilized for recreational purposes.

Mayor Turning listed all the previous improvements accomplished at all the existing Borough parks and recreational facilities. He highlighted all the wise funding decisions that were made for past projects. Also, he commented the southern end of the Borough has a fair concentration of active adult and senior citizen communities which should be taken into consideration when compiling suggestions for this project.

Mr. Baldwin discussed the ongoing projects of park maintenance throughout the years executed by Public Works which have kept the parks in Tinton Falls in decent shape. He discussed the role of the Recreation Department who work with the organizations who request additional sports field use throughout most of the year and the increasing need to balance those requests. Also, what appeals to residents now, such as walking trails which are inexpensive to create would meet residents' active lifestyles.

Mr. Baldwin opened up the discussion to everyone at the workshop for further suggestions and comments. Added to the concept plan were suggested bocce courts, a municipal swimming pool and tennis courts.

**REGULAR/WORKSHOP MEETING
APRIL 4, 2017
BOROUGH COUNCIL**

Also discussed were there bathroom facilities in the plan; would there be an increase to staff for park maintenance and the cost of funding the project.

Mr. Gebel stated he does not see a staff increase to maintain an additional park. Mr. Nelson responded to the inquiry of a municipal pool stating most towns have shut them down due to the liability, high maintenance costs and general expense. Mr. Fallon explained the cost analysis included in the handout and how the costs would be funded over several years. Mr. Neff provided input as to how other towns have funded similar projects by building the park in phases to take advantage of available annual grant funding. Mr. Neff stated there is a NJDEP Recreation Trails Grant that the Borough could also apply for in the amount of \$35,000.00. He will continue to research any applicable grants.

Councilmembers were in general agreement on this project and the benefits to the Borough.

Hockhockson Park – Artificial Turf:

Mayor Turning also asked Council to consider funding the Little League proposal to add artificial turf to one of the baseball fields at Hockhockson Park. The Little League provided a proposal with a cost estimate of \$325,000.00. He would like feedback from Council and stated we have the available funding and he would like to see this project completed.

The discussion concerned the costs and benefits to adding a turf field. The benefits stated were a decreased cost for Public Works staff to maintain the field and the benefit of safety for the players on the field. Ms. Eisele recommended having the first time younger players experience playing on the turf field at Hockhockson Park which is safer; they will have a longer playing season and the positive experience of playing on a turf field will help grow the sport within the Borough.

Mr. Baldwin asked Council for consensus and Council agreed to move forward with the Little League project and he will contact the organization of their decision to consider this project.

ADJOURNMENT

Mr. Roche offered a motion to adjourn, seconded by Mr. Manginelli.

ROLL CALL

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

TIME: 8:53pm

Respectfully Submitted,

Maureen L. Muttie, Borough Clerk

APPROVED AT A MEETING HELD ON: September 5, 2017