

**REGULAR MEETING
OCTOBER 5, 2021
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 6:30 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."

ROLL CALL (Executive Session)

PRESENT: Mrs. Clay, Mr. Manginelli, Mr. Siebert, Ms. Buckley

ABSENT: Mr. Nesci

EXECUTIVE SESSION

Council President Buckley asked Mr. Starkey to read the following Executive Session Resolution:

R-21-195 - 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)

Proposed acquisition of property from NJ Turnpike Authority

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) or (b)(7)

Discussion of contract negotiations pertaining to FMERA properties.
Discussion of contract negotiations with local bargaining units.

4) **Litigation/Potential Litigation** – N.J.S.A. 10:4-12(b)(7)

None

Mrs. Clay offered a motion to approve Resolution R-21-195, seconded by Mr. Manginelli.

ROLL CALL

AYES: Mrs. Clay, Mr. Manginelli, Mr. Siebert, Ms. Buckley

ABSTAIN: None

NAYS: None

ABSENT: Mr. Nesci

Council President Buckley advised that at this time Council would move into Executive Session.

Council President Buckley advised that Council was back on the record at 7:34 PM for the start of the Regular Meeting.

ROLL CALL (Regular Meeting)

PRESENT: Mrs. Clay, Mr. Manginelli, Mr. Siebert, Ms. Buckley

ABSENT: Mr. Nesci

ALSO PRESENT: Melissa Hesler, Borough Clerk

Kevin Starkey, Director of Law

Vito Perillo, Mayor

Thomas Fallon, Acting Borough Administrator/Director of Finance

Thomas Neff, Borough Engineer

Council President Buckley asked the Director of Law, Kevin Starkey to summarize the executive session discussion.

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Mr. Starkey stated that there were two items discussed in Executive Session, the Council discussed the contract negotiations pertaining to FMERA properties and contract negotiations with local bargaining units..

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Mr. Siebert offered a motion to approve the July 13, 2021, Regular Meeting Minutes seconded by Mrs. Clay.

ROLL CALL

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

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer – Thomas Neff

Mr. Neff stated that on the consent agenda for consideration is an award of contract for the sidewalk improvement project to Your Way Construction. Mr. Neff stated that the contracts are for the south end of Foxchase Drive and will replace the current asphalt walkway with concrete. He stated the project would also include Shrewsbury Avenue from Newman Springs Road to Sycamore Avenue, filling in missing sections of sidewalks and fixing some of the handicap ramps. Mr. Neff mentioned Wardell Park which is being used extensively and there have been some complaints concerning the pickleball court noise. The Borough is addressing the issue by installing sound wall barriers around the pickleball court to help with noise reduction.

Director of Finance/ Acting Borough Administrator- Thomas Fallon

Mr. Fallon reported on receiving the 2021 Best Practices Inventory from the State and will report the results at the November 9th meeting. The 2022 budget process has begun and will follow the statutory budget calendar as in the past.

Mayor’s Report – Mayor Vito Perillo

Mayor Perillo had no report.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Melissa Hesler

Ms. Hesler had no report.

Council’s Reports

-Mrs. Clay reported that last week the Cannabis Sub-committee met and with the help of professionals, Mr. Starkey, and Mr. Manginelli they are making excellent progress and plan to have an acceptable ordinance.

-Mr. Manginelli had no report.

-Mr. Siebert stated the next Library Board meeting is Thursday, November 7th

-Ms. Buckley reported that she attended the last Environmental Commission meeting which was held in person and the topic of discussion was recycling. Ms. Buckley mention the Planning Board meeting is November 13th.

ORDINANCES FOR INTRODUCTION

Mrs. Hesler read the title of Ordinance 2021-1479: Ordinance Authorizing And Regulating Residents Keeping Backyard Chickens, Pursuant To An Amendment To Chapter 8, “Animal Control,” To Add A New Section To Be Entitled “Backyard Chickens In Tinton Falls” And To Amend Section 40-37 Of The Land Use Regulations To Allow The Keeping Of Backyard Chickens

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Mrs. Hesler stated that public hearing would be scheduled for Tuesday October 19, 2021.

Mr. Siebert offered a motion to introduce Ordinance No. 2021-1479 seconded by Mr. Manginelli.

ROLL CALL

AYES: Mrs. Clay, Mr. Manginelli, Mr. Siebert, Ms. Buckley

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

ORDINANCE 2021-1479

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**ORDINANCE AUTHORIZING AND REGULATING RESIDENTS KEEPING BACKYARD CHICKENS,
PURSUANT TO AN AMENDMENT TO CHAPTER 8, "ANIMAL CONTROL," TO ADD A NEW
SECTION TO BE ENTITLED
"BACKYARD CHICKENS IN TINTON FALLS" AND TO AMEND SECTION 40-37 OF THE LAND USE
REGULATIONS TO ALLOW THE KEEPING OF BACKYARD CHICKENS**

WHEREAS, the keeping of backyard chickens and other fowl and livestock is generally prohibited under the Tinton Falls Land Development Ordinance, §40-37.B.1; and

WHEREAS, surrounding communities have successfully initiated programs that provide for the allowance of backyard chickens; and

WHEREAS, the State of New Jersey encourages municipalities to promote sustainable programs; and

WHEREAS, the keeping of "Backyard Chickens" is a means by which sustainability can be achieved; and

WHEREAS, in light of the above, the Borough Council of Tinton Falls deems it in the best interests of the citizens of the Borough to amend Chapter 8, Animal Control, to authorize a program which permits the keeping of "Backyard Chickens" under certain circumstances; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that:

SECTION 1. Chapter 8 of the Borough Code of Tinton Falls shall be amended to create a new Section 8-7, to be entitled "Backyard Chickens in Tinton Falls," and which shall read as follows:

§ 8-7. BACKYARD CHICKENS IN TINTON FALLS

§ 8-7.1. Rules and Regulations.

This Ordinance establishes a temporary 2-year pilot program (the "Pilot Program") to authorize the residents of Tinton Falls to keep Backyard Chickens, subject to the terms and conditions set forth herein.

§ 8-7.2. Eligibility; restrictions.

A. The following shall be eligible to participate in this program: residents of single-family homes with a minimum lot size of one-half acre.

B. For purposes of this Ordinance, no more than twenty-five (25) licenses will be issued at \$10.00 each, on an annual basis.

C. There shall be a limit of four (4) chickens per license during the Pilot Program. Roosters are prohibited.

§ 8-7.3. License required; fee; completion of class required.

A. No person shall keep chickens on their property without first obtaining a license from the Municipal Clerk's Office and paying the required fee. No license shall be issued unless the applicant has demonstrated compliance with all criteria set forth in the herein. Applicants who already keep chickens shall be given priority in the licensing process.

B. A non-refundable annual license fee of \$10.00 shall be paid for each license issued for participation annually. No more than one license may be issued per household.

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C. Any applicant wishing to keep chickens shall be required to complete a class on the basics of raising backyard chickens. Proof of attendance must be presented with the completed application. The Borough will provide a class minimally once a year at a nominal fee. The handling of this class will be the exclusive responsibility of the Chicken Advisory Board. A member of the Chicken Advisory Board will review the application with the applicant prior to submission.

§ 8-7.4. Requirements for coops and runs.

Participant shall comply with the following regulations and conditions for keeping and housing of chickens:

A. The coop shall be suitable in size to house the number of chickens subject to this program and shall provide at least four (4) square feet per chicken. The coop shall have four walls, a floor, a roof, be moisture-proof and well-ventilated with windows to admit sunlight. The maximum height of the coop shall not exceed seven (7) feet. The coop must be kept clean. If water or electric is run to the coop, then permits from the building department must be obtained.

B. A run must be attached to the coop and must also be at least 20 feet from the habitable portion of the neighboring residential dwelling. The run size must be at least eight (8) square feet for each chicken.

C. The coop and run shall be located in the backyard, and shall be located no closer than 20 feet from the windows and/or doors of the habitable portion of the neighboring residential dwelling. Garages, attached or otherwise, and accessory buildings shall not be considered a “residential dwelling” for purposes of calculating the required distance. A visual buffer shall be installed as needed.

D. The coop and enclosed run must be made predator-proof and must include construction cloth.

E. Clean water must be provided, and food must be kept tightly closed in a metal container away from the coop and run at night. Chicken feed must be provided only inside the run, not outside and not in the coop.

F. The yard in the area where the coop is located shall be clean and free from odors.

G. Chickens may temporarily “free range” outside of the coop in a suitably contained area provided that an adult, age eighteen (18) or older, is present in the yard the entire time. The property must be completely fenced where chickens are allowed to be “free range.”

H. All chickens must be kept in the coop overnight.

I. Waste will be handled by the participant to prevent offensive odors and disposed in an environmentally-friendly manner.

J. There shall be no selling of eggs.

K. There shall be no slaughtering of chickens in the Borough.

§ 8-7.5. Creation of “chicken advisory board”; complaints.

A. A Chicken Advisory Board consisting of six (6) members shall be formed, including a Chair, Vice Chair and Secretary. All members shall serve a term of two (2) years. The members shall be appointed by the Borough Council. The Board shall include at least one member of the Monmouth County Society for the Prevention of Cruelty to Animals (MCSPCA). The Board shall meet on a regular basis, at least once per month, and shall keep minutes which shall be submitted along with a quarterly report to the Liaison for Borough Council. These reports will include any activities of the Board, as well as any complaints and resolutions from residents concerning backyard chickens.

B. If a complaint is received by the Borough, it will be forwarded to the Chicken Advisory Board for investigation by two members of the Board. If the Board finds a violation of the regulations set forth in this Section, solutions will be discussed with the offending resident to allow them to meet the requirements of the program as soon as possible. However, if after fourteen (14) days the violation has not been remedied, the Chicken Advisory Board will notify the Council liaison so that code enforcement proceedings can be implemented. Complaints involving rodents or animal mistreatment shall be addressed immediately.

C. The Chicken Advisory Board shall be authorized to conduct a site visit to any property with chickens under this Chapter with at least forty-eight (48) hours’ notice.

D. The Chicken Advisory Board will assist anyone who no longer desires to keep backyard chickens with the relocation of their chickens.

E. The Chicken Advisory Board shall develop written procedures and practices for the raising of chicks by licensees. No licensee shall raise chicks until after such procedures and practices are issued. Any chick raising shall be in compliance with such procedures and practices.

F. The Borough Council shall review and re-evaluate the 2-year Pilot Program at the end of the term and determine whether the program shall continue and/or be amended.

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§ 8-7.6. Revocation of license.

Failure to comply with the conditions and regulations set forth in this Ordinance shall result in revocation of the license and the removal and relocation of chickens. The applicant shall be notified by certified mail of the license revocation. All chickens and coops shall be removed within one (1) week after receipt of such notice of revocation.

§ 8-7.7. Violations and Penalties.

The owner or tenant shall, for each and every violation, be liable to the penalty stated in Chapter 1, Section 1-5. Each and every day that such violation continues shall be considered a separate and specific violation of this section and not as a continuing offense.

SECTION 2. Chapter 40 of the Borough Code of Tinton Falls, entitled “Land Use Ordinance,” shall be amended to add the following (additions indicated as underlined) to current Section 40-37.B, “Conditional Uses”:

§ 40-37. Conditional Uses.

- A. General. The Planning Board shall not approve a conditional use unless it finds that the use meets all the requirements of this Chapter, does not substantially impair the use and enjoyment of surrounding properties, does not substantially impair the character of the surrounding area and does not have any adverse effect on surrounding properties.
- B. Requirements for Specific Uses.
 - 1. Agricultural Uses. The intent of this section is to allow for the continued use of agricultural properties at a scale that is consistent with the minimum standards required for inclusion in New Jersey Department of Agriculture SADC preservation requirements. Agricultural uses, buildings and structures, as defined in this Chapter, may be located, when approved as conditional uses, in the zone as specified in Schedule A subject to the following:
 - a. The property on which agricultural activities are to take place must contain a minimum of five acres if the property does not include a residence and is solely used for agricultural activities.
 - b. The property on which agricultural activities are to take place must contain a minimum of six acres if the property includes a residence and is solely used for agricultural activities.
 - c. The following shall be exempt from the requirements of this Section 40-37: the keeping of Backyard Chickens in compliance with Section 8-7 of this Code.

* * *

SECTION 3. 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 4. 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 5. This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

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

ROLL CALL

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

Craig Gately, 10 Polo Club Drive – Mr. Gately commented he is strongly in support of the backyard chicken ordinance but stated he thought it was too restrictive and listed where in the ordinance he had concerns. He volunteered to be on the Chicken Advisory Board. He expressed his disappointment at the cancellation of Community Day. He stated he was happy to hear about the formation of the Cannabis Commission and looking forward to Council’s progress.

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Borough Clerk Melissa Hesler read a comment submitted by Michelle Schneider, 729 Sycamore Avenue –“ Hello, I heard the awesome news about the proposed chicken ordinance. I know if passed only a small amount of homeowners will be able to apply for a license. I would love to be one of them. I own 729 Sycamore Ave. Which is a old historic farm house. I have just under 2-1/2 acres that’s completely fenced in. I would like to be considered as one of the possible homes to have chickens. I would keep them inside a coop & have a separately fenced area for them. I would graciously attend any training classes & home checks. In fact I welcome it. This will be all new to me & I look forward to learning a lot. Thank you for your consideration. If there is a future meeting or information on this matter please let me know.

Dawn Smith, 3 Denise Court – Ms. Smith expressed her concern about having a domesticated animal and chickens next door. Specifically, her concern is owning a lab dog who may attack a chicken if it strays into her yard. She wanted to know what type of liability this situation would present. Mr. Starkey stated the homeowner with the dog is responsible for keeping their animal fenced in their yard as is their neighbor’s responsibility to keep their animals fenced in on their property.

There being no further comments, Mrs. Clay offered a motion to close the Public Discussion, seconded by Mr. Siebert.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS – None

CONSENT AGENDA

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

ROLL CALL

AYES: Mrs. Clay, Mr. Manginelli, Mr. Siebert, Ms. Buckley

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

R-21-196 - RESOLUTION APPROVING THE TERMS OF A SUCCESSOR COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF TINTON FALLS AND PBA LOCAL 251

WHEREAS, the Borough of Tinton Falls (“Borough”) and PBA Union Local 251 (“PBA”) have engaged in negotiations for a successor collective negotiations agreement (“CNA”); and

WHEREAS, the Borough and the Union have agreed to the terms and conditions set forth in a Memorandum of Agreement (“MOA”); and

WHEREAS, The Union has ratified the terms in the MOA; and

WHEREAS, the Borough wishes to approve the terms contained in the MOA and approve the form of the draft successor collective negotiations agreement for the term January 1, 2022-December 31, 2026.

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

- 1) That the Borough hereby accepts and approves the terms contained in the MOA and the successor collective negotiations agreement with the Union in substantially the same form as attached hereto; and
- 2) The Mayor is authorized to execute the successor collective negotiations agreement on behalf of the Borough; and
- 3) This Resolution shall take effect immediately.

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R-21-197 - RESOLUTION OF AWARD OF CONTRACT #21-4 2021 SIDEWALK IMPROVEMENTS PROGRAM

WHEREAS, five (5) bids were received on Thursday, September 23, 2021 for Contract #21-4 for 2021 Sidewalk Improvements Program; and

WHEREAS, Your Way Construction, 404 Coit Street, Irvington, NJ 07111 submitted the lowest responsible bid in the amount of \$560,510.21 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 September 27, 2021; and

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

NOW, THEREFORE BE IT RESOLVED that Your Way Construction, 404 Coit Street, Irvington, NJ 07111 be awarded a contract in the amount of \$560,510.21 for the 2021 Sidewalk Improvements 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: Ordinance 2021-1477

R-21-198 - RESOLUTION AUTHORIZING PURCHASE UNDER SOURCEWELL COOPERATIVE FOR FURNITURE

WHEREAS, the Borough of Tinton Falls is in need to purchase office furniture for various offices; and

WHEREAS, the Borough of Tinton Falls is a current member of the Sourcewell Cooperative as approved by Resolution #R-16-123; and

WHEREAS, Staples, 45 Cedar Lane, Englewood, NJ 07631 is a valid vendor on Sourcewell Cooperative, for office furniture for a total purchase price in the amount of \$8,747.26; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid Sourcewell Cooperative:

I hereby certify funds are available from: Current Budget
Sewer Operating Budget

R-21-199 - RESOLUTION - DENYING RELEASE OF MAINTENANCE GUARANTEE FOR CAPELLI SPORT COMPLEX PHASES 2 & 3 BLOCK 111 LOTS 10.01, 11 & 12.01

WHEREAS, the maintenance guarantee is set to expire and for purposes of releasing maintenance guarantee and inspection was conducted for Capelli Sport Complex Phases 2 & 3, Block 111, Lots 10.01, 11 & 12.01; and

WHEREAS, by letter dated September 21, 2021, (said letter hereby attached and made part of this Resolution) the Engineer, T&M Associates, has outlined the items which need to be addressed prior to the release of performance guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that based on the facts as set forth in the Engineer's letter of September 21, 2021, any request for release of the Maintenance Guarantee be and hereby is denied.

R-21-200 - RESOLUTION CANCELING 2021 TAXES

WHEREAS, an overbilling of 2021 taxes has been made as a result of Tax Court Judgements reducing the assessed values for the tax year 2021 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Luckoil North America, LLC 302 Harper Drive, Ste 303 Moorestown, NJ 08057	15.03	16.02	\$2,035.79

Re: Prop. Loc: 590 Shrewsbury Avenue

and,

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R-21-202 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>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	25	16	\$16,856.00

Re: Tinton Falls Owner 2014
990 & 1000 Shrewsbury Avenue
and,

WHEREAS, said reduction has resulted in an overpayment of the 2019 taxes by the property owner in the amount of \$16,856.00 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 \$16,856.00 is hereby approved for the aforementioned property. Said refund 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 overpayment to be \$16,856.00.

R-21-203 - 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>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	25	16	\$8,920.24

Re: Tinton Falls Owner 2014
990 & 1000 Shrewsbury Avenue
and,

WHEREAS, said reduction has resulted in an overpayment of the 2019 taxes by the property owner in the amount of \$8,920.24 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 \$8,920.24 is hereby approved for the aforementioned property. Said refund 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 overpayment to be \$8,920.24.

R-21-204 - RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #3096 was issued to the Borough of Tinton Falls for delinquent property taxes on Block 13.04 Lot 82 (536 Shrewsbury Avenue), assessed to Legacy Capital, LLC., at a tax sale held on December 6, 2017; and

WHEREAS, Dawn Page, as managing member of Legacy Capital, LLC., has redeemed Certificate #3096 by paying the full amount of the delinquency.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to endorse Certificate of Sale #3096 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #3096 was redeemed on September 30, 2021.

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R-21-205 - RESOLUTION – REFUNDING ESCROW – STAVOLA REALTY COMPANY

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:

STAVOLA REALTY COMPANY STA5975CO \$2,208.83

R-21-206 - RESOLUTION – APPROVAL OF BILLS – OCTOBER 5, 2021

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending October 5, 2021; 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	3,300,890.27
SEWER UTILITY	263794.85
GENERAL CAPITAL	26,878.44
GRANT FUND	959.94
TRUST FUNDS	26,949.44
DOG TRUST FUND	3,025.00
ESCROW	42,717.41
TOTAL	3,665,215.35

Council President Buckley advised that at this time Council would adjourn the regular meeting and move back into Executive Session.

ADJOURNMENT (Regular Meeting)

Mrs. Clay offered a motion to adjourn regular meeting, seconded by Mr. Seibert.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

TIME: 7:48 pm

EXECUTIVE SESSION

Council President Buckley advised that Council was back on the record at 8:24 PM.

Council President Buckley asked the Director of Law, Kevin Starkey to summarize the executive session discussion.

Mr. Starkey stated that there one item left to discuss in Executive Session, the Council discussed the preferred acquisition property from the NJ Turnpike Authority.

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ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

TIME: 8:24 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

Tracy Buckley, Council President

APPROVED AT A MEETING HELD ON: January 4, 2022