

**REGULAR/WORKSHOP MEETING
AUGUST 8, 2017
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:33 PM.

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

ROLL CALL

PRESENT: Ms. Fama, Mr. Manginelli, Mr. Roche, Mr. Baldwin
ABSENT: Mr. Pak
ALSO PRESENT: Maureen L. Muttie, Borough Clerk
 Brian Nelson, Director of Law
 Elizabeth Perez, Interim Borough Administrator

All present stood for Salute to Flag.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Interim Borough Administrator – Elizabeth Perez

Ms. Perez reported attending the Junior Police Academy graduation along with the Mayor and Councilmember Manginelli and provided a brief explanation of the program activities and benefits. Ms. Perez thanked Gary Gebele and DPW staff for starting the installation of a new gazebo at Liberty Park donated by FMERA. Also, Ms. Perez noted recent reorganization of staff and responsibilities within the Borough. Vital Statistics and Registrar duties have been transferred to the Borough Clerk's Office and a newly created office called Reception/Information has been implemented. Ms. Perez mentioned the successful summer camp season run by the Recreation Department who has seen an increase in enrollment this year. Upcoming recreation fall programs were mentioned.

Director of Law – Brian Nelson

Mr. Nelson reported on Ordinances on the agenda that were workshopped previously which were the invasive plants, towing fee schedule and parking issues on Springdale Avenue. He commented on the Community Service Agreement with Winding Brook Condominium Association which resolved the solid waste collection issues. Also, Mr. Nelson stated there would be an executive session scheduled in September to discuss the Affordable Housing issues.

Borough Clerk's Report – Maureen L. Muttie

Ms. Muttie had no report.

Council's Report

Councilwoman Fama had no report.

Councilman Manginelli commented he enjoyed attending the Junior Police Academy graduation and was quite impressed by the performance of its participants.

Councilman Roche had no report.

Council President Baldwin reported the next Planning Board meeting has been cancelled due to lack of agenda. Also, Seabrook Village has offered to donate a park bench. On August 15th Council President Baldwin and Gary Gebele, Director of DPW, will go to Seabrook to accept the bench. Mr. Gebele will place bench in the appropriate place in one of the parks.

ORDINANCES FOR INTRODUCTION

Ms. Muttie read Ordinance No. 2017-1415 entitled: **ORDINANCE PROHIBITING AND REGULATING THE PLANTING AND GROWTH OF INVASIVE PLANTS**

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WHEREAS, the planting and uncontrollable growth of invasive plant species has become a reoccurring problem causing disputes between various property owners in the Borough of Tinton Falls (“the Borough”), may cause public health hazards, and damage trees, other non-invasive vegetation and structures.

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 Revised General Ordinances of the Borough of Tinton Falls be and are hereby amended and supplemented as follows:

SECTION 1. Purpose.

The purpose of this chapter is to protect property and promote public health through the control of the growth of Invasive Plant species.

SECTION 2. Definition.

As used in this chapter, the term “Invasive Plant(s)” shall mean:

All native and non-native vines and vegetation that grow out of place and are competitive, persistent and pernicious, including but not necessarily limited to: bamboo (spreading or running type), ragweed, multi flora rose, and kudzu vines.

SECTION 3. Planting of Invasive Plants Prohibited.

All new planting of Invasive Plant species are strictly prohibited.

SECTION 4. Control of Growth of Pre-Existing Invasive Plants.

All pre-existing Invasive Plant species are highly recommended to be removed, but if not removed, shall be subject to containment through the use of appropriate barriers or other methods to prevent growth beyond the boundaries of the property upon which such species were previously planted. The failure to control the growth of pre-existing Invasive Plant species beyond the boundaries of the property upon which they were originally planted, or areas in which such Invasive Plants exist on the effective date of this chapter, may constitute a violation of this chapter if such growth enters other properties or presents a public health hazard to a greater extent than currently exists.

SECTION 5. Inspections.

All places or premises in the Borough of Tinton Falls shall be subject to inspection by any duly appointed enforcing officer upon a reasonable belief that any section of this chapter is being violated.

SECTION 6. Removal or Abatement.

- A. Whenever any Invasive Plant found on any plot of land, lot, premises or place within the Borough of Tinton Falls is found to violate any section of this chapter, a written notice of violation shall be issued to the property owner to remove or abate the growth of the Invasive Plant(s) as specified in said notice within thirty (30) calendar days. Such removal or abatement shall be at the property owner’s sole cost and expense.
- B. Within fifteen (15) calendar days of the receipt of a notice of violation under this chapter, an administrative appeal or request for up to a sixty (60) calendar day maximum removal or abatement period extension may be made, in writing, to the enforcing officer, which shall have sole discretion to make a determination on the same based on the particular facts and circumstances presented. If no determination is received in return from the enforcing officer within seven (7) calendar days of receipt of the appeal or request, it shall be deemed to have been automatically denied.
- C. If a property owner fails to comply with a notice of violation within the specified time, it shall constitute a violation subject to a penalty under Section 7 of this chapter. Further, if the Borough of Tinton Falls is compelled to remove or abate any Invasive Plant growth unaddressed beyond the removal or abatement period under a duly issued notice of violation, it shall reserve the right to place a lien on the property to recover the actual cost of removing or abating the growth of the Invasive Plant species regardless of whether any penalties have been or may be imposed against the property owner.

SECTION 7. Violations and Penalties.

All violations and penalties of the provisions of this chapter shall be addressed pursuant to Section 1-5 of the Revised General Ordinances of the Borough.

SECTION 8. 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 9. 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 10. Effective Date.

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

Ms. Fama offered a motion to introduce Ordinance No. 2017-1415, seconded by Mr. Roche.

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ROLL CALL

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

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

Public Hearing/Adoption will be held on September 5, 2017.

Ms. Muttie read Ordinance No. 2017-1416 entitled: **ORDINANCE AMENDING TOWING FEE SCHEDULE AND REGULATIONS**

WHEREAS, the Tinton Falls Police Department recommends certain amendments be made to the Borough's towing fee ordinance to ensure necessary services are available to the police when needed and all applicable regulations are followed.

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 Sections 5-8.11 and 5-8.14 of the Revised General Ordinances of the Borough of Tinton Falls be and are hereby repealed and replaced in its entirety as follows:

SECTION 1. Amendment of Section 5-8.11.

5-8.11 Charges for Towing and Storage Related Services.

- A. No licensee shall charge fees in excess of the maximum fees set forth in this chapter.
- B. There shall be a reduced fee of sixty-five dollars (\$65) charged to the Borough of Tinton Falls for the towing of any Borough police vehicle within a ten (10) mile distance from Tinton Falls.
- C. Charges for transportation, hauling or services of disabled vehicles by any licensed wrecker or operator of any licensed wrecker under this chapter, and storage of said vehicle, shall comply with the rates established by the State of New Jersey for vehicles covered by State Statutes; for vehicles not covered by State Statutes, charges shall not exceed the following rates as established by the Borough:
 - 1. Vehicles with a GVW up to 10,000 pounds: one hundred thirty dollars (\$130).
 - 2. Vehicles with a GVW 10,000 pounds to 26,000 pounds: two hundred ten dollars (\$210).
 - 3. Vehicles with a GVW 26,001 pounds and over: three hundred sixty dollars (\$360) per hour with a one hour minimum. Once over the first hour, charges shall accrue in thirty (30) minute increments.
 - 4. Service calls for tire changes, jump starts, fuel delivery and roadside repairs shall be seventy five dollars (\$75).
 - 5. Winching service shall be charged at a rate of one hundred eighty dollars (\$180), said service to be charged in thirty (30) minute increments with a one (1) hour minimum. This charge shall include the use of additional equipment to remove the vehicle. This charge shall not be charged by a licensee for simply pulling the vehicle onto the tow truck during the course of a standard tow.
 - 6. Clean-up and labor charges shall be charged at a rate of thirty five dollars (\$35) per hour, plus fifteen dollars (\$15) for each bag of absorbent material used. This charge is for clean-up and/or removal of debris or mechanical work to ready the vehicle for towing.
 - 7. A one-time administrative fee of fifty dollars (\$50) shall be charged for compensating the licensee for allowing owners to retrieve property, inspection of the vehicles by insurance companies, and any additional paperwork beyond the initial towing bill.
 - 8. For conveying a passenger car to other than the tower's facility (i.e., owner's home, another garage) a fee of five dollars (\$5) per mile shall be charged for all distances of greater than five (5) miles. This is in addition to the prescribed rate for actual towing of vehicle.
 - 9. For conveying a vehicle in excess of four (4) tons, as specified above, a charge of ten dollars (\$10) per mile shall be charged for all distances greater than five (5) miles. This is in addition to the prescribed rate for actual towing of vehicle above.
 - 10. Waiting time shall be charged at a rate of sixty dollars (\$60) per hour only after the first thirty (30) minutes on scene.
 - 11. Storage fees shall be charged at a rate of thirty five dollars (\$35) per day with the first twenty four (24) hours not charged.
 - 12. Any crane service used will be determined for cost by licensee and owner/driver of the vehicle.
- D. All disputes as to fares shall be determined by the Chief of Police. The police officer at the scene shall report any disputes to the Chief of Police in the form of an operational report, as soon as possible.

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- E. During adverse weather conditions, licensed towers may be requested by the Borough to tow stalled, parked or abandoned vehicles for the purpose of plowing or removing snow from the streets or permitting the proper flow of traffic. For such towing service, licensed towers shall charge a maximum fee of one hundred and thirty dollars (\$130) per vehicle. The request for such towing shall be made by the Borough Police Department.
- F. A fee schedule conspicuously indicating the maximum rate for towing and storage of a vehicle from within the Borough, shall be kept in the possession of the drivers of the wreckers and presented to the driver/owner of any vehicle prior to any vehicle being towed by a licensee. An itemized bill list shall further be supplied to each person towed, upon request.

SECTION 2. Amendment of Section 5-8.14.

5-8.14 Equipment on Vehicles.

No licensee shall possess or exhibit flashing lights except as provided under N.J.S.A. 39:1-1 et seq.

- a. A minimum of two (2) flashing yellow lights pointed to the rear and so mounted as not to be obstructed by any motor vehicle being towed by the licensee.
- b. A minimum of two (2) flashing yellow lights spaced at least four (4) feet apart and so constructed as to be mountable on the rear of any vehicle being towed.
- c. A three hundred sixty (360) degree rotating amber beacon light mounted over the cab.
- d. All lights of such candlepower in intensity as to be visible one-fourth (1/4) of a mile away.
- e. Dual rear wheels or equivalent.
- f. Originate from a garage equipped with a portable car dolly.
- g. A power take off controlled winch with a minimum cable thickness of three-eighths (3/8ths) of an inch or equivalent.
- h. Weight equal to the vehicles to be towed, with a minimum of five thousand five hundred (5,500) pounds.
- i. A three-eighths (3/8ths) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the wrecker.
- j. One (1) shovel and one (1) broom for use in removing debris from roadway.
- k. One (1) twenty (20) pound dry chemical fire extinguisher.
- l. One (1) five (5) gallon bucket of sand.
- m. Each tow vehicle shall be permanently lettered on both sides in accordance with Title 39.
- n. Each tow vehicle must satisfy all safety standards as established by Title 39 and applicable regulations.
- o. Each person responding with the tow vehicle shall wear a reflective safety vest.
- p. Each tow vehicle shall be equipped with containers capable of holding loose material to be removed from the scene.

SECTION 3. 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 4. 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 5. Effective Date.

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

Mr. Roche offered a motion to introduce Ordinance No. 2017-1416, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

Public Hearing/Adoption will be held on September 5, 2017.

Ms. Muttie read Ordinance No. 2017-1417 entitled: ORDINANCE PROHIBITING PARKING ON PORTION OF SPRINGDALE AVENUE

WHEREAS, concerns have been raised over reoccurring parking issues on Springdale Avenue between Apple and Peach Streets being used by local commercial establishments that prevent sufficient access for emergency vehicles into the neighborhood and the Police Department, therefore, recommends prohibiting parking on a portion of Springdale Avenue.

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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 Section 7-3.4 of the Revised General Ordinances of the Borough of Tinton Falls be and is hereby amended and supplemented as follows:

**SECTION 1. Amending and Supplementing Section 7-3.4
7-3.4 Parking Prohibited at All Times on Certain Streets.**

Name of Street	Side	Location
<u>Springdale Avenue</u>	<u>Both</u>	<u>From intersection of Apple Street to intersection of Peach Street</u>

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.

Ms. Fama offered a motion to introduce Ordinance No. 2017-1417, seconded by Mr. Roche.

ROLL CALL

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

Public Hearing/Adoption will be held on September 5, 2017.

ORDINANCES FOR FINAL CONSIDERATION – None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: Mr. Pak
ABSTAIN: None

PUBLIC DISCUSSION OPEN

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

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: Mr. Pak
ABSTAIN: None

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PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS

CONSENT AGENDA

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

ROLL CALL (to approve Consent Agenda)

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

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

**R-17-120 - RESOLUTION APPOINTING BOROUGH REGISTRAR OF VITAL STATISTICS,
DEPUTY REGISTRAR AND ALTERNATE DEPUTY REGISTRAR**

WHEREAS, pursuant to N.J.S.A. 26:8-11 et seq., the governing body of a municipality with no local board of health shall appoint a Registrar of Vital Statistics; and

WHEREAS, Maureen L. Muttie is a Certified Municipal Registrar and is qualified for the position of Municipal Registrar, having received her Certification from the New Jersey Department of Health and Senior Services; and

WHEREAS, pursuant to N.J.S.A. 26:8-17, the Registrar "immediately upon acceptance of the appointment, shall appoint a deputy to assist in the normal, day-to-day operation of the office and whose duty shall be to act in the registrar's stead in case of absence, disability or death of the registrar" and may also appoint an alternate deputy registrar.

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 Maureen L. Muttie, Borough Clerk, be and is hereby appointed to serve as the Registrar of Vital Statistics for the Borough of Tinton Falls pursuant to N.J.S.A. 26:8-11 and N.J.S.A. 26:8-13.

BE IT FURTHER RESOLVED that the Borough Council hereby consents to and ratifies the Registrar appointment of Doreen D'Annunzio as Deputy Registrar and Catherine Kesselman as Alternate Deputy Registrar.

BE IT FURTHER RESOLVED that the office of the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State Registrar's office.

BE IT FURTHER RESOLVED that this Resolution shall take effect August 9, 2017.

**R-17-121 - RESOLUTION AUTHORIZING NEW QUALIFIED PRIVATE COMMUNITY SERVICE
AGREEMENT WITH WINDING BROOK CONDOMINIUM ASSOCIATION, INC.**

WHEREAS, Winding Brook Condominium Association, Inc. ("Winding Brook") is a "qualified private community" as defined in N.J.S.A. 40:67-23.2, located within the Borough of Tinton Falls ("the Borough"); and

WHEREAS, N.J.S.A. 40:67-23.3 provides that a municipality shall either provide certain enumerated services to a qualified private community in the same fashion as the municipality provides these services on public roads or streets or provide reimbursement for the cost of providing said services; and

WHEREAS, N.J.S.A. 40:67-23.5 provides that a municipality shall enter into a written agreement to reimburse a qualified private community for services that it does not provide directly; and

WHEREAS, Winding Brook and the Borough entered into a Qualified Private Community Service Agreement in 1999 (the "1999 QPCSA"); and

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WHEREAS, the Borough and Winding Brook have negotiated a new agreement which sets forth the obligations of the parties and an acceptable methodology for the Borough to reimburse Winding Brook for the provision of services to its residents when those services are not provided by the Borough now to include solid waste collection.

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 ratifies and authorizes the execution of the newly negotiated Qualified Private Community Service Agreement between the Borough and Winding Brook in the form attached hereto and made part hereof subject to final review by the Director of Law to supersede the 1999 QPCSA between the Borough and Winding Brook.

**R-17-122 - RESOLUTION OF AWARD OF CONTRACT #17-2
WATER STREET SANITARY SEWER IMPROVEMENTS**

WHEREAS, six (6) bids were received on Thursday, July 27, 2017 for Contract #17-2 for the Water Street Sanitary Sewer Improvements; and

WHEREAS, Messercola Excavating Inc., 549 East 3rd Street, Plainfield, NJ 07060 submitted the lowest responsible bid for a total amount of \$83,360.95 for the above contract; and

WHEREAS, the Director of Law has found the bid to be in order, and Thomas P. Neff, P.E., P.P., C.M.E., of T&M Associates, recommends award in his bid report attached dated August 1, 2017.

NOW, THEREFORE BE IT RESOLVED that Messercola Excavating Inc., 549 East 3rd Street, Plainfield, NJ 07060 be awarded a contract in the amount of \$83,360.95 for the Water Street Sanitary Sewer Improvements.

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

**R-17-123 - RESOLUTION AUTHORIZING CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES
IMPROVEMENTS TO HANCE PARK PLAYGROUND IMPROVEMENTS**

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Hance Park Playground Improvements; 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 July 26, 2017; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$14,850.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in proposal dated July 26, 2017 for an amount not to exceed \$14,850.00; and

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

**R-17-124 - RESOLUTION AUTHORIZING CHANGE ORDER #1
REDUCING CONTRACT #17-1 IN THE AMOUNT OF \$1,282.20
PARMLY ROAD OUTFALL REPAIRS**

WHEREAS, Contract #17-1 for the Parmly Road Outfall Repairs was awarded to Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111, by Resolution R-17-066 in the amount of \$63,956.50 at a Council Meeting held on May 2, 2017; and

WHEREAS, Change Order #1 dated July 7, 2017 for a decrease of \$1,282.20 for reasons described therein, for a total contract in the amount of \$62,674.30.

NOW, THEREFORE, BE IT RESOLVED the Borough Council of the Borough of Tinton Falls authorizes change order #1 decreasing Contract #17-1 in the amount of \$1,282.20 for a total contract in the amount of \$62,674.30 is hereby authorized for the above contract awarded to Your Way Construction, Inc.

**R-17-125 - RESOLUTION AUTHORIZING MAYOR, ADMINISTRATOR AND DIRECTOR OF PUBLIC
WORKS TO EXECUTE TWA-1 FORMS FOR PROJECT: HERITAGE BOULEVARD
PUMP STATION UPGRADES**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the following are hereby authorized to execute TWA-1 Forms on behalf of the Borough of Tinton Falls for the Heritage Boulevard Pump Station Upgrades project.

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Mayor	Gerald M. Turning, Sr.
Administrator	Elizabeth Perez
Director of Public Works	Gary Gebele

R-17-126 - RESOLUTION AUTHORIZING SALE OF USED VAC TRUCK TO BOROUGH OF KEYPORT

WHEREAS, the Borough of Tinton Falls (“the Borough”) owns a used vac truck that is no longer needed; and

WHEREAS, the Borough of Keyport (“Keyport”) has expressed an interest in acquiring the Borough’s used vac truck for \$10,000.

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 authorizes the sale of its used vac truck (VIN No. 1GDT7-H4JT-J5134-56) for the sum of \$10,000 to Keyport and authorizes the execution of any necessary documentation to effectuate the sale of the same.

**R-17-127 - RESOLUTION RELEASING MAINTENANCE GUARANTEES FOR
STAVOLA LEASING, LLC – PHASES 1 & 2
656 SHREWSBURY AVENUE
BLOCK 18.01, LOT 3**

WHEREAS, a request has been made for the release of Maintenance Guarantees for Stavola Leasing, LLC – Phases 1 & 2 – Block 18.01, Lot 3; and

WHEREAS, by letter dated July 20, 2017 (said letter attached and hereby made part of this Resolution), the Borough Engineer (T&M Associates) has certified that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition and recommends the release of the guarantees for Stavola Leasing, LLC – Phases 1 & 2 – Block 18.01, Lot 3.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Maintenance Guarantees and remaining engineering escrow fees associated with this project be released subject to the payment of any and all outstanding engineering and inspection fees.

**R-17-128 - RESOLUTION AUTHORIZING CANCELLATION OF
MUNICIPAL CERTIFICATE OF SALE #3024**

WHEREAS, Tax Sale Certificate #3024 was issued to the Borough of Tinton Falls for delinquent sewer charges on Block 129 Lot 2.30 (41 South Pointe Circle), assessed to Netty Carol Cheeks, at a tax sale held on November 19, 2015; and

WHEREAS, CoreLogic Tax Services, LLC, has redeemed Certificate #3024 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 #3024 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #3024 was redeemed on July 24, 2017.

R-17-129 - RESOLUTION REFUNDING ESCROW – TF CAMPUS SEABROOK

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; and

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:

**TF CAMPUS SEABROOK PH III \$2196.81
TF CAMPUS SEABROOK GDP \$69.20**

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R-17-130 - RESOLUTION REFUNDING RECREATION FEES

WHEREAS, during the month of June 2017 fees totaling \$90.00 were paid by a resident of Tinton Falls for their child's participation in our Fall Soccer Program; and
WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2017; and
WHEREAS, during the month of July 2017, the Recreation Superintendent was informed by the resident that their child Connor Fricovsky will not be participating due to a scheduling conflict and a refund would be issued in the amount of \$80.00, deducting the \$10.00 processing fee.
NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$80.00 be issued.

R-17-131 - RESOLUTION REFUNDING RECREATION FEES

WHEREAS, during the month of June 2017 fees totaling \$24.00 were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Program, for our Pre-camp Care; and
WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of July 2017; and
WHEREAS, during the month of July 2017, the Recreation Superintendent was informed by the resident that their child Logan Kiley would no longer require the care and is asking for a refund. A refund in the amount of \$14.00 shall be issued deducting the \$10.00 processing fee.
NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$14.00 be issued.

R-17-132 - RESOLUTION REFUNDING RECREATION FEES

WHEREAS, during the month of June 2017 fees totaling \$27.00 were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Program, for a trip for Jersey Shore Pirates; and
WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2017; and
WHEREAS, during the month of July 2017, the Recreation Superintendent informed the resident that their child Synai Wilerson was not age appropriate for the trip and a refund would be issued in the amount of \$27.00. The processing fee does not apply.
NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$27.00 be issued.

**R-17-133 - RESOLUTION CANCELLING & REFUNDING TAXES DUE TO A
100% TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, an overbilling and an overpayment of 2017 Taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the year of 2017 (from January 25, 2017 through December 31, 2017); and

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Paul N. & Jenni R. Sagnelli 109 Sunset Drive Tinton Falls, NJ 07724	76.03	35	\$10,635.13	\$2,638.43	\$13,273.56

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2017 taxes in the amount of \$13,273.56 as certified by the Borough Tax Collector.
NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$10,635.13, be cancelled for the year 2017 and that a refund in the amount of \$2,638.43 is hereby approved for the aforementioned property.
I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$10,635.13 and the amount of overpayment to be \$2,638.43.

R-17-134 - RESOLUTION REFUNDING TAX OVERPAYMENT TO BE APPLIED TO 2018 TAXES

WHEREAS, an overpayment of 2017 taxes on the following property has been paid in error creating overpayment by the owner paying estimated taxes in the year 2016 and

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BOROUGH COUNCIL**

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	23.02	46	\$460.66

Re: Elliott, David S.
4 Dawn Court

WHEREAS, said error has resulted in an overpayment of 2017 taxes paid in the amount of \$460.66 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 \$460.66 is hereby approved for the aforementioned property. Said overpayment shall be applied to 2018 taxes.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$460.66

R-17-135 - RESOLUTION REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Title Company paying an estimated amount; and

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Jane Reidy 52 Deer Path Road Tinton Falls, NJ 07724	56.02	67	\$109.65

Re: Reidy from Loebel

WHEREAS, said error has resulted in an overpayment of 2017 3rd quarter taxes paid in the amount of \$109.65, 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 \$109.65 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 \$109.65.

R-17-136 - RESOLUTION REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Title Company paying an estimated amount and

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Mark & Danielle C. Weiss 79 Roslyn Drive Tinton Falls, NJ 07753	124.41	11	\$1,837.93

Re: Weiss from Kiley Development, LLC

WHEREAS, said error has resulted in an overpayment of 2017 3rd quarter taxes paid in the amount of \$1,837.93, 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 \$1,837.93 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 \$1,837.93.

R-17-137 - RESOLUTION REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 Taxes has been made as a result of an overbilling for the 2017 first half year to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Michael Rozza 10 Fennec Court Tinton Falls, NJ 07753	129.09	50	\$184.07

**REGULAR/WORKSHOP MEETING
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AND WHEREAS, said overbilling has resulted in an overpayment of the 2017 taxes by the property owner in the amount of \$184.07 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 \$184.07 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 \$184.07.

R-17-138 - RESOLUTION REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2017 Taxes has been made as a result of an overbilling for the 2017 first half year to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Delia Allison 12 Harrier Court Tinton Falls, NJ 07753	129.10	96	\$13.26

AND WHEREAS, said overbilling has resulted in an overpayment of the 2017 taxes by the property owner in the amount of \$13.26 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 \$13.26 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 \$13.26.

R-17-139 - RESOLUTION – APPROVAL OF BILLS – AUGUST 8, 2017

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 8, 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.

SUMMARY

GENERAL	\$3,028,030.79
SEWER UTILITY	28,391.08
CAPITAL	64,217.89
GRANT FUNDS	904.65
TRUST FUNDS	27,945.15
DOG TRUST	19.20
ESCROW	43,052.41
ADDITIONS	1,852,676.75
	5,045,237.92

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

TIME: 7:47pm

**REGULAR/WORKSHOP MEETING
AUGUST 8, 2017
BOROUGH COUNCIL**

Respectfully Submitted,

Maureen L. Muttie, Borough Clerk

APPROVED AT A MEETING HELD ON: September 5, 2017