

**REGULAR MEETING
FEBRUARY 4, 2020
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 7:32 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: Mrs. Clay, Mr. Manginelli, Mr. Nesci, Mr. Siebert, Ms. Buckley

ABSENT: None

ALSO PRESENT: Melissa A. Hesler, Borough Clerk

Kevin Starkey, Director of Law

Vito Perillo, Mayor

Thomas Fallon, Acting Borough Administrator/Director of Finance

Thomas Neff, Borough Engineer

All present stood for Salute to Flag.

APPROVAL OF MINUTES- None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Council President Buckley announced that at this time Council will deviate from the regular business to recognize two very different achievements with proclamations, it is a pleasure to share these events with the public.

PROCLAMATION CELEBRATING REVERAND ROBERT J. PERKINS' 50 YEARS OF SERVICE TO EMMANUEL BAPTIST CHURCH.

At this time Council President Buckley and Mayor Perillo invited Anita Ellis to say a few words about Robert J. Perkins who is celebrating 50 years of service to the Emmanuel Baptist Church. Reverend Perkins was unable to attend this evening, Ms. Ellis will accept this proclamation on his behalf.

Anita Ellis accepted the proclamation on behalf of Reverend Perkins and apologized that he was unable to attend this evening. As the Pastor's Aid, Ms. Ellis gave a brief history of Reverend Perkins' achievements and accomplishments throughout his 50 years of service. He began his career at Emmanuel Baptist Church in 1970 while also serving as a Policeman. After retiring from the police force Reverend Perkins became a full-time Pastor at the church. He is a very accomplished and busy man who is involved with various local organizations, youth organizations, scholarships programs that are available to children both inside and outside of the church. Emmanuel Baptist Church is thrilled to celebrate Reverend Perkins' 50 years of service.

Council President Buckley read the following proclamation on behalf of Mayor Perillo and presented it to Anita Ellis.

PROCLAMATION CELEBRATING REVEREND ROBERT J. PERKINS' 50 YEARS OF SERVICE TO EMMANUEL BAPTIST CHURCH

WHEREAS, Reverend Robert Perkins began his career at Emmanuel Baptist Church in Tinton Falls, NJ in February of 1970. While serving the church Reverend Perkins also worked for Middletown Township Police Department, retiring as a Lieutenant in 1994; and

WHEREAS, Reverend Perkins has served in numerous roles both in the local church and church associations. He served as a member of the Permanent Council of the Seacoast Association as well as Chairman of the Foreign Missions Committee. In addition, Reverend Perkins has served as the President of the Red Bank Westside Ministerial. He has also organized and coached the Red Bank Track Club for the last fourteen years; and

WHEREAS, Under Reverend Perkins' leadership each year an Educational Scholarship Program is provided for the youth in the church. His other accomplishments include; organizing Vacation Bible School, Summer Assembly, Youth Community Mass Choir, Friday Night Youth Community Program, Weight Lifting programs and other community-oriented programs; and

WHEREAS, Reverend Perkins' dedication and service to Emmanuel Baptist Church over the past 50 years is exemplary. The impact that Reverend Perkins has provided through regular church services and various programs reflects a positive contribution to the community; and

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NOW, THEREFORE, I, Mayor and Council of Tinton Falls, do hereby honor Reverend Perkins on his 50-year Reverential Anniversary as we proclaim this day, February 4th, 2020 as

“Reverend Robert J. Perkins’ Day”

PROCLAMATION CONGRATULATING THE TINTON FALLS SIXTH-GRADE BOYS TRAVEL BASKETBALL TEAM FOR 2020 MID-MONMOUTH CHAMPIONSHIP

At this time Council President Buckley and Mayor Perillo invited Recreation Director Sherri Eisele to say a few words on behalf of the Tinton Falls 6th Grade Boys Travel Basketball Team, for winning the 2020 Mid-Monmouth Championship.

Recreation Director, Sherri Eisele spoke briefly about the team coaches, and their wonderful achievement. She gave a brief history of the Mid-Monmouth Basketball League, which was formed over 20 years ago and explained that the league is currently comprised of 29 towns with nearly 250 teams. Ms. Eisele stated that on Sunday, January 26, 2020 the Tinton Falls sixth-grade team won their division while playing against Wall Township with a final score of 30-33. They are the first team to win a Mid-Monmouth Championship from Tinton Falls. Ms. Eisele gave a special thanks to the President of the Tinton Falls Travel Basketball Team, Phil Buck, and Coaches John Saxton, Ryan Bociulis and Gerald Wiggins. She also extended her utmost congratulations to each team member of the sixth-grade championship team.

Head Coach John Saxton voiced his appreciation and thanked the Mayor and Council for taking the time this evening to recognize this accomplishment. He thanked Sherri and Mary of the Recreation Department for their dedication and support. Mr. Saxton thanked and recognized the parents who came to support their children during each and every game. Finally, he congratulated his players who have worked so hard for this triumph, he is so proud of all of them.

Council President Buckley read the following proclamation on behalf of Mayor Perillo and presented it to the Tinton Falls Sixth-Grade Boys Travel Basketball team and their coaches.

PROCLAMATION CONGRATULATING THE TINTON FALLS SIXTH GRADE BOYS TRAVEL BASKETBALL TEAM FOR 2020 MID MONMOUTH CHAMPIONSHIP

Tinton Falls Travel Basketball League President Phil Buck, Coaches John Saxton, Ryan Bociulis and Gerald Wiggins and Players Vaughn Bociulis, Tyler Cameron, Kahden Davis, Matt Feiter, Michael Griffin, Xzavier Holley, Myles Ligon, Jaylin Reeves, Ryan Saxton, Judah Uter and Admir Wiggins

WHEREAS, the Tinton Falls Sixth Grade U-11 Boys Travel Basketball Team, won the 2020 Mid Monmouth League Championship on January 26, 2020 at the Monroe Sports Center in Monroe, NJ; and

WHEREAS, the Tinton Falls Sixth Grade U-11 Boys Travel Basketball Team, became the first team from Tinton Falls to win a Mid Monmouth Championship; and

WHEREAS, the Mayor of the Borough of Tinton Falls is desirous of recording their sentiments of congratulations on the achievements, dedication and commitment of the players and their coaches; and

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and Council of the Borough of Tinton Falls, congratulations are hereby extended to the players and coaches of the Tinton Falls Sixth Grade, U-11 Boys Travel Basketball Team and we send our thanks to the fine manner in which you represent our community

Mayor Perillo extended his utmost congratulations to both players and coaches for this victorious accomplishment. Mayor Perillo stated that he is thrilled to see Tinton Falls win their first Mid-Monmouth Championship, and praised them for representing this town in such a wonderful way.

President of the Tinton Falls Travel Basketball Team Phil Buck spoke briefly about this loving, hard working and talented group of boys. He thanked the Mayor, Council and the Recreation Department for all of their support.

Borough Engineer – Thomas Neff
Mr. Neff had no report.

Director of Finance/ Acting Borough Administrator- Thomas Fallon
Mr. Fallon reported that the 2020 Municipal Budget is on track to be introduced at the March 17, 2020 Council Meeting. Therefore, the budget will be disseminated to Council about two-weeks prior to the meeting. Mr. Fallon shared an update from the Monmouth County Regional Health Commission in regard to the Coronavirus, although there is no threat to the general public at this time, they are partnering with the NJ Dept. of Health and taking the proper precautions. Mr. Fallon will make sure this information is posted on the Borough website.

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Mayor's Report- Vito Perillo

Mayor Perillo had no report.

Director of Law- Kevin Starkey

Mr. Starkey gave a brief update on the Host Benefit Agreement between the Borough and the County for the Monmouth County Reclamation Center. He stated that there was a productive meeting this past Thursday with Senator Gopal and the NJDEP. During the meeting there was some discussion about the Host Benefit Agreement, there is a meeting scheduled later this month with the County to continue discussion and negotiations. Mr. Starkey is hopeful that this process is close to completion.

Borough Clerk's Report, Melissa Hesler

Ms. Hesler had no report.

Council's Report

Mrs. Clay reported that she attended her first Board of Education meeting on January 27th and stated that New Jersey Schools have been ranked #1 in the nation. She briefly discussed a presentation given by the Superintendent and her staff. Mrs. Clay reported that she attended her first meeting as liaison for the Tinton Falls Community Day, which will be held on October 11, 2020.

Mr. Manginelli had no report.

Mr. Nesci reported that he recently met with Boy Scout Troop 124 who recently crossed over from Webelo Scouts to Boy Scouts. They invited him to speak as a community leader and he discussed with them current topics in town, he stated that it was a pleasure to meet with the future generation of Borough residents and community leaders.

Mr. Siebert reported that the Tinton Falls Library is holding their fashion show fundraiser on February 29th at the Atchison School. The library is also in the process of reviewing the application for the grant and there will be Resolutions forthcoming to be passed by the Borough Council. Mr. Siebert also attended Monmouth Regional Highschool's Strategic Planning meeting which was very informative.

Ms. Buckley reported that she attended her first Environmental Commission meeting as liaison and announced that Earth Day will take place on May 2, 2020 at Sycamore Park. She stated that she also attended the FMERA meeting with Mayor Perillo, and discussed 3 parcels that were combined into an RFP process and explained that FMERA will submit new requirements for people to rebid. Ms. Buckley explained why this change was made.

ORDINANCES FOR INTRODUCTION- None

ORDINANCES FOR FINAL CONSIDERATION- None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION OPEN

Frank Matula, 43 Lennox Drive- Mr. Matula thanked Council for recognizing and supporting his son Matthew last year for his work on his Eagle Scout project at the Crawford House. Matthew recently received a four-year scholarship through the ROTC and is being considered for West Pointe. Mr. Matula thanked Council and Administration for playing an important role in his son's successful project.

Dave Henry, Local Health Officer- Mr. Henry thanked Mr. Fallon for reporting on the Coronavirus this evening, the health department is monitoring this issue closely and working with the proper entities to ensure they are taking the proper precautions. He reported that the Health Department has received a communicable disease grant, and they are committed to enhancing their staff and cutting off outbreaks as quickly as they can.

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There being no further comments from the public, Mrs. Clay 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 –

Council President Buckley explained the Council and Administration are wearing yellow boutonnières this evening in relation to the first item on the Consent Agenda. A Resolution Commemorating the Centennial of the Ratification of the 19th Amendment. Staff will be wearing the boutonnières this week to celebrate 100 years of women’s suffrage.

RESOLUTIONS

Councilman Siebert asked to remove Resolution R-20-047 Authorizing Approval of Bills from the Consent Agenda to be voted on separately.

Mr. Siebert offered a motion to remove Resolution R-20-047 from the Consent Agenda, seconded by Mr. Nesci.

ROLL CALL

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

Mr. Manginelli offered a motion to approve Resolution R-20-047, seconded by Mr. Nesci.

ROLL CALL

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

R-20-047 RESOLUTION – APPROVAL OF BILLS – FEBRUARY 4, 2020

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending February 4, 2020; and

WHEREAS, the Borough Council has reviewed said claims.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

SUMMARY

GENERAL	5,848,964.34
SEWER UTILITY	671,159.19
CAPITAL FUND	9,770.25
GRANT FUND	1,560.00
TRUST FUNDS	7,370.77
DOG TRUST FUND	75.00
ESCROW	22,543.50
TOTAL	<u>6,561,443.05</u>

CONSENT AGENDA

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

ROLL CALL

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

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R-20-035 RESOLUTION COMMEMORATING THE CENTENNIAL OF THE RATIFICATION OF THE 19TH AMENDMENT

WHEREAS, the year Two Thousand and Twenty marks the 100th Anniversary of the ratification of the 19th Amendment of the United States Constitution; and

WHEREAS, women fought for the right to vote for more than a century and persevered in the face of resistance; and

WHEREAS, many New Jersey women advocated for the right to vote; and

WHEREAS, Monmouth County was the home to many suffragists both male and female, and suffrage rallies and events occurred within Monmouth County's borders; and

WHEREAS, February 9, 2020 will mark the centennial of the New Jersey ratification of the 19th Amendment; and

WHEREAS, August 26, 2020 will mark the nationwide centennial of the 19th Amendment officially becoming part of the United States Constitution, after the required number of states had ratified; and

WHEREAS, daughters, granddaughters, and great-granddaughters of the women who fought so hard to vote have been making their voices heard at the polls for nearly 100 years; and

WHEREAS, women are running for office and currently in elected office in large numbers in Monmouth County, follow in the footsteps of these great suffragists; and

WHEREAS, there are currently over 200,000 women registered to vote in Monmouth County, New Jersey; and

WHEREAS, all government entities on the local, state and national level should commemorate and recognize this historic milestone and reaffirm its commitment to empowering and uplifting the voices of women.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Town Borough of Tinton Falls, County of Monmouth, State of New Jersey, do hereby

- (1) celebrate and recognize the 100th Anniversary of the passage and ratification of the 19th Amendment to the United States Constitution providing for women's suffrage; and
- (2) honor the role of the ratification of the 19th Amendment in promoting the core values of our democracy as set forth in the Constitution of the United States; and

(3) reaffirm our desire to continue strengthening democratic participation and to inspire future generations to cherish and preserve the historic precedent established by the 19th Amendment.

(4) foster support by wearing a yellow rose in honor of this centennial celebration, a symbol worn during the suffrage movement to demonstrate support for women gaining the right to vote.

R-20-036 RESOLUTION AMENDING THE MEETINGS OF THE BOROUGH COUNCIL FOR THE REMAINDER OF CALENDAR YEAR 2020

WHEREAS, the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-8a, et seq.) requires the governing body of a municipality to designate and disseminate schedules, meeting dates, times and location.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following dates are hereby designated as scheduled meetings of the Borough Council for the Remainder of Calendar Year 2020 to be held at the Borough of Tinton Falls Municipal Court Room, 556 Tinton Avenue, Tinton Falls, NJ 07724:

Meetings of Borough Council for 2020 (Where Formal Action May Be Taken)

Tuesday	February 18, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	March 3, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	March 17, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	April 7, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	April 21, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	May 5, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	May 19, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	June 16, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	July 14, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting

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Tuesday	August 11, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	September 1, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	September 15, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	October 6, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	October 20, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	November 10, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	December 1, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting
Tuesday	December 15, 2020	7:00 P.M. Workshop, 7:30 Regular Meeting

BE IT FURTHER RESOLVED, that as needed, all executive sessions of the Borough Council shall be held at 6:30 p.m. or immediately following the conclusion of the Regular Meeting as noticed by 4:30 p.m. the Friday before the meeting week and convene with the public reading of a Resolution onto the record prior to the Borough Council's vote to enter into executive session pursuant to the OPMA. When an executive session is held, the executive session Resolution shall be re-read onto the record at the beginning of the public portion of any applicable workshop, regular or special meeting so the public will know what issues were addressed during the executive session without having to be present for the earlier public reading of the Resolution. When necessary, executive sessions may be continued upon the adjournment of the public portion of any meeting with the reading of the Resolution for entry into executive session reciting the issues to be continued for executive session deliberations.

BE IT FURTHER RESOLVED that this Resolution shall supersede any and all Resolutions previously adopted by the Borough specifying meetings of the Borough Council.

BE IT FURTHER RESOLVED, that the Borough Clerk shall post a copy of this Resolution in Borough Hall and that copies of this Resolution shall be forwarded by the Borough Clerk to the official newspapers, The Asbury Park Press, The Coaster and the Newark Star Ledger as previously designated by the Borough and to individuals requesting same under the New Jersey Open Public Meetings Act.

R-20-037 RESOLUTION AUTHORIZING THE AWARD OF A "NON-FAIR AND OPEN" CONTRACT FOR PROFESSIONAL AFFORDABLE HOUSING PLANNING SERVICES CONTRACT PS #1-20

WHEREAS, the Borough of Tinton Falls has a need for professional Affordable Housing Planning services as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$30,000.00 for professional Affordable Housing Planning services; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is hereby retained to provide professional Affordable Housing Planning services for an amount not to exceed \$30,000.00 for a term expiring December 31, 2020.

R-20-038 RESOLUTION AUTHORIZING THE AWARD OF A "NON-FAIR AND OPEN" CONTRACT FOR PROFESSIONAL AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT PS #2-20

WHEREAS, the Borough of Tinton Falls has a need for professional Affordable Housing Administration services as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$34,000.00 for professional Affordable Housing Administration services; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the firm of CME, 1460 Route 9 South, Howell, NJ 07731 is hereby retained to provide professional Affordable Housing Administration services for an amount not to exceed \$34,000.00 for a term expiring December 31, 2020.

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R-20-039 RESOLUTION AUTHORIZING DONATION OF SURPLUS POLICE VEHICLE TO THE PLUMSTEAD POLICE DEPARTMENT

WHEREAS, the Borough owns a surplus police vehicle no longer needed for any public purpose, namely a 2008 Ford Crown Victoria Sedan (VIN No. 2FAFP71V58X179535); and

WHEREAS, the Plumstead Police Dept., a local government agency in their Borough has expressed an interest in obtaining such a vehicle for its use.

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 conveyance of the Borough's surplus police vehicle, a 2008 Ford Crown Victoria Sedan (VIN No. 2FAFP71V58X179535), to the Plumstead Police Dept. for the sum of \$1.00.

R-20-040 RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF TINTON FALLS

WHEREAS, The Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Tinton Falls is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

R-20-041 RESOLUTION - DENYING RELEASE OF PERFORMANCE GUARANTEES APPLE FOOD SERVICE OF TINTON FALLS, INC. BLOCK 114.01, LOT 22

WHEREAS, the developer has requested the release of Performance Guarantees for Apple Food Service of Tinton Falls, Inc., Block 114.01, Lot 22; and

WHEREAS, by letter dated January 24, 2020, (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 January 24, 2020, that the developer's request for a release of the Performance Guarantees be and hereby is denied.

R-20-042 RESOLUTION - DENYING RELEASE OF PERFORMANCE GUARANTEES REGENCY AT TROTTERS POINTE PHASE 1 AND 6 BLOCK 76.01, LOT 1.01 AND BLOCK 85 LOTS 1, 2, 3.01 and 4

WHEREAS, the developer has requested the release of Performance Guarantees for Trotters Pointe Phases 1 and 6, Block 76.01, Lot 1.01 and Block 85, Lots 1, 2, 3.01 and 4; and

WHEREAS, by letter dated January 20, 2020, (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.

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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 January 20, 2020, that the developer's request for a release of the Performance Guarantees be and hereby is denied.

R-20-043 RESOLUTION - DENYING RELEASE OF PERFORMANCE GUARANTEES MEADOWS AT TINTON FALLS BLOCK 97, LOTS 1, 1.01, & 3

WHEREAS, the developer has requested the release of Performance Guarantees for Meadows at Tinton Falls, Block 97, Lots 1, 1.01 & 3; and

WHEREAS, by letter dated January 22, 2020, (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 January 22, 2020, that the developer's request for a release of the Performance Guarantees be and hereby is denied.

R-20-044 RESOLUTION – RELEASING PERFORMANCE GUARANTEE UPON THE POSTING OF MAINTENANCE GUARANTEE – MEZZASALMA OFFICE BUILDING BLOCK 14.03 LOT 29

WHEREAS, the developer has requested the release of Performance Guarantee posted for Mezzasalma Office Building, 67 Apple Street, Block 14.03 Lot 29.

WHEREAS, by letter dated January 24, 2020, the Borough Engineer (T&M Associates) has recommended the release of the guarantee as the developer has completed all of the improvements subject to the posting of the required maintenance guarantee as set forth in said letter (said letter hereby attached and made part of this Resolution) and the payment of any and all outstanding engineering and inspection fees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Performance Guarantee for Mezzasalma Office Building, Block 14.03 Lot 29 be released subject to the posting of the required maintenance guarantees and the payment of any and all outstanding engineering and inspection fees.

R-20-045 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2020 Taxes has been made due to a subdivision resulting in an overbilling for the 2020 first quarter to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
US Home Corporation D/B/A/ Lennar 2465 Kuser Road, Floor 3 Hamilton, NJ 08690	100.01	1	\$59,760.00

Re: Prop. Loc: Tinton Avenue

and,

WHEREAS, said overbilling has resulted in an overpayment of the 2020 taxes by the property owner in the amount of \$59,760.00 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 \$59,760.00 is hereby approved for the aforementioned property.

R-20-046 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2019 Taxes has been made as a result of a County Board Judgement reduction in the added assessment assessed value for the year 2019 to property known as.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Ernest & Linda Boynton 97 Garrison Drive Tinton Falls, NJ 07753	124.06	2	\$58.11

Re: 97 Garrison Drive

and,

WHEREAS, said reduction has resulted in an overpayment of the 2019 added assessment taxes by the property owner in the amount of \$58.11 as certified by the Borough Tax Collector.

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NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$58.11 is hereby approved for the aforementioned property.

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:05 PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: