

**REGULAR MEETING
JANUARY 19, 2021
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 7:30 PM. The meeting was held via remote means using the Webex Meeting Platform under rules established under NJSA 10:4-8(b) which allows meetings to be held digitally during a State of Emergency.

Open Public Meeting Statement: Call to Order – 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, posting on the Borough Website and Facebook Page and by Notification to The Asbury Park Press, The Newark Star Ledger, and The Coaster at Least 48 Hours Prior to the 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

Dave Boehning, Deputy Emergency Management Coordinator

Mark Shaffery, Director of Public Works

SALUTE TO THE FLAG: Council President Buckley invited everyone attending the remote meeting to join in saying the Pledge of Allegiance.

Council President’s Introduction:

Good Evening everyone, I am Council President Tracy Buckley. We are holding this meeting remotely utilizing the Webex platform. Joining me remotely are my fellow Councilmembers Risa Clay, John Manginelli, Mike Nesci and Brock Siebert, as well as Mayor Vito Perillo, CFO and Interim Borough Administrator Tom Fallon, Borough Clerk Melissa Hesler, Director of Law Kevin Starkey, Borough Engineer Tom Neff, TF Deputy OEM Coordinator Dave Boehning, Tinton Falls Dept of Public Works Director Mark Shaffery, and IT Director Dan Romanov.

I would like to give special thanks to IT Director Dan Romanov for setting up this Webex meeting and managing the technical aspects of utilizing the Webex platform.

This is a live digital Council Meeting that we are holding under the rules established under NJSA 10:4-8(b), which allows this meeting to be held digitally during a State of Emergency. For those not familiar with the Webex platform, it allows members of the public to dial in from their computer, utilizing the Webex app, or from a regular phone utilizing a dial in number and meeting passcode. If you wish to be heard at any of the public comment portions of the meeting, please use the “Raise Your Hand” function on the Webex platform and we will call upon you one at a time. For those dialed in via phone only, I will open the floor up to phone comments during the public comments sections as well. You will be asked to state your name and address for the record and observe a time limit of three minutes.

We would like to commend our Borough municipal employees from every department for all of their hard work in keeping the Borough functioning during this difficult time.

Moreover, we would like to commend our Tinton Falls Office of Emergency Management, Tinton Falls Police Department, Tinton Falls Emergency Medical Services, Tinton Falls Fire Companies and Tinton Falls Dept of Public Works for your work on the front lines of this ongoing pandemic and for keeping us safe.

In these challenging times, the best we can do is to be kind to one another and remember courtesy is also contagious.

APPROVAL OF MINUTES

Mr. Seibert offered a motion to approve the December 1, 2020 Regular Meeting Minutes seconded by Mr. Nesci.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer – Thomas Neff

Mr. Neff reported stated that there is one ordinance on the agenda for introduction 2021-1467 which is related to the Borough stormwater management ordinance. The borough is required by the NJ Department of Environmental Protection to adopt their new model ordinance by March 3rd of this year. This was discussed in detail at a previous workshop meeting and the ordinance to be introduced is tailored to the specific needs of the Borough. The ordinance is subject to a consistency review by the Planning Board after introduction. Mr. Neff gave an update on the Hance Sycamore traffic signal installation slated to begin at the end of the month. The process leading up to full use of the signal will be gradual beginning with a flashing yellow to alert drivers of the new signal, followed by flashing red and

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then full operation. Prior to making the light operational there will be some milling, paving and striping to be done which is weather dependent. The County will be placing an activated “red signal ahead” on Sycamore Avenue just ahead of the curve in an east bound direction. Mr. Neff stated during the pole installation there will be road closures and detours.

CFO Report/Acting Business Administrator – Thomas Fallon

Mr. Fallon reported that the update from Monmouth County regarding the Reclamation center has been received and will be posted to the website. Mr. Fallon stated that the Recycling Calendar has been mailed and additional copies are available at the Department of Public Works and can also be mailed upon request. There is an electronic version of the calendar on the borough website.

Mayor’s Report - Mayor Vito Perillo

Mayor Perillo echoed Council Presidents comments commending Borough employees for their hard work and dedication. He also asked that everyone heed the recommendations of the experts regarding the COVID virus so that you can stay safe.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk- Mrs. Hesler

Ms. Hesler had no report.

Deputy OEM Coordinator – Dave Boehning

Mr. Boehning gave an update on the Continuing COVID19 Pandemic. He stated there are currently 256 reported cases in the Borough. Currently the main topic is the roll out of the vaccine, he provided information regarding websites where more information and registration can be found. He explained that all of this information will be posted on the Borough website and OEM Facebook page and will be continually updated as information is received. Mr. Boehning stated that New Jersey is rolling out its phased plan, with health care workers being the priority as well as first responders EMS, Police, Fire and Residents and Staff of long term and congregate care facilities as well as those 65 and older and people between 16 and 64 meeting criteria for certain medical conditions. The challenge is that the number of people seeking vaccination is greater than the number of vaccine available.

Council’s Report

-Mrs. Clay stated she had no report.

-Mr. Manginelli stated that the Historic Preservation Commission has put together a number of upcoming entertaining and educational events. He stated that he would like to distribute the flyers via email for posting and further distribution. Mr. Manginelli cautioned anyone who is making a vaccine appointment to keep in mind that whichever facility you visit that there could be lines that extend to the exterior of the building due to social distancing. He stressed to keep that in mind and dress accordingly.

-Mr. Nesci reported that there will be a Planning Board meeting on January 27th at Borough Hall at 7:30 pm. The court room and overflow room will be available for those who wish to attend in person. The meeting will be hosted through Webex and all information will be on the website. Mr. Nesci stated that there will be a time change to 7 pm for future Planning Board meetings. Mr. Nesci extended his thanks to the responders from Northside Engine Company #4 for responding to an emergency call related to a fire caused by a transformer on Christmas Eve. He thanked the volunteers that were on the scene for their diligence and concern for the safety of the residents in those early morning hours.

-Mr. Siebert reported that the Library Board met to discuss fundraisers which include a music festival in August. He stated that the Library is preparing for the next round of grant funds when they are released and the applications are made available.

-Ms. Buckley reported that the next Environmental Commission Meeting will be held Thursday January 28th at 7:00 pm via Webex and information will be posted on the website. The first FMERA meeting of the year will be held tomorrow evening and is also virtual and will be on the FMERA website. Ms. Buckley congratulated Melissa Hesler on her reappointment as Borough Clerk and stated that she is happy to support approval of the resolution. She extended her thanks to Mrs. Hesler for her constant support and managing everything for the Clerk and the Council. Ms Buckley thanked all who participated in the National Moment of Unity and Remembrance for all those that we have lost to COVID, that was this evening at 5:30 pm

ORDINANCES FOR INTRODUCTION

Ms. Hesler read Ordinance 2020-1467 entitled:

Ordinance 2020-1467 Ordinance Amending Section 40-68 of the Borough Code, Entitled “Stormwater Management Requirements”

She stated that the public hearing is scheduled for February 2, 2021.

Mr. Siebert offered a motion to introduce Ordinance No. 2020-1466 seconded by Mr. Nesci.

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ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

**ORDINANCE NO. 2021-1467
ORDINANCE AMENDING SECTION 40-68 OF THE BOROUGH CODE,
ENTITLED "STORMWATER MANAGEMENT REQUIREMENTS"**

This brief summary of the main objectives or provisions of Ordinance No. 2021-1467 is being provided in accordance with N.J.S.A. 40:49-2.1(a). Copies of the ordinance are on file for public examination and acquisition at the office of the Tinton Falls municipal clerk. The ordinance will be the subject of a public hearing and vote on second reading at the Tinton Falls Council meeting to be held on February 2, 2021 at 7:30 p.m. at the Tinton Falls municipal building.

SUMMARY OF ORDINANCE 2021-1467

Ordinance 2021-1467 is proposed to remove and replace Chapter 40-68 of the Borough of Tinton Falls Ordinance for Stormwater Management Requirements. The changes are proposed to comply with new NJDEP requirements for stormwater management and are based on the NJDEP model ordinance. Proposed changes include a new definition of Major Development, requirements for Green Infrastructure, drainage area limitations for BMPs, requirements for groundwater mounding analysis, and deed notice and O&M manual requirements. The Borough is also proposing additional stormwater management requirements for existing sites to be redeveloped. A section has also been added to require drainage easements around stormwater management facilities.

ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Council President Buckley explained that they would systematically recognize anyone that has dialed into this remote meeting via phone or via Webex platform to comment on any matter of their choice.

PUBLIC DISCUSSION OPEN

Michele Simon, 71 Madison Court – Ms. Simon inquired if there is any update on the host agreement for the landfill. Director of Law Kevin Starkey stated that there have been no updates or further discussions at this time. Ms. Simon stated that there have been posts on social media regarding burglaries in the borough. She asked if the neighborhood watch could be resumed in the town. Mr. Fallon stated that he would discuss this with Chief Scrivanic and the possibility of an outreach to the community and get his thoughts on a neighborhood watch type of project.

Elizabeth Coakley, 4 Yale Court- Ms. Coakley inquired about the proposed hunting ordinance and stated she is disappointed that all hunting will not be banned in this residential neighborhood. Councilman Nesci explained that the matter had been discussed and that no action had been taken. He stated that a meeting is scheduled with Cindy Keunstner of NJ Fish and Wildlife Commission to gather information and further discuss amending the current firearm ordinance. Ms. Coakley advised that it is concerning to her because there are children that play in the woods across from her home. She stated that the people that hunt in those woods are not from Tinton Falls.

Lawrence Sager, 11 Yale Court- Mr. Sager stated that he is also concerned about the ordinance and that he has seen a draft copy. He stated that he is particularly concerned about the section that addresses bow hunting and he questioned the difference of distance restrictions for the different types of boundaries. Director of Law Kevin Starkey stated that public comments are welcome and the ordinance is in draft form. He explained that before any amendments are made there will be a formal public hearing on the ordinance. Mr. Sager stated there are ordinances all over the country regarding bow hunting and there are pros and cons, the pro is deer population control, the con is about safety. Mr. Siebert explained that the difference in distance restrictions has to do with lethality and the type of hunting, bow vs. firearm. He stated that the State also recognizes that in their regulations.

Mike Vanuga, 13 Yale Court- Mr. Vanuga inquired if there is a report available to see how many reports have been made to the Police regarding discharge of firearms. Mr. Vanuga stated that he has called on a number of occasions to report firearms discharge near his home to the police and on several occasions called 911. Unfortunately, if multiple calls are made to report the same incident, only one is recorded and the report is only released to the person listed on the report. The reports are not accurate.

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Anthony Cicalese, 15 Yale Court- Mr. Cicalese thanked Mr. Manginelli for asking for a firearm and bow discharge map for a visual. He stated that the municipality can change a local ordinance by making the distances more that the State regulations but not less than. He also discussed trajectory of an arrow. He stated this is a public safety issue. There were audio issues and most of the discussion was inaudible. Council President suggested emailing his thoughts for distribution to the Council members since there were audio issues.

Council President Buckley asked the Clerk if there were any written comments submitted for reading into the record. Ms. Hesler stated that there were none.

Marybeth Riordan, 26 Glassboro Drive- Ms. Riordan stated that she has been approached by people that have introduced themselves to inform her that they would be hunting in the woods next to her home, many are not from Tinton Falls. This is an active ongoing activity.

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

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Mr. Manginelli stated that he also wanted to congratulate Melissa on her reappointment as Borough Clerk and thank her for the great job she has been doing.

RESOLUTIONS - None

CONSENT AGENDA

Mr. Siebert offered a motion to approve 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

R-21-024 RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF TINTON FALLS AND THE MONMOUTH COUNTY S.P.C.A. FOR A TRAP, NEUTER AND RELEASE PROGRAM

WHEREAS, the Borough of Tinton Falls desires to continue to implement a Trap, Neuter and Release (“TNR”) Program in the Borough for the purpose of humanely trapping, neutering, vaccinating and spaying and neutering of feral cats; and

WHEREAS, the Monmouth County S.P.C.A. is a duly licensed animal shelter under the authority of New Jersey State Title 4 and is willing to act as the approved sponsor of said TNR Program; and

WHEREAS, there will be a \$75.00 fee per feral cat under the TNR Program, of which the Borough will be responsible for 50% (\$37.50) of said fee, not to exceed a total annual cost of \$3,750.00 for the 2021 Calendar Year; and

WHEREAS, the necessary funds have been certified by the Director of Finance and are available in the Animal Control Trust Fund; and

WHEREAS, a Memorandum of Understanding (“MOU”) has been prepared by the S.P.C.A. and has been reviewed by the Borough and requires execution by the Mayor in order to implement the TNR Program; and

WHEREAS, the MOU requires the Borough to appoint a designee to represent the Borough on matters related to the TNR Program, and the Borough desires to appoint Kerry Morgenthaler as the Borough designee;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Mayor is hereby authorized to execute the Memorandum of Understanding between the Borough of Tinton Falls and the Monmouth County S.P.C.A for the implementation of the Trap, Neuter and Release Program in the Borough; and

BE IT FURTHER RESOLVED that Kerry Morgenthaler is hereby appointed as the Borough’s designee for matters related to the TNR Program; and

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BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Monmouth County S.P.C.A. and to the Director of Finance.

CERTIFICATION OF FUNDS: Animal Control Trust
/S/Thomas P. Fallon, Chief Financial Officer

R-21-025 RESOLUTION AUTHORIZING THE AWARD OF A “NON-FAIR AND OPEN” CONTRACT FOR PROFESSIONAL AFFORDABLE HOUSING PLANNING SERVICES CONTRACT PS #1-21

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, 2021.

I hereby certify funds are available from: Affordable Housing Trust Fund
/S/Thomas P. Fallon, Chief Financial Officer

R-21-026 RESOLUTION AUTHORIZING THE AWARD OF A “NON-FAIR AND OPEN” CONTRACT FOR PROFESSIONAL AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT PS #2-21

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, 2021.

I hereby certify funds are available from: Affordable Housing Trust Fund
/S/Thomas P. Fallon, Chief Financial Officer

R-21-027 RESOLUTION TO REAPPOINT MUNICIPAL CLERK

WHEREAS, Melissa A. Hesler was appointed and confirmed to the position of Municipal Clerk on February 28, 2018 for a three (3) year term in accordance with N.J.S.A. 40A:9-133; and

WHEREAS, Melissa A. Hesler is and has been certified as a Registered Municipal Clerk (RMC) since October 14, 2015 and has satisfied the continuing education requirements for said certification; and

WHEREAS, N.J.S.A. 40A:9-133.7 provides that “any person who . . . shall be reappointed municipal clerk subsequent to having received a registered municipal clerk certificate pursuant to P.L.1985, c. 174 and having served as municipal clerk or performed the duties of municipal clerk for not less than three consecutive years immediately prior to such reappointment” shall have acquired tenure of office; and

WHEREAS, the Borough Council of the Borough of Tinton Falls is desirous of reappointing Melissa A. Hesler, RMC as Municipal Clerk for the Borough of Tinton Falls.

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 Melissa A. Hesler, RMC is hereby reappointed to the position of Municipal Clerk in the Borough of Tinton Falls effective February 28, 2021.

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R-21-028 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT

WHEREAS, Gerald Turning, Jr. has been employed by the Borough of Tinton Falls Police Department since June 30, 1997, was promoted to Sergeant on August 2, 2004, to Lieutenant on January 1, 2011, and then to Captain on January 1, 2015, and;

WHEREAS, on February 1, 2021, Gerald Turning, Jr. will retire with over 24 years of dedicated service to the Borough and with 25 years of service with the Division of Pensions and Benefits, and;

WHEREAS, Gerald Turning, Jr. will be entitled to compensated absence benefits in accordance with the Agreement between the Borough and the Tinton Falls Superior Officers bargaining unit. The benefits are estimated to be a total of \$49,000.00. The breakdown of this payment includes accrued vacation time, sick time, and compensatory time, and;

WHEREAS, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

WHEREAS, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Gerald Turning, Jr. receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences
/S/Thomas P. Fallon, Chief Financial Officer

R-21-029 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT

WHEREAS, Elizabeth Finlay has been employed by the Borough of Tinton Falls Municipal Court as Deputy Court Administrator since January 3, 2000, and;

WHEREAS, on February 1, 2021, Elizabeth Finlay will retire with over 21 years of service with the Borough and with over 26 years with the Division of Pensions and Benefits, and;

WHEREAS, Elizabeth Finlay will be entitled to compensated absence benefits in accordance with the Agreement between the Borough and Teamsters Local 177 (Clerical). The benefits are estimated to be a total of \$7,400.00. The breakdown of this payment is for accrued vacation time, sick time, and compensatory time, and;

WHEREAS, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

WHEREAS, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Elizabeth Finlay receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences
/S/Thomas P. Fallon, Chief Financial Officer

R-21-030 RESOLUTION IN SUPPORT OF SOLAR LANDSCAPE COMMUNITY SOLAR PROJECTS AT #30 PARK ROAD & #46 PARK ROAD

WHEREAS, for more than a decade, the State of New Jersey has promoted energy policies that have created a vibrant solar energy market; and

WHEREAS, the State of New Jersey adopted the 2019 New Jersey Energy Master Plan, *Pathway to 2050* (EMP); and

WHEREAS, Strategy 6 of the EMP calls for support of community energy planning and action with an emphasis on encouraging and supporting participation by low- and moderate-income and environmental justice communities; and

WHEREAS, Goal 6.2.1 of the EMP calls for the support of community-led development of community solar projects; and

WHEREAS, this governing body is knowledgeable about the direct benefits of community solar projects as approved by the New Jersey Board of Public Utilities, including the following:

- Local, clean power generation
- Support for active participation in the program by low- and moderate-income families
- Reduction of energy bills for all participants
- Job training and support

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NOW THEREFORE BE IT RESOLVED that the Borough of Tinton Falls supports the Solar Landscape community solar projects proposed at #30 Park Road & #46 Park Road.

BE IT FURTHER RESOLVED that the Borough of Tinton Falls endorses for selection by the New Jersey Board of Public Utilities the Solar Landscape community solar projects listed above.

R-21-031 RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Tinton Falls Police Department is in need of three (3) 2021 Chevrolet Tahoe's, 4X4 pursuit vehicles; and

WHEREAS, Gentilini Chevrolet, LLC, 500 John S. Penn Blvd., Woodbine, NJ 08720 has a valid NJ State Contract #19-FLEET-00842 for three (3) 2021 Chevrolet Tahoe's, 4X4 pursuit vehicles with options for a total purchase price in the amount of \$113,877.24 ; and

WHEREAS, this purchase is permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Chief John Scrivanic recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid 2021 NJ State Contract:

Three (3) 2021 Chevrolet Tahoe's, 4X4 pursuit vehicles with options: \$113,877.24.

I hereby certify funds are available contingent upon adoption of 2021 Municipal Budget from: Police: Other Expenses - \$113,877.24
/S/Thomas P. Fallon, Chief Financial Officer

R-21-032 RESOLUTION – REFUNDING ESCROW – WAYNE AND FRANCES HANUS

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 Zoning 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:

WAYNE & FRANCES HANUS: HAN6262CU \$116.00

R-21-033 RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 1/5/20, Paul M. Boyd, 702 Sixth Ave, Asbury Park, NJ 07712, posted a \$1,110.00 street opening cash repair deposit for a sewer connection on Green Grove Road Tinton Falls, NJ 07712.

WHEREAS, said funds were deposited by the by the Borough of Tinton Falls; and

WHEREAS, Paul M. Boyd, 702 Sixth Ave, Asbury Park, NJ 07712, has completed the work described in Street Opening Permit 2020-01-001; and

WHEREAS, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$1,100.00 posted by Paul M. Boyd, 702 Sixth Ave, Asbury Park, NJ 07712 be released.

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R-21-034 RESOLUTION - CANCELING 2020 PROPERTY TAXES

WHEREAS, an overbilling of the 2020 Added Assessment Taxes has been made as a result of an agreement for payments in lieu of taxes for the prorated year 2020 (from August 1, 2020 to December 31, 2020).

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Tinton Falls Veterans Housing, LLC 1 Washington Mall, Suite 500 Boston, MA 02108	128.03	5	\$8,472.11

Prop. Loc: 275 Essex Road

and,

WHEREAS, on December 3, 2019 the Borough of Tinton Falls and the Tinton Falls Veterans Housing, LLC entered into an agreement which exempts property taxes and establishes payments in lieu of taxes as of the date that Tinton Falls Veterans Housing, LLC executes a mortgage with the New Jersey Housing and Mortgage Finance Agency, and

WHEREAS, said mortgage was executed on July 30, 2020, and

WHEREAS, said exemption resulted in an overbilling of the 2020 taxes in the amount of \$8,472.11 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that an adjustment cancelling 2020 taxes in the amount of \$8,472.11 is hereby approved for the aforementioned property and is to be in effect for December 31, 2020.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overbilling to be \$8,472.11.
/S/Carol Hussey, Tax Collector

R-21-035 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of the 2020 added assessment taxes have been made as a result of a County Board Appeal Stipulation 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>
Keyes, Kenneth J & Judy C 293 Riveredge Road Tinton Falls, NJ 07724	32.04	16	\$506.26

and,

WHEREAS, said reduction has resulted in an overpayment of the 2020 added assessment taxes in the amount of \$506.26 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 \$506.26 is hereby approved for the aforementioned property and is to be in effect for December 31, 2020.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$506.26.
/S/Carol Hussey, Tax Collector

R-21-036 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2018 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Interest</u>	<u>Total</u>
Charles H. III & Jean M. Fischer 5 Rebecca Ann Court Tinton Falls, NJ 07724	16	1.45	\$739.48	\$77.19	\$816.67

and,

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WHEREAS, said reduction has resulted in an overpayment of the 2018 taxes by the property owner in the amount of \$739.48 with \$77.19 in additional interest certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund totaling of \$816.67 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 \$739.48 with additional interest of \$77.19.

/S/Carol Hussey, Tax Collector

R-21-037 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>	<u>Interest</u>	<u>Total</u>
Charles H. III & Jean M. Fischer 5 Rebecca Ann Court Tinton Falls, NJ 07724	16	1.45	\$798.00	\$43.20	\$841.20

and,

WHEREAS, said reduction has resulted in an overpayment of the 2019 taxes by the property owner in the amount of \$798.00 with \$43.20 in additional interest certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund totaling of \$841.20 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 \$798.00 with additional interest of \$43.20.

/S/Carol Hussey, Tax Collector

R-21-038 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>	<u>Interest</u>	<u>Total</u>
Charles H. III & Jean M. Fischer 5 Rebecca Ann Court Tinton Falls, NJ 07724	16	1.45	\$797.99	\$7.07	\$805.06

and,

WHEREAS, said reduction has resulted in an overpayment of the 2020 taxes by the property owner in the amount of \$797.99 with \$7.07 in additional interest certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund totaling of \$805.06 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 \$797.99 with additional interest of \$7.07.

/S/Carol Hussey, Tax Collector

R-21-039 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, overpayments of 2020 4th quarter Taxes have been made as a result Veteran's deductions for the year 2020 to properties know as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
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(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

and,

WHEREAS, said duplicate payments have resulted in overpayments of the 2020 taxes by the property owners in the total amount of \$1,250.00 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 refunds totaling \$1,250.00 are approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayments to be \$1,250.00.

/S/Carol Hussey, Tax Collector

R-21-039 BOROUGH OF TINTON FALLS - 2020 TAX OVERPAYMENTS DUE TO VETERAN'S DEDUCTIONS				
BLOCK	LOT	REFUND TO:	IN REFERENCE TO:	TOTAL TAXES OVERPAID
31.01	5	JOEL COLLING & DONNA IVERSON 29 RIVERVIEW DRIVE TINTON FALLS, NJ 07724	JOEL COLLING & DONNA IVERSON 29 RIVERVIEW DRIVE	250.00
61.05	11	BRUCE H. & JOYCE P. GRAY 119 APPLE ORCHARD DRIVE TINTON FALLS, NJ 07724	BRUCE H. & JOYCE P. GRAY 119 APPLE ORCHARD DRIVE	250.00
124.43	1	NICHOLAS JR & CHRISTINE DEBONIS 5 JONATHAN DRIVE TINTON FALLS, NJ 07753	NICHOLAS JR & CHRISTINE DEBONIS 5 JONATHAN DRIVE	250.00
124.60	21	BARRY BAHR & ROSA RODRIGUEZ 24 CHEYENNE STREET TINTON FALLS, NJ 07712	BARRY BAHR & ROSA RODRIGUEZ 24 CHEYENNE STREET	250.00
128.03	19.05	TF CAMPUS LLC 3000 ESSEX ROAD TINTON FALLS, NJ 07753	DANIEL MONAHAN 307 HARBOR LIGHTS	250.00
				1,250.00

R-21-040 RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #3225 was issued to the Borough of Tinton Falls for delinquent property taxes on Block 23.02 Lot 87 (Carol Court), assessed to Paula Morton, at a tax sale held on October 28, 2020; and

WHEREAS, Paul Morton, has redeemed Certificate #3225 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 #3225 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #3225 was redeemed on November 20, 2020.

/S/Carol Hussey, Tax Collector

R-21-041 RESOLUTION – APPROVAL OF BILLS – JANUARY 19, 2021

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending January 19, 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	216,836.46
SEWER UTILITY	28,457.84
GENERAL CAPITAL	15,660.75
GRANT FUNDS	0.00
TRUST FUNDS	77,328.68
DOG TRUST FUND	3,163.20
ESCROW	30,514.25
ADDITIONS	5,358,086.47
TOTAL	5,730,047.65

CERTIFICATION OF FUNDS:

/S/Thomas P. Fallon, Chief Financial Officer

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ADJOURNMENT

Mr. Siebert offered a motion to adjourn, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:15 PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: