

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:32pm.

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

**ROLL CALL** (*Executive Session at 6:35 PM*)

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

ABSENT: None

ALSO PRESENT: Doreen D'Annunzio, Deputy Borough Clerk

Kevin Starkey, Esq.

Vito Perillo, Mayor

Michael Skudera, Borough Administrator

Thomas Fallon, Chief Financial Officer

Thomas Neff, Borough Engineer

**EXECUTIVE SESSION**

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

**R-19-075 RESOLUTION TO ENTER EXECUTIVE SESSION**

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

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

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

**Security techniques utilized in protecting safety and property of the public – N.J.S.A. 10:4-12(b)(6)**

*Mr. Pak offered the following resolution and moved its adoption, seconded by Mr. Ms. Fama.*

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

\*\*\*\*\*

Council President Baldwin advised that Council was back on the record at 7:32 for the regular meeting

Council President Baldwin asked Mr. Starkey for a brief summary of the Executive Session.

Mr. Starkey advised that that the following was discussed in executive session, but no formal action taken:  
General security techniques utilized in protecting safety and property of the public.

\*\*\*\*\*

All present stood for a salute to the flag.

**ROLL CALL** (*Regular Meeting*)

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**APPROVAL OF MINUTES**

*Mr. Pak offered a motion to approve the minutes of March 19, 2019, seconded by Mr. Manginelli.*

**ROLL CALL**

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

\*\*\*\*\*

*Presentation of Day of Decency Proclamation – Mr. Baldwin introduced Steve & Patty Tate and asked them to speak about what the “Day of Decency” means for the community. Mr. Tate stated this Day is about encouraging everyone to speak kindly to each other and treat our discourse with each other with decency. Accepting differences with others. Mr. Baldwin and Mayor Perillo read the following proclamation:*

**Proclamation Celebrating a Day of Decency**

**WHEREAS;** we recognize that a fundamental tenet of civil discourse, whether on a local, state or national level, is the understanding of and respect for the differences that should exist in a democracy and that basic Decency in conduct encourages understanding and respect, by this proclamation we endeavor to encourage Decency in our community and;

**WHEREAS;** our community is committed to respectful and civil discourse that honors Decency as the touchstone for a healthy democracy and;

**WHEREAS;** we encourage every citizen to strive to personify Decency in both conduct and conversation, setting examples for our schools, local businesses, and all community affiliations and;

**WHEREAS;** all citizens of our community aspire to uphold Decency — the standard of civility that all Americans deserve and;

**NOW, THEREFORE, I, Mayor and Council of Tinton Falls,** hereby proclaim May 14, 2019, Day of Decency in conjunction with National Decency Day

\*\*\*\*\*

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Mayor’s Report – Vito Perillo**

Mayor Perillo had no report.

**Engineer’s Report – Thomas Neff**

Mr. Neff reported the field work at Hockhockson Park for fields two and three have been completed. Little League is satisfied with the drainage improvements. Resolution R-19-076 is the joint road improvement project with Ocean Township for the south end of Hope Road. If approved, the preconstruction meeting will be at the end of May and project start beginning of June.

**Finance Director – Thomas Fallon**

Mr. Fallon had no report.

**Borough Administrator – Michael Skudera**

Mr. Skudera reported the No-Knock Ordinance software is acquired and residential stickers have been ordered with the goal of going live within the next several weeks. He will coordinate with the Police Chief and the Police Department who will maintain and manage this database and provide updates on the project’s progress.

**Director of Law – Kevin Starkey**

Mr. Starkey reported on Ordinance 2019-1446 which is to vacate three paper streets in Shark River Park. If approved, the streets in question have been on the tax map for approximately fifty years and only exist on paper. They are located within County property and the County made this request to clean up their map.

**Borough Clerk’s Report – Doreen D’Annunzio**

Ms. D’Annunzio reported the petition packets for the upcoming Municipal Election are available in the Clerk’s office. There are three councilmember-at-large positions on the ballot and the deadline for petition submission is September 3, 2019 at 4:00pm.

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**Council's Report**

Ms. Fama announced the Library is having a children's fashion show sponsored by the GAP on Saturday, June 1, 2019 at Mahala Atchison School. Also, available is the purchase of a brick with a three-line message to be placed in their garden. She complimented everyone who worked on Earth Day which was a well-run event.

Mr. Pak announced the Monmouth County Reclamation Center meeting scheduled for Monday, May 13, 2019 at 7:00pm in the courtroom and Freeholder Arnone will be providing an update and everyone is invited. He provided an update on the TNR program and stated it is going very well.

Mr. Siebert thanked DPW, Police Department, Environmental Commission and anyone else who worked on Earth Day. Everyone had a nice time at the event. Mr. Siebert asked the Administration if there was an update on the Monmouth County Regional Health Commission contract that had expired. Mr. Skudera stated the Health Commission stated they will not be taking any complaint calls and Monmouth County is still exploring the process to handle the calls. He keeps reaching out to Monmouth County for what the process will be and the form to use in recording a complaint but has not gotten a definitive answer even though the County states the calls should go to them.

Mr. Pak asked if there has been any discussion regarding how the municipalities contribute toward the cost of the contract. Mr. Skudera noted the news article where this topic was stated but has not been asked about this by the County and is still in negotiations on the host agreement. He suggested that Mr. Pak ask his question at the upcoming meeting on Monday.

Mr. Siebert asked why there was no mention of a new position of public information officer at the budget meeting and why it was posted on a third-party employment website outside of posting on the Borough's website and the League of Municipalities website. Mr. Skudera stated it was not mentioned at this year's budget meeting since it was accounted for in last year's budget but due to different priorities the position was not filled and the funding for that position was returned to the budget. Mr. Siebert asked if Administration is looking to fill that position and Mr. Skudera answered affirmatively. Mr. Siebert thanked Administration and Council for supporting Resolution R-19-079 the Shark River Road Truck Restriction study.

Mr. Pak asked when we will be doing a study for Hance Avenue and Hope Road. Mr. Neff replied the Shark River Road study to ban commercial truck traffic coming from Rt. 33 in their opinion is a safety issue and was the priority given to his firm. In discussions with NJDOT this study will be the only way to prove the safety issue and accomplish the commercial truck restrictions requested. There is no guarantee NJDOT will approve this request since they are public roads. He noted the cost of another study would be approximately \$8,000.00 for Hance/Hope roads and if approved by the Borough could be added to their project list.

Mr. Manginelli had no report.

Mr. Baldwin had no report.

\*\*\*\*\*

**BUDGET**

R-19-056 Tinton Falls 2019 Budget Adoption Resolution – Mr. Baldwin asked to carry this resolution to the next meeting on Tuesday, May 21, 2019.

*Mr. Manginelli offered a motion to carry Resolution R-19-056, seconded by Ms. Fama.*

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

**ORDINANCES FOR INTRODUCTION**

Ms. D'Annunzio read Ordinance No 2019-1446 entitled: **ORDINANCE VACATING PORTIONS OF THREE (3) PAPER STREETS LOCATED IN SHARK RIVER PARK IN THE BOROUGH OF TINTON FALLS AND KNOWN AS OVERBROOK DRIVE, MONTEREY ROAD AND BERKELEY ROAD**

*Mr. Siebert offered a motion to introduce Ordinance No. 2019-1446, seconded by Mr. Manginelli.*

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

**ORDINANCE NO. 2019-1446**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**ORDINANCE VACATING PORTIONS OF THREE (3) PAPER STREETS LOCATED IN SHARK RIVER  
PARK IN THE BOROUGH OF TINTON FALLS AND KNOWN AS OVERBROOK DRIVE, MONTEREY  
ROAD AND BERKELEY ROAD**

**WHEREAS**, pursuant to N.J.S.A. 40:67-1(b), the Borough Council may, by adopting an appropriate ordinance, vacate any public street or portion thereof; and

**WHEREAS**, the County of Monmouth has requested that the Borough Council consider the vacation of portions of three (3) papers streets located within Shark River Park in order to give clear title to the park; and

**WHEREAS**, said paper streets are located within Block 152.01, Lot 1.01 in the Borough of Tinton Falls; and

**WHEREAS**, the Borough Council is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to the portion of the paper streets known as Overbrook Drive, Monterey Road and Berkeley Road, as shown on Schedule A hereto (metes and bounds description prepared by Johnson, Mirmiran and Thompson); and

**WHEREAS**, the Borough Council has determined that said rights-of-way as described on Schedule A attached hereto lend themselves to higher and better use than for public road purposes and that it is in the best interest of the general public and the Borough of Tinton Falls that the rights and interests in and to the same shall as public rights-of-way be vacated, released and extinguished, on the terms set forth herein; and

**WHEREAS**, the Borough Council must, pursuant to N.J.S.A. 40:67-1(b), preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right of way to be vacated;

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

**SECTION 1.** All public easements, right and interests to the portion of the paper streets known as Overbrook Drive, Monterey Road and Berkeley Road, as depicted on Schedule A attached hereto and located within Block 152.01, Lot 1.01, are hereby vacated, extinguished and released except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13.

**SECTION 2.** The Borough Clerk shall publish this ordinance, after being introduced and having passed at first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

**SECTION 3.** It is the intent of the Borough Council to vacate the aforementioned interests that the public may have in the Property.

**SECTION 4.** The Borough Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

**SECTION 5.** The Borough Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.

**SECTION 6.** 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 7.** 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.

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**SECTION 8.** This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

**ORDINANCES FOR FINAL CONSIDERATION** – None

\*\*\*\*\*

**PUBLIC DISCUSSION**

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

**ROLL CALL**

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

**PUBLIC DISCUSSION OPEN**

*Nancy Britton, 138 Cloverdale Circle* – Ms. Britton asked about the meeting on Monday, May 13<sup>th</sup> regarding the Monmouth County Reclamation Center and will there be Borough representation. Mr. Baldwin stated the Administration and/or Mayor will do an introduction and Monmouth County will run the meeting. Councilmembers plan on attending. Ms. Britton wanted to know if there would be a Borough statement regarding the newspaper article where it was mentioned that Tinton Falls should take on an increased financial role regarding the host community agreement. Mr. Baldwin replied council members will be attending and participating in asking questions. Ms. Britton also questioned the need for the public information officer position and suggested since the position was not filled and funds returned to surplus that the funds could be used for the NJDOT studies discussed earlier. Mr. Skudera stated this position is part of providing a different skill set which is warranted to utilize social media platforms to increase communications and transparency to the public. This position is found at other towns. Mr. Pak commented that this position will be looked at for the value added and cost.

*Gerry Turning, 32 Periwinkle Circle* - Mr. Turning stated the repayment of the school deferred tax is important and he requested an updated copy of the Borough of Tinton Falls Analysis for Operations with regards to the surplus for years 2017, 2018 and 2019. His reason for asking is the Borough utilized approximately \$10,000,000 worth of school deferred taxes surplus beginning in 2010. He agreed this was necessary due to the economic recession. Mr. Turning stated his opinion, that we still have on the books approximately \$10,000,000 of school deferred taxes that we owe, and we should have a plan to start to pay this debt off. Also, Mr. Turning stated regarding the resolution for Shark River Road that in all his years working in the Borough he does not remember one accident on Shark River Road but concedes the residential houses do rattle from the truck traffic. He recommended the Borough may have some traffic statistics for that road and he looks forward to the safety study.

*Bill Keasler, 71 Edgebrook Court* - Mr. Keasler asked if anyone in Administration or Council spoke to their counterparts in Kearny regarding the landfill. Under the Administrative Code, Kearny was successful in getting NJDEP to monitor the landfill in their town. Mr. Skudera commented the Environmental Commission was tracking information concerning other landfills and Monmouth County was given this as a suggestion in the list of ten ideas to help improve the landfill. Mr. Keasler had been in contact with Kearny officials and detailed how Kearny officials got the NJDEP to monitor the landfill and outlined how Tinton Falls and Monmouth County could follow Kearny’s plan. He offered his Kearny contact information to Administration and Council. Mr. Keasler asked when will Council start to review the host agreement at executive session. Mr. Baldwin did not have a date and Mr. Skudera added that will depend on when negotiations between the County and Administration is concluded. Mr. Keasler inquired about a Tinton Falls residents committee to deal with the landfill if it had existed back in 2010. There was no definitive recall of a 2010 committee, but it was commented that the County will be addressing residential representation for the landfill in their plan.

*Gerry Turning, 32 Periwinkle Circle* - Mr. Turning added to the previous discussion by stating there was no committee formed in 2010 regarding the landfill and the timeline of 2010 negotiations took approximately a year due to the difficulty of the negotiations. He found most of the landfill issues incurred in the past were worked out with the County Administrator. He added a three-person residential committee could be a good thing. He asked to clarify who residents call when there is an odor complaint. Mr. Starkey replied he had spoken to the County and they stated calls should go to the County since they are monitoring the landfill, but they did not identify who at the County. Further discussion ensued and concluded that Freeholder Arnone will be asked to clarify the process at Monday’s scheduled meeting.

*Barbara Turning, 32 Periwinkle Circle* – Ms. Turning asked about the upcoming mailing of the newsletter and whether improved steps will be taken to avoid the issues encountered with the mailing of the Borough calendar. She was concerned that taxpayer funds were being wasted. Mr. Baldwin stated the post office mailing process, or the mail processing vendor will need to improve in order to avoid non-Tinton Falls residents receiving the Borough’s calendar or newsletter. Mr. Skudera commented that the same mailing process he used in the past, which he believes was successful, will be the same process for sending out the newsletters for future mailings.

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

*Mr. Paul Abrams, 23 Taylors Place* – Mr. Abrams stated he had been publishing a local newspaper for the past seven years, The Today Paper, and the mailing distribution process is difficult due to changing carrier routes. He offered a suggestion to Administration to utilize a website, melissadata.com, he found helpful which will allow you to search addresses by carrier routes. Mr. Skudera thanked him for his helpful solution.

*Mr. Leo Lomangino, 93 Colonial Drive* – Mr. Lomangino commented on the negotiations for the Host Community Agreement. He cautioned Administration and Council to have all the necessary input before the agreement is finalized since the duration of the agreement is so long term.

*There being no further comments, Mr. Pak 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:** - None

\*\*\*\*\*

Mr. Baldwin requested to amend the consent agenda to include Resolution R-19-084 since the budget was not approved the Borough will need an emergency temporary appropriation until the budget is approved.

Ms. D’Annunzio read Resolution R-19-084 entitled: **RESOLUTION – EMERGENCY TEMPORARY APPROPRIATIONS**

*Mr. Manginelli offered a motion to amend consent agenda to include R-19-084, seconded by Mr. Siebert.*

**ROLL CALL**

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

\*\*\*\*\*

**CONSENT AGENDA**

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

**ROLL CALL**

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

**R-19-076 RESOLUTION OF AWARD ROADWAY IMPROVEMENT PROGRAM – HOPE ROAD**

**WHEREAS**, the Township of Ocean received four (4) bids on Thursday, April 18, 2019 for the Roadway Improvement Program – Hope Road; and

**WHEREAS**, Earle Asphalt, P.O. Box Drawer 556, Farmingdale, NJ 07727 submitted the lowest responsible bid in the amount of \$528,500.00 for the above contract; and

**WHEREAS**, the Director of Law has found the bid to be in order, and Gregory S. Blash, P.E., of Leon S. Avakian, Inc., the Engineer for the Township of Ocean, recommends award in his bid report attached dated April 22, 2019; and

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**NOW, THEREFORE BE IT RESOLVED** that Earle Asphalt, P.O. Box Drawer 556, Farmingdale, NJ 07727 be awarded a contract in the amount of \$528,500.00 for the Roadway Improvement Program – Hope Road;

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

I hereby certify funds are available contingent upon the necessary funds being appropriated by the governing body in the 2019 Municipal Budget:

**R-19-077 A RESOLUTION APPROVING CONTINUED SHARED SERVICES AGREEMENT WITH BOROUGH OF EATONTOWN FOR FORESTRY BUCKET TRUCK USE, MAINTENANCE AND STORAGE**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the “Act”) permits units of local government to share services for particular purposes and to effectuate agreements for any services or circumstance that will aid and encourage a reduction of local expenses; and

**WHEREAS**, since 2002, the Boroughs of Tinton Falls and Eatontown have maintained an agreement for the use, maintenance and storage of a Forestry Bucket Truck with each municipality being entitled to the use of the truck on a shared basis; and

**WHEREAS**, this agreement expires May 31, 2019 and Eatontown wishes to renew the Agreement subject to the terms and conditions of the Shared Services Agreement attached hereto and made part hereof.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that the Mayor and Borough Clerk are hereby authorized and directed to execute the Shared Services Agreement attached hereto and made part hereof with Eatontown annually reimbursing the Borough of Tinton Falls for 50% of the vehicle’s maintenance costs pursuant to the terms and conditions contained therein for a period of three (3) years.

**R-19-078 RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR CONTRACT #18-4 2018 ROAD IMPROVEMENT PROGRAM**

**WHEREAS**, Contract #18-4 of the 2018 Road Improvement Program was awarded to Earle Asphalt Co., P.O. Drawer 556, Farmingdale, NJ 07727, by Resolution R-18-252 in the amount of \$2,126,913.13 at a Council Meeting held on September 18, 2018; and

**WHEREAS**, Change Order #1 dated April 22, 2018 from T&M Associates (annexed hereto and part hereof) required quantity changes resulting in a zero (0) net change to the total contract amount;

**NOW, THEREFORE BE IT RESOLVED** the Borough Council of the Borough of Tinton Falls authorizes change order #1 for a zero (0) net change to the total contract amount, is hereby authorized for the above contract awarded to Earle Asphalt Co.;

**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-19-079 RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES SHARK RIVER ROAD TRUCK RESTRICTION**

**WHEREAS**, the Borough of Tinton Falls has a need for professional engineering services for the Shark River Road Truck Restriction; and

**WHEREAS**, T & M Associates is the Borough Engineer as approved by Resolution R-18-042 adopted on January 16, 2018; and

**WHEREAS**, these services will be described in proposal attached dated April 30, 2019; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$8,200.00; 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 April 30, 2019 for an amount not to exceed \$8,200.00; and

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

I hereby certify funds are available from: Current Fund Budget – Engineering

**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**R-19-080 RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE**

WHEREAS, Tax Sale Certificate #3114 was issued to the Borough of Tinton Falls for delinquent property taxes on Block 108 Lot 1.02 (Pine Brook Road), assessed to John W. Bischoff, at a tax sale held on December 6, 2017; and

WHEREAS, Mr. John W. Bischoff has redeemed Certificate #3114 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 #3114 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #3114 was redeemed on April 17, 2019.

**R-19-081 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2017 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2017 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
McCarter & English, LLP P.O. Box 652 Newark, NJ 07102	21	10.01	\$2,054.00

Re: Tinton Realty Assoc. c/o Ivy Realty  
776 Shrewsbury Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2017 taxes by the property owner in the amount of \$2,054.00 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 \$2,054.00 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 \$2,054.00.

**R-19-082 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>
McCarter & English, LLP P.O. Box 652 Newark, NJ 07102	21	10.01	\$3,462.92

Re: Tinton Realty Assoc. c/o Ivy Realty  
776 Shrewsbury Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2018 taxes by the property owner in the amount of \$3,462.92 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 \$3,462.92 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 \$3,462.92.



**REGULAR AND WORKSHOP MEETING  
MAY 7, 2019  
BOROUGH COUNCIL**

**R-19-083 RESOLUTION – APPROVAL OF BILLS – May 7, 2019**

**WHEREAS**, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending May 7, 2019; 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**

<b>GENERAL</b>	<b>7,011,0</b>
<b>SEWER UTILITY</b>	<b>75,8</b>
<b>TRUST FUNDS</b>	<b>103,0</b>
<b>GENERAL CAPITAL</b>	<b>1,258,5</b>
<b>GRANT FUND</b>	<b>5</b>
<b>DOG TRUST</b>	<b>,</b>
<b>ESCROW</b>	<b>11,3</b>
<b>TOTAL</b>	<b>8,460,4</b>

CERTIFICATION OF FUNDS:

**R-19-084 RESOLUTION – EMERGENCY TEMPORARY APPROPRIATIONS**

**WHEREAS**, an emergent condition has arisen with respect to the Operations of the Borough and no adequate provision could have been made in the 2019 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$2,313,200 and \$528,000 for the Current Fund and Sewer Utility Fund respectively.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A: 4-20:

1. An emergency temporary appropriation be and the same is hereby made for Operating, as per attached schedule, in the amount of \$2,313,200 and \$528,000 respectively for the Current Fund and Sewer Utility Fund.
2. That said emergency temporary appropriations will be provided for in the 2019 budget under the same title.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**ADJOURNMENT**

*There being no workshop, Mr. Siebert offered a motion to adjourn, seconded by Mr. Pak.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:40 PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

**APPROVED AT A MEETING HELD ON:**