

**REGULAR AND WORKSHOP MEETING
AUGUST 13, 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 New Coaster at least 48 hours prior to this meeting."

ROLL CALL

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

ABSENT: Mr. Pak

ALSO PRESENT: Melissa Hesler, Borough Clerk
Kevin Starkey, Esq.
Vito Perillo, Mayor
Michael Skudera, Borough Administrator
Thomas Neff, Borough Engineer

All present stood for a salute to the flag

APPROVAL OF MINUTES

Mr. Siebert offered a motion to approve the minutes of the Regular/Workshop Meeting of June 18, 2019, seconded by Mr. Manginelli.

ROLL CALL

AYES: Mr. Manginelli, Mr. Siebert, Mr. Baldwin

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: Ms. Fama

Mr. Siebert offered a motion to approve the minutes of the Regular/Workshop Meeting of July 16, 2019, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report – Vito Perillo

Mayor Perillo read a letter from Senator Chris Smith which states that Tinton Falls has been recognized as a Tree City USA for the year 2018 by the Arbor Day Foundation. Mayor Perillo presented the letter to Mrs. Carney, Chair of the Shade Tree Commission. Council President Baldwin thanked Mrs. Carney for her many years of dedication to the Borough.

Engineer's Report- Thomas Neff

Mr. Neff discussed Resolution R-19-125 authorizing execution of a TWA for MCRC upgrades and gave a brief overview of the expansion of sewer services. He briefly discussed Resolution R-19-145 which is an MOU for sewer service agreement with Eatontown for Suneagles Golf Club. He explained that the developer, Martelli, is in the process of redeveloping this property with new townhouses as well as renovating the club house and the tavern. He discussed the current sewer connection for this property and explained that this agreement will allow the Borough to collect sewer connection fees from the new development and clubhouse. He stated that this will be a significant financial gain for the Borough and discussed the breakdown of the connection fees.

Director of Finance- Thomas Fallon

Mr. Fallon had no report.

Borough Administrator- Michael Skudera

Mr. Skudera had no report.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

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Borough Clerk's Report - Melissa Hesler

Ms. Hesler had no report.

Council's Report

Councilwoman Fama discussed the Library's latest Save our Library event that was held at the Sycamore Fields and thanked all who attended to show their support for the library. She also thanked Administration and DPW for their time and effort in supporting this community event. She announced that the next library event will be a food tasting on October 14, 2019 at Gibbs Hall, for more information visit www.tintonfallslibrary.com. Ms. Fama inquired about the new structure in Code Enforcement and again requested an update in writing from Administration so that we can actually know in real quantitative way if the new structure is working or something that is not benefiting our town.

Councilman Siebert announced that he recently attended the Jr. Police Academy graduation and stated that it was a great event. He thanked the Police Department for putting together an excellent 3-week program for the young adults of Tinton Falls. Mr. Siebert explained that there will be a Monmouth County Eco Tour on Saturday morning with 3 stops in Tinton Falls.

Councilman Manginelli stated that he also attended the Police Cadet Graduation and commended the Police Department on a wonderful program.

Council President Baldwin stated that he has been attending this graduation ceremony for the past ten years and thanked former Police Chief Mr. Gerald Turning for putting this program together in 2001. He discussed the upcoming Planning Board Meeting on August 14, 2019 in which there are two applicants on the agenda.

ORDINANCES FOR INTRODUCTION – None

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: Mr. Pak

ABSTAIN: None

PUBLIC DISCUSSION OPEN

Ron Wollner, 8 Green Meadow Drive- Mr. Wollner discussed the flooding in Parker's Creek and stated that nothing has been done to fix this issue. Borough Engineer Mr. Neff stated that it was his understanding that Councilman Pak was going to reach out to the school regarding this issue. Mr. Wollner asked Council to consider putting together an Ordinance that would protect existing farms and keep them safe from redevelopment. Mr. Wollner voiced his frustration with the dangerous situation at Hance and Sycamore Avenue and handed out a news article from the Asbury Park Press published in 2015. Mr. Wollner read from the news article where he was quoted saying that he travels this intersection daily and he worries about the safety of his family and the community; he asks if it will take someone losing their life to fix this intersection. He stated that he is very angry and upset to learn that there was a recent fatality as a result of the Hance/Sycamore intersection and implored Council to act and find a solution. Council President Baldwin responded by saying that he is constantly on record asking the county to do something to fix this road however they have yet to find a solution. He stated that he will continue to push the county until this intersection is made safe.

Tracy Buckley, 17 Helene Court- Ms. Buckley also discussed the ongoing issues at Hance and Sycamore and the meetings she has attended where she has asked County Engineer Joe Ettore for updates. Ms. Buckley addressed several ideas presented to the county and her overall concerns with making that intersection safe over the idea of less traffic. The County's main concern is level of service, which means free traffic flow, and not safety. She explained that she asked Freeholder Arnone to come back to the Borough for another presentation and he agreed to do so. The County is set to come out with another report around October. Councilman Manginelli stated that he will not send the County back to the drawing board, and he will vote for whatever plan they come up with. He suggested we wait for the report, hear what they have to say and move on to a solution. Councilman Siebert stated that he tends to contradict Ms.

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Buckley’s definition of “level of service”. He stated that Level of Service is defined as the number of cars that flow through a traffic intersection per hour, or per minute, not necessarily free flowing. Councilman Siebert stated that in speaking with the County Engineer his concern with level of service, is that if you exceed a certain point of level of service, vehicles and operators begin to have irrational behavior which tends to lead to a higher incident of accidents.

Gerry Turning, 32 Periwinkle Circle- Mr. Turning also discussed the intersection of Hance and Sycamore and stated that this issue has been ongoing for about 15 years. He explained that the County is looking for the Borough Council to submit a Resolution in favor of the County moving forward with their plans to fix the intersection. Mr. Turning expressed his concern with the overall safety of the intersection, citing that it has gone from dangerous to deadly. He urged the Council to work with the County to finally find a solution to this serious situation.

Andy Aumack, 38 Stratford Road- Mr. Aumack introduced himself as a Borough employee in the Department of Public Works as well as a Tinton Falls resident, and he is here tonight to represent his fellow DPW co-workers. He stated that DPW received an MOA for their contract, and voted to accept and approve the contract. On June 18, the Borough passed a Resolution to accept and approve the terms contained in the MOA, however their contract still has not been settled. He inquired about the current status of the Contract and asked for an update. On behalf of Council and Administration Borough Attorney, Mr. Starkey thanked Mr. Aumack and all of DPW for all of their hard-work. He explained that the Labor Counsel had send a draft contract to the Union attorney and received no response.

Murray Guth, 30 Hazelwood Terrace- Mr. Guth inquired about the status of the Resolution the County has requested the Borough submit an order to move forward with intersection improvements at Hance and Sycamore. Council President Baldwin explained that the County has yet to present their final plan and Council will not produce a Resolution until the final plan has been submitted. Councilman Manginelli clarified that the County did present a plan however Council voted 3-2 against the plan, thus the County could not proceed. He reiterated his comments from earlier, that he will not permit Council to turn the County away, they must settle on a safe and acceptable plan. Councilwoman Fama explained why she was opposed to the County’s initial plan and stated that she believed a simpler, less invasive strategy could have been put into place.

Frank Self, 20 Chelsea Court- Mr. Self discussed his concerns with the intersection at Hance and Sycamore and asked Council to simply submit a Resolution to the County stating that the Borough approves of the County moving forward. Council President Baldwin stated that the Council has not been able to get a majority vote in agreement with the County. Council will not give the County approval until they meet the Borough’s requirements.

Carol Sills, Ms. Sills noted that Tinton Falls is home to many children who travel through Hance and Sycamore daily. This dangerous intersection is an emotional problem, and the safety of these children should be the Borough’s main concern. Ms. Sills implored the Council to consider the consequences of inaction, no life is worth an intersection.

Gerry Turning, 32 Periwinkle Circle- Mr. Turning discussed the Resolution that the County has requested from the Borough and stated that it is simply a political issue, the County has an obligation to fix this road. During his years in office he has seen several reports and plans submitted, however the issue is not getting any better and a solution has yet to be found.

Mitch Kulberg, 21 Cedar Place- Mr. Kulberg discussed the library’s recent fundraising event and was happy to see the community come together in such a wonderful way. He stated that while he enjoyed the event, he voiced his disappointment in the Borough’s handling of the library. Councilwoman Fama responded to Mr. Kulberg’s comments by clarifying that it was the Library Board’s decision not to move forward with the funds that were in the budget. It was the Board’s decision to apply for the grant and it is the State that has put this on hold, not the Council.

William DeVizia, 799 Sycamore Avenue- Mr. DeVizia stated that he has lived 300 feet from that intersection for the past 16 years and has heard numerous accidents. The residents want something to be done for the safety of themselves and their families. He believes that the County has been unable to fix this issue because there has been opposition. Mr. DeViza referenced similar intersections in neighboring towns and stated that the installation of traffic light was the solution. The Borough must hold the County responsible to make this intersection safe.

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

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER – None

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CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

R-19-122 RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Monmouth Municipal Joint Insurance Fund (hereinafter the “Fund”) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Borough of Tinton Falls is currently a member of the Fund; and

WHEREAS, said membership will expire as of December 31, 2019 unless earlier renewed; and

WHEREAS, the Fund has agreed, in consideration of the continuing membership of the Borough in the Fund, and subject to the continuing approval of the Commissioner of Insurance, to accept the renewal of membership of the Borough; and

WHEREAS, the Mayor and Council have resolved to renew the Borough’s membership in the Fund;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Borough hereby renews its membership in the Monmouth Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2020 and ending December 31, 2022.
2. The Borough hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Monmouth Municipal Joint Insurance Fund as amended and altered from time to time by the Department of Insurance in accordance with applicable statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Borough agrees to be a participating member of the Fund for the term set forth herein and to comply with all of the rules and regulations and obligations associated with said membership.
4. The Mayor is authorized to execute, and the Municipal Clerk to attest, any document or agreement needed to implement the provisions of this Resolution.

R-19-123 RESOLUTION - DENYING RELEASE OF PERFORMANCE GUARANTEES J&C PROPERTY HOLDINGS, LLC (a/k/a ATLANTIC RENTALS) BLOCK 128.03 LOT 1.09 (formerly Lot 1.08)

WHEREAS, the developer has requested the release of Performance Guarantees for J&C Property Holdings, LLC Block 128.03 Lot 1.09, and

WHEREAS, by letter dated July 22, 2019 (said letter hereby attached and made part of this Resolution) the Engineer, T&M Associates, not all of the bonded improvements have remained acceptable and there are deficiencies that 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 July 22, 2019, that the developer's request for a release of the Performance Guarantees be and hereby is denied.

R-19-124 RESOLUTION AUTHORIZING PURCHASE UNDER NATIONAL JOINT POWERS ALLIANCE

WHEREAS, the Tinton Falls Department of Public Works is in need of One (1) 2020 or Newer Peterbilt 520 Tandem Axle Cab & Chassis with 66,000 lb. GVW Automated Side Loader; and

WHEREAS, the Borough of Tinton Falls is a current member of the Sourcewell (Formerly National Joint Power Alliance) as approved by Resolution #R-16-123; and

WHEREAS, Hunter Truck, 524 Monmouth Road, Clarksburg, NJ 08510 is a valid vendor on Sourcewell, for the purchase of One (1) 2020 or Newer, Peterbilt 520 Tandem Axle Cab & Chassis with 66,000 lb. GVW Automated Side Loader for a total purchase price in the amount of \$255,000.00 ; and

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

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid National Joint Powers Alliance: One (1) 2020 or Newer Model Year Peterbilt 520 Tandem Axle Cab & Chassis with 66,000 lb. GVW Automated Side Loader

R-19-125 RESOLUTION – AUTHORIZING MAYOR, ADMINISTRATOR AND DIRECTOR OF PUBLIC WORKS TO EXECUTE TWA-1 FORMS FOR PROJECT: MONMOUTH COUNTY RECLAMATION CENTER LEACHATE PRE-TREATMENT PLANT UPGRADES

WHEREAS, the Monmouth County Reclamation Center (MCRC) received NJDEP approval in 2014 for the discharge of 150,000 gallons per day of treated leachate into the Borough’s sanitary sewer system. MCRC began to gradually discharge the leachate in November of 2015; and

WHEREAS, throughout the summer months of 2017 and 2018, the Borough experienced significant operational issues at the Jumping Brook sanitary sewer pump station related to the leachate. It was determined that the issues were being caused gas buildup as a result of denitrification of the leachate in the force main owned and operated by the Township of Neptune Sewerage Authority (TNSA); and

WHEREAS, the NJDEP has issued a revised NJPDES permit to MCRC with new limits imposed for nitrate and flow. NJDEP believes that these new limits will address the operation issues experienced at the Jumping Brook pump station, as well as at TNSA’s treatment facility; and

WHEREAS, MCRC must comply with the new permit limits and therefore proposes numerous improvements and upgrades at their pre-treatment facility to implement a denitrification process and meet these limits; and

WHEREAS, NJDEP requires a Treatment Works Approval (TWA) Permit for this work. The TWA Permit application must be accompanied by a written statement of consent from the governing body and wastewater conveyance system owner; and

WHEREAS, the Borough of Tinton Falls Governing Body is in support of the new permit limits imposed by NJDEP and supports all efforts by the MCRC to meet these limits.

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the following are hereby authorized to execute TWA-1 Forms on behalf of the Borough of Tinton Falls for the Monmouth County Reclamation Center Leachate Pre-Treatment Plant Upgrades project.

Mayor	Vito Perillo
Administrator	Michael Skudera
Director of Public Works	Mark Shaffery

R-19-126 RESOLUTION AUTHORIZING PURCHASE UNDER MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM #65MCESCCPS THREE (3) 3-4 YARD F550 MASON DUMP BODIES

WHEREAS, the Borough of Tinton Falls is in need of three (3) 3-4 Yard F550 Mason Dump Bodies; and

WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS as approved by Resolution #R-14-186; and

WHEREAS, A & K Equipment, Co., Inc., 221 Wescott Drive, Rahway, NJ 07065 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of the three (3) 3-4 Yard F550 Mason Dump Bodies at \$10,609.10 each for a total purchase price in the amount of \$31,827.30 ; and

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

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS:

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R-19-127 RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL PAYMENT DECREASING CONTRACT #18-1 IN THE AMOUNT OF \$8,975.00 HERITAGE BOULEVARD PUMP STATION UPGRADES

WHEREAS, Contract #18-1 for the Heritage Boulevard Pump Station Upgrades was awarded to T. R. Weniger, Inc., by Resolution R-18-187 in the amount of \$246,300.00 at a Council Meeting held on July 10, 2018; and **WHEREAS**, Change Order #1 dated July 17, 2019 from T & M Associates, (annexed hereto and part hereof) reflects a decrease to the contract in the amount of \$8,975.00 and Final Payment in the amount of \$23,170.50 and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Change Order #1 decreasing Contract #18-1 in the amount of \$8,975.00 and Final Payment in the amount of \$23,170.50 for a total contract in the amount of \$237,325.00 is hereby authorized for the above contract awarded to T. R. Weniger, Inc.,

R-19-128 RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES 2019 TAX MAP UPDATES

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the 2019 Tax Map Updates; and

WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-19-013 adopted on January 8, 2019; and

WHEREAS, these services will be described in the proposal attached dated August 2, 2019; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$12,800.00; 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 August 2, 2019 for an amount not to exceed \$12,800.00; and

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

R-19-129 RESOLUTION - ALLOWING FOR THE EXTENSION OF THE TAX BILL INTEREST PENALTY DEADLINE

WHEREAS, certification of the tax rate was not received until July 23, 2019 causing the late printing of tax bills, and

WHEREAS, the third quarter property taxes were due on August 1, 2019 with a ten (10) day grace period for interest to August 10, 2019, and

WHEREAS, the Tax Collector was not able to mail the tax bills until July 31, 2019 for reasons stated above and requests the interest penalty date be extended to August 26, 2019, the first business day after 25 days from the date of mailing.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the interest penalty for the 2019 3rd quarter property tax bills be extended to August 26, 2019.

R-19-130 RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO BOROUGH OWNED PROPERTY EXEMPTION

WHEREAS, an overbilling and an overpayment of 2019 Taxes has been made as a result of an exemption due to the Borough of Tinton Falls Acquiring of property (from April 30, 2019 through December 31, 2019) known as:

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	26.01	199	\$1,070.85	\$375.50	\$1,446.35

Re: Borough of Tinton Falls from the Estate of Eileen O'Connell
15 Citation Court
and,

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WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2019 taxes in the amount of \$1,446.35 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$1,070.85, be cancelled for the year 2019 and that a refund in the amount of \$375.50 is hereby approved for the aforementioned property.

R-19-131 RESOLUTION - CANCELLING TAXES FOR A VETERAN'S DEDUCTION

WHEREAS, an overbilling of 2019 taxes has been made as a result of a Veteran's deduction for the year 2019 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Samuel Rise 1 Bridle Path Tinton Falls, NJ 07753	129.07	53	\$250.00

and,

WHEREAS, said deduction has resulted in a cancellation of the 2019 taxes in the amount of \$250.00, 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 in the amount of \$250.00 is hereby approved as a result of the cancellation of the taxes for the aforementioned property for the year 2019.

R-19-132 RESOLUTION – CANCELING 2019 TAXES

WHEREAS, overbillings of 2019 taxes have been made as a result of Tax Court Judgements reducing the assessed values for the tax year 2019 to properties known as:

R-19-132 CANCELING AND REFUNDING 2019 PROPERTY TAXES DUE TO TAX COURT OF NEW JERSEY JUDGEMENTS					
BLOCK	LOT	NAME	PROPERTY LOCATION	AMOUNT TO BE CANCELED	
105	35.01	SLAZYK, JOHN M 10 DANIEL COURT TINTON FALLS, NJ 07724	10 DANIEL COURT	2,416.30	
120.02	1.03	XPD (NJ) LLC 600 FIFTH AVE, 9TH FLOOR NEW YORK, NY 10020	100 TORMEE DRIVE	6,748.89	
				9,165.19	

WHEREAS, said reductions have resulted in cancellations of the 2019 taxes in the amount of \$9,165.19 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 in the amount of \$9,165.19 is hereby approved for the aforementioned properties.

R-19-133 RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A 100% TOTALLY DISABLED VETERAN EXEMPTION

WHEREAS, overbillings and overpayments of 2019 Taxes have been made as a result of a 100% Totally Disabled Veteran Exemptions for the year of 2019 (from various dates through December 31, 2019)

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R-19-133 CANCELING AND REFUNDING 2019 PROPERTY TAXES DUE TO 100% DISABLED VETERAN EXEMPTIONS							
BLOCK	LOT	NAME	PROPERTY LOCATION	EFFECTIVE DATE OF EXEMPTION	AMOUNT TO BE CANCELED	AMOUNT TO BE REFUNDED	TOTAL
27	9	DONAGHUE, TERRENCE E. 35 HOPE ROAD TINTON FALLS, NJ 07724	35 HOPE ROAD	3/7/2019	2,977.29	1,717.50	4,694.79
65.02	16	HARRIS, PERCY H. & BARBARA 101 WELLINGTON DRIVE TINTON FALLS, NJ 07724	101 WELLINGTON DRIVE	1/1/2019	6,654.33	2,023.67	8,678.00
124.09	11	TORRE, VINCENT D & NANCY P 112 ROSLYN DRIVE TINTON FALLS, NJ 07753	112 ROSLYN DRIVE	1/1/2019	3,380.59	3,632.24	7,012.83
					13,012.21	7,373.41	20,385.62

and,

WHEREAS, said exemptions resulted in overbillings and overpayments of the 2019 taxes in the amount of \$20,385.62 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$13,012.21 be cancelled for the year 2019 and that refunds in the amount of \$7,373.41 are hereby approved for the aforementioned properties.

R-19-134 RESOLUTION - CANCELLING TAXES FOR A SENIOR CITIZEN'S DEDUCTION

WHEREAS, an overbilling of 2019 taxes has been made as a result of a Senior Citizen's deduction for the year 2019 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
William E. & Mary M. Hecker 46 Beaumont Court Tinton Falls, NJ 07724	26	42	\$250.00

and,

WHEREAS, said deduction has resulted in an cancellation of the 2019 taxes in the amount of \$250.00, 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 in the amount of \$250.00 is hereby approved as a result of the cancellation of the taxes for the aforementioned property for the year 2019.

R-19-135 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, overpayments of 2019 Taxes have been made as a result of overbillings for the 2019 first half year to properties known 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 overbillings have resulted in overpayments of the 2019 taxes by the property owners in the total amount of \$1,421.25 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$865.35 are approved and the \$555.90 remainder of overpayments shall be applied to past due sewer and interest on the attached properties.

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R-19-135 BOROUGH OF TINTON FALLS - TAX OVERBILLING IN THE 2019 1ST HALF BILLINGS							
BLOCK	LOT	NAME	PROPERTY LOCATION	TOTAL TAXES OVERBILLED	AMOUNT TO BE APPLIED TO SEWER ACCOUNT	AMOUNT TO BE REFUNDED TO HOMEOWNER	
124.50	235	PRESZLER, JEROLD J & LILA A 33 DES MOINES COURT TINTON FALLS, NJ 07712	33 DES MOINES COURT	123.31	-	123.31	
124.50	236	BOOKER, EDWARD & TOI S. 34 DES MOINES COURT TINTON FALLS, NJ 07712	34 DES MOINES COURT	239.25	98.41	140.84	
124.50	237	TRAVERS, CONCETTA 35 DES MOINES COURT TINTON FALLS, NJ 07712	35 DES MOINES COURT	123.31	-	123.31	
124.50	238	ALLETTI, BRUNA A 20 HIDDEN MEADOWS DRIVE, APT 126 OCEAN, NJ 07712	36 DES MOINES COURT	258.23	-	258.23	
124.50	239	BABO, MARILYN 91 ANNAPOLIS STREET TINTON FALLS, NJ 07712	37 DES MOINES COURT	123.31	-	123.31	
124.50	240	DELIZZA, STEVEN 184 PELICAN ROAD MIDDLETOWN, NJ 07748	38 DES MOINES COURT	191.28	94.93	96.35	
124.50	241	OPPITO, CORRINE & GLENN 39 DES MOINES COURT TINTON FALLS, NJ 07712	39 DES MOINES COURT	123.31	123.31	-	
124.50	242	BARTIS, NANCY 40 DES MOINES COURT TINTON FALLS, NJ 07712	40 DES MOINES COURT	239.25	239.25	-	
				1,421.25	555.90	865.35	

R-19-136 RESOLUTION - REFUNDING TAX OVERPAYMENT TO BE APPLIED TO 2020 TAXES

WHEREAS, an overpayment of the 2019 taxes on the following property has been made by the owner paying estimated taxes in the year 2018.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	27	24	\$2,889.66

Re: James E. & Leila K. Armstrong
119 Hope Road

and,

WHEREAS, said payment has resulted in an overpayment of the 2019 taxes totaling \$2,889.66 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 \$2,889.66 is hereby approved for the aforementioned property. Said overpayment shall be applied to 2020 taxes.

R-19-137 RESOLUTION - PLACING DEBRIS LIEN ON PROPERTY KNOWN AS 84 STRATFORD ROAD

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
US Bank Trust, NA Trustee c/o Resicap 3630 Peachtree Rd. NE, Suite 1500 Atlanta, GA 30326	53.07	25	\$314.78

Re: Prop. Loc.: 84 Stratford Road

and,

**REGULAR AND WORKSHOP MEETING
AUGUST 13, 2019
BOROUGH COUNCIL**

WHEREAS, N.J.S.A. 40:48-2.14 provides where obnoxious growth, garbage, trash and debris are destroyed or removed from any dwelling or lands, the cost shall be certified to the governing body, which shall examine the certificate and if found correct shall cause the cost to be charged against said dwelling or lands.

and,

WHEREAS, the Department of Public Works of the Borough of Tinton Falls performed a clean-up on the above mentioned property totaling \$314.78 pursuant to a letter dated July 15, 2019 from Mark Shaffery, Director of Public Works hereby attached and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that a debris lien in the amount of \$314.78 is charged to the property known as 84 Stratford Road and shall become part of the taxes to be assessed and levied.

R-19-138 RESOLUTION - PLACING DEBRIS LIEN ON PROPERTY KNOWN AS 538 SHREWSBURY AVENUE

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Sangari, Manjit & Rajinder 501 Apache Trail Morganville, NJ 07751	13.04	84	\$314.78

Re: Prop. Loc.: 538 Shrewsbury Avenue

and,

WHEREAS, N.J.S.A. 40:48-2.14 provides where obnoxious growth, garbage, trash and debris are destroyed or removed from any dwelling or lands, the cost shall be certified to the governing body, which shall examine the certificate and if found correct shall cause the cost to be charged against said dwelling or lands.

and,

WHEREAS, the Department of Public Works of the Borough of Tinton Falls performed a clean-up on the above mentioned property totaling \$314.78 pursuant to a letter dated July 15, 2019 from Mark Shaffery, Director of Public Works hereby attached and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that a debris lien in the amount of \$314.78 is charged to the property known as 84 Stratford Road and shall become part of the taxes to be assessed and levied.

R-19-139 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of May fees were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Trips.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of May 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent informed the resident that the child Alex Yeranian is not age appropriate for a selected trip and a refund in the amount of \$18.00 shall be issued. The processing fee of \$10.00 will not be applied.

Brian Yeranian	\$18.00
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Total	\$18.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$18.00 be issued.

R-19-140 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of June fees were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Trip.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent was informed the resident that the child Rhiana Thomas would be unavailable to attend a rescheduled trip due to weather. A refund in the amount of \$26.00 shall be issued. The processing fee of \$10.00 does not apply.

Deja Gascot	\$26.00
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Total	\$26.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$26.00 be issued.

**REGULAR AND WORKSHOP MEETING
AUGUST 13, 2019
BOROUGH COUNCIL**

R-19-141 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of June fees were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Trips

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent was informed the resident that the child Natalie English would be unavailable to attend a rescheduled trip due to weather. A refund in the amount of \$44.00 shall be issued. The processing fee of \$10.00 does not apply.

Rich and or Chrissy English	\$44.00
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Total	\$44.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$44.00 be issued.

R-19-142 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of June fees were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Program

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent was informed by the resident that the children Matteo and Nico Meleleo will be withdrawing from two weeks of the summer program. A refund in the amount of \$72.00 per child shall be issued, less the processing fee of \$10.00 will be applied.

Andrea Meleleo	\$134.00
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Total	\$134.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$134.00 be issued.

R-19-143 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of June fees were paid by a resident of Tinton Falls for their child's participation in our Summer Camp Program

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent was informed by the resident that the child, Haruomi Mancinelli will be withdrawing from three weeks of the summer program. A refund in the amount of \$172.00 shall be issued, in which the \$10.00 processing fee has been applied.

Ralph Mancinelli	\$172.00
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Total	\$172.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$172.00 be issued.

R-19-144 RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the month of July 2019 fees were paid residents of Tinton Falls for their participation in our Fall Soccer Program

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June/July 2019

WHEREAS, during the month of July 2019, the Recreation Superintendent informed the residents that due to insufficient player participation team play has been cancelled and a full refund would be offered. The processing fee does not apply.

**REGULAR AND WORKSHOP MEETING
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Frank Spinelli	\$82.00
Esthela Jativa	\$85.00
Amy Thomassen	\$85.00
Joann Shafer	\$85.00
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Total	\$337.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$337.00 be issued.

R-19-145 RESOLUTION AUTHORIZING ENTRY INTO MEMORANDUM OF UNDERSTANDING WITH EATONTOWN SEWERAGE AUTHORITY

WHEREAS, in order to facilitate the redevelopment of the Suneagles Golf Club in the Borough of Eatontown, the Eatontown Sewerage Authority (“Authority”) has requested to connect to an interceptor line utilized by the Borough of Tinton Falls (“Tinton Falls”) and maintained by the Two Rivers Water Reclamation Authority; and

WHEREAS, Tinton Falls and the Authority have negotiated terms allowing for same as contained in the memorandum of understanding attached hereto and incorporated by reference; and

WHEREAS, Tinton Falls is authorized to enter into such an agreement pursuant to the Municipal and County Sewerage Act, N.J.S.A. 40A:26-A-1 et seq.

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 Mayor to execute a Memorandum of Understanding by and between the Borough of Tinton Falls and the Eatontown Sewerage Authority, consistent with the foregoing.

R-19-146 RESOLUTION – APPROVAL OF BILLS – August 13, 2019

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 13, 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

GENERAL	3,618,958.94
SEWER UTILITY	424,215.04
GENERAL CAPITAL	7,948.03
TRUST FUNDS	25,539.29
GRANT FUND	4,083.97
DOG TRUST	3,534.00
ESCROW	32,440.49
ADDITIONS	<u>1,258,603.24</u>
TOTAL	5,375,323.00

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Pak

ABSTAIN: None

TIME: 8:33

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: