

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 6:30 PM.

The 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)

PRESENT: Mrs. Clay, Mr. Nesci, Mr. Siebert, Ms. Buckley
ABSENT: Mr. Manginelli

EXECUTIVE SESSION

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

R-21-241 Resolution to Enter Executive Session

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-21-241

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 the Director of Law 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:

1) **Potential Property Acquisitions or Sales** – N.J.S.A. 10:4-12(b)(5)

None

2) **Personnel Matters** – N.J.S.A. 10:4-12(b)(8)

None

3) **Contract Negotiations** – N.J.S.A. 10:4-12(b)(4) or (b)(7)

Contract negotiations with local bargaining units DPW and Clerical

4) **Litigation/Potential Litigation** – N.J.S.A. 10:4-12(b)(7)

None

Mr. Siebert offered a motion to approve Resolution R-21-241, seconded by Mr. Nesci.

ROLL CALL

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

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

Council President Buckley advised that Council was back on the record at 7:30 PM for the start of the Regular Meeting.

ROLL CALL (Regular Meeting)

PRESENT: Mrs. Clay, Mr. Nesci, Mr. Siebert, Ms. Buckley
ABSENT: Mr. Manginelli
ALSO PRESENT: Melissa Hesler, Borough Clerk
Kevin Starkey, Director of Law
Vito Perillo, Mayor
Thomas Fallon, Acting Borough Administrator/Director of Finance
Thomas Neff, Borough Engineer

Council President Buckley asked the Director of Law, Kevin Starkey to summarize the executive session discussion.

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

Mr. Starkey stated that there was one item discussed at Executive Session which was contract negotiations for the DPW and Clerical. As a follow-up to that discussion there are two resolutions on the agenda tonight to approve the contracts with those bargaining units.

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Mrs. Clay offered a motion to approve the September 21, 2021 Regular Meeting Minutes seconded by Mr. Siebert.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: Mr. Manginelli

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Council President Buckley stated before moving on to report she would like to take a moment to recognize Brock Siebert whose term will conclude at the end of the year. Council and Mayor Perillo presented Mr. Siebert with a gift recognizing him for serving the council for four years and serving as Liaison to the Library Board and Environmental Commission. Mayor Perillo extended his appreciation and well wishes to Mr. Siebert.

Borough Engineer – Thomas Neff

Mr. Neff congratulated Mr. Siebert on his four years of service to the Borough. He stated that it was a pleasure to work with him during his tenure. Mr. Neff stated that today begins the open public comment period for the application for expansion of the Mazza Recycling for Class A material capacity limits. They essentially are looking to double the capacity, and currently have a temporary permit. The application is to allow permanent changes to the capacity limits. Mr. Neff stated that all comments or concerns can be sent directly to the County and the documents are available for inspection there as well, comments are due January 20, 2022. All of the information is on our website. Councilman Siebert asked if the Borough was notified of the expansion when issued the emergency permit for expansion. Mr. Neff stated he did not know if we were notified.

Director of Finance/ Acting Borough Administrator- Thomas Fallon

Mr. Fallon also congratulated Mr. Siebert, he stated that it has been a pleasure working with him over the past 4 years. He stated that Mr. Siebert has always been professional and reasonable. Best of Luck and Happy Holidays.

Mayor’s Report – Mayor Vito Perillo

Mayor Perillo had no report

Director of Law- Kevin Starkey

Mr. Starkey stated that it was a pleasure working with Mr. Siebert and had the pleasure to we work closely with him on the Firearm’s Ordinance and the Chicken Ordinance, both of which were very interesting. He stated that he appreciated Mr. Siebert’s guidance and input on them. You’ve been a credit to Tinton Falls over these four years.

Borough Clerk – Melissa Hesler

Ms. Hesler congratulated Mr. Siebert on his four years of service, and wished him luck in his future endeavors.

Council’s Reports

-Mrs. Clay echoed everyone’s sentiment tonight and thanked Councilman Siebert for his service to the Borough. She stated it was a pleasure to work with him and wished him luck. Mrs. Clay reported on the recent Board of Education meeting where a presentation was given by the Assistant Superintendent of Instruction on the new testing results that measure deficits or gaps that result in time out of the classroom. They are working to close those gaps for all kids. Ms. Clay recognized that Lisa Goldy and Elizabeth Cole completed their doctorates. That is a great accomplishment and very important in the education field. Mrs. Clay stated that three members of the Board of Education are leaving the Board, they are Fred Lomangino, President; Ryan Haeger, Vice President and Natalie Watson, Board Member. She stated there were many accolades and that she thanked them for their service. Mrs. Clay recognized the Tinton Falls Police Department for the work they did with the program “Shop with a Cop” and stated we are fortunate to have a Police Department that is very community minded and works to help those in need. She also thanked the Fire Companies that participated in bringing joy to many children with the Fire Truck Santa runs. Mrs. Clay wished everyone a happy holiday and healthy New Year.

-Mr. Manginelli was absent.

-Mr. Nesci also congratulated Mr. Siebert for his time on the Council stating that he was an asset to our community. He reported on the Planning Board meeting where they approved an application for Mid Monmouth Tech center on Pinebrook Road. He stated the next meeting of the Planning Board will be the reorganization meeting and all details

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

can be found on the website. Mr. Nesci reported on the various upcoming recreation events including basketball, and wrestling. He thanked all the volunteers and coaching staff and school administrators. He thanked all community residents for participating and supporting the recreation programs and activities.

-Ms. Buckley also congratulated and thanked Mr. Siebert for his service to the Borough as a Councilmember. She stated that it was a pleasure working with him and was sure his service to the community will not end here. Ms. Buckley also thanked the Fire Departments for participating in the Santa runs throughout the Borough. She thanked the Police Department for participating in the "Shop with a Cop" program and thanked the community for their contributions to this program. Ms. Buckley stated at the Environmental Commission's last meeting there was a presentation from Sustainable Jersey. She thanked outgoing volunteers Theresa Maltz and Colleen Fay for their service on the Environmental Commission.

-Mr. Siebert stated it has been a lot of fun working with this Council and previous Council. He addressed Mayor Perillo stating we have made a lot of changes and we kept the ship sailing in the right direction. He stated that this town is a great town. Mayor, you have done a wonderful job and stated that he is sure he will continue to do a wonderful job. Mr. Siebert stated that the Mayor is surrounded by such high quality professionals that understand their jobs, understand this town and understand the direction things are heading and how we get there. Mr. Siebert expressed that he is happy to have received the Library grant.

ORDINANCES FOR INTRODUCTION- none

ORDINANCES FOR FINAL CONSIDERATION- none

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in favor

NAYS: None

ABSENT: Mr. Manginelli

ABSTAIN: None

PUBLIC HEARING OPEN

Jerry Spumberg, 11 Alpine Trail, Tinton Falls- Mr. Spumberg stated that the residents have been moved into Soldier On, the Veteran' Housing complex on Essex Road.

Denise Catalano, 11 Alpine Trail, Tinton Falls- Mrs. Catalano stated that she is very active in the Community Gardens which began approximately 12 years ago. She explained that she and one of the other gardeners donated more than 760 pounds of produce to Lunch Break/Fulfill Food Bank in Red Bank. Happy Holidays.

Ellen Goldberg, 90 Glenwood Drive, Tinton Falls- Mrs. Goldberg thanked Councilman Siebert for his service on Council. She stated that she knows that he cares for our community and always puts Tinton Falls first. She invited him to become a board member on the Library Board. Mrs. Goldberg reminded everyone about the fundraiser for the library, a children's fashion show in April. She wished everyone a healthy and safe holiday and 2022. She commented on the increase in COVID cases and hearing the concerns of other residents, she asked if Council would be having the County Health Department provide another update. Ms. Buckley stated that can be planned for in the new year.

Ms. Buckley asked the Clerk if there were any written comments. Ms. Hesler stated there were none.

There being no further comments, Mr. Siebert offered a motion to close the Public Discussion, seconded by Mrs. Clay.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Manginelli

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS – None

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSENT: Mr. Manginelli

RECUSE/ABSTAIN: Ms. Buckley abstained on R-21-243 Authorizing Opt in to Class Action Opioid Lawsuits

R-21-242 Resolution – Appointing Members of the Chicken Advisory Board

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the following members be appointed to the Chicken Advisory Board as established by Ordinance 2021-1479 for two-year terms beginning January 1, 2022 and ending December 31, 2023.

Sheila Hatami
Ross Licitra (MCSCA)
Kashyap Parikh
Teena Patel
Jason Puleio
Daniel Trucano
Michael Nesci (Council Liaison)

R-21-243 Resolution Authorizing The Borough To “Opt In” To A Class Action Settlement Of Opioid Claims Against Various Pharmaceutical Companies

WHEREAS, the Borough of Tinton Falls was a potential class participant in the lawsuit entitled National Prescription Opiate Litigation bearing Case No. 1:17-md-2804 (N.D. Ohio) (the “Class Action”); and

WHEREAS, the Class Action was filed by a large number of municipalities and counties across the country against numerous pharmaceutical companies related to improperly promoting the use of opioids to the public, and for the costs governments incurred in responding to the “opioid crisis” created thereby; and

WHEREAS, the Borough has received formal notice from the State of New Jersey Office of Attorney General (the “NJAG”) concerning two proposed national settlements (the “Settlements”) reached between all states and local political subdivisions and the three largest pharmaceutical distributors of opioid products, McKesson, Cardinal Health and Amerisource Bergen (collectively, “Distributors”) and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, “Janssen”); and

WHEREAS, the proposed Settlements include the following terms: “the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Approximately \$22.7 billion of the Settlement Amount are payable to state and local subdivisions, with at least 85% to be used to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;” and

WHEREAS, the manner in which settlements funds are to be allocated to the municipal participants, including the Borough, has not yet been determined; and

WHEREAS, each municipality’s share in the settlement funds would ultimately depend on population and the effects of the opioid epidemic on each community; and

WHEREAS, the Borough must decide whether to “opt in” to the Settlements, meaning be a part of this settlement (and agree to any allocation later decided), or “opt out”, meaning not be a part of this settlement and pursue its own litigation against the Distributors and Janssen at its own cost; and

WHEREAS, it is in the best interest of the Borough to authorize an “opt in” to the aforementioned settlements against the Distributors and Janssen because the “opt in” option is more likely to benefit the public interest of the Borough and its taxpayers.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Tinton Falls, that:

- (1) The Mayor and Director of Law are authorized to execute any documentation necessary for the Borough to “opt in” to the aforementioned Settlements of the Class Action.

A certified copy of this Resolution shall be provided to the Director of Law to establish such authorization by the Borough for the Court.

R-21-244 Resolution Designating Meetings of the Borough Council for the Year 2022

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

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following dates are hereby designated as scheduled meetings of the Borough Council for calendar year 2021 to be held at the Borough of Tinton Falls Municipal Court Room, 556 Tinton Avenue, Tinton Falls NJ 07724.

BE IT FURTHER RESOLVED, that written public comments may be emailed to the Clerk at boroughclerksoffice@tintonfalls.com or via regular mail to the attention of the Borough Clerk at 556 Tinton Avenue, Tinton Falls, NJ 07724. Written public comments may not be submitted via any other form of electronic communication and must include the individual's name, full address and contact information (telephone number and/or email address). If the information is incomplete and the Borough is unable to verify the individual's identity, the written comment will not be read into the record. Written public comments must be received by the Borough Clerk by 9:00 a.m. on the day of the meeting in order to be included in the meeting. Any written comments received after 9:00 a.m. on the day of the meeting will not be read into the record or become part of the meeting record.

Meetings of Borough Council for 2021 Where Formal Action May Be Taken

Tuesday January 4, 2022	7:30 Reorganization/Regular/Workshop
Tuesday January 18, 2022	7:30 Regular/Workshop
Tuesday February 1, 2022	7:30 Regular/Workshop
Tuesday February 15, 2022	7:30 Regular/Workshop
Tuesday March 1, 2022	7:30 Regular/Workshop
Tuesday March 15, 2022	7:30 Regular/Workshop
Tuesday April 5, 2022	7:30 Regular/Workshop
Tuesday April 19, 2022	7:30 Regular/Workshop
Tuesday May 3, 2022	7:30 Regular/Workshop
Tuesday May 17, 2022	7:30 Regular/Workshop
Tuesday June 14, 2022	7:30 Regular/Workshop
Tuesday July 12, 2022	7:30 Regular/Workshop
Tuesday August 9, 2022	7:30 Regular/Workshop
Tuesday September 6, 2022	7:30 Regular/Workshop
Tuesday September 20, 2022	7:30 Regular/Workshop
Tuesday October 11, 2022	7:30 Regular/Workshop
Tuesday October 25, 2022	7:30 Regular/Workshop
Tuesday November 22, 2022	7:30 Regular/Workshop
Tuesday December 6, 2022	7:30 Regular/Workshop
Tuesday December 20, 2022	7:30 Regular/Workshop
Tuesday January 3, 2023	7:30 P.M. (Reorganization/Regular/Workshop)

*Unless otherwise noticed workshop meetings will begin immediately following the regular meeting.

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

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

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

R-21-245 Resolution Authorizing the Execution of a Deed of Open Space Easement to the County of Monmouth for Property Designated as Block 142.50, Lots 1.01 – 1.04, and Commonly Known as the Wardell Park Property

WHEREAS, the Borough owns the property known as Block 142.50, Lots 1.01 to 1.04, encompassing approximately 45.683 acres, and commonly known as the Wardell Park property (the "Property"); and

WHEREAS, the County of Monmouth issued a grant in the amount of \$200,000 through its Open Space Grant Program for the development of the Property; and

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

WHEREAS, a condition of the grant is the issuance of a Deed of Open Space Easement by the Borough to the County, in the form attached hereto, which requires the Borough to preserve the Property for public park, recreation and open space uses; and

WHEREAS, the Director of Law and Borough Engineer recommend to the Borough Council the approval of the Deed of Open Space Easement in the form attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, as follows:

1. The Mayor is authorized, and the Borough Clerk to attest, to execute the Deed of Open Space Easement in the form attached hereto.
2. The Director of Law is authorized and directed to take any action necessary to have the Deed recorded with the County Clerk.
3. A certified copy of this Resolution shall be provided to the County of Monmouth.

R-21-246 Resolution Authorizing the Acceptance of a Grant of Easement From the United States of America, Through the Secretary of the Navy, for the Continued Use by the Borough of a Strip of Land Along Hamilton Road for Roadway Purposes

WHEREAS, the United States of America, through the Secretary of the Navy, owns a strip of land that runs along Hamilton Road, at the edge of the Naval Weapons Station Earle, consisting of approximately 20 feet by 500 feet (the "Property"); and

WHEREAS, the Borough has requested a Grant of Easement from the Secretary of the Navy to allow for the continued use of the Property for roadway purposes by the Borough; and

WHEREAS, the Secretary of the Navy has proposed the Grant of Easement in the form attached hereto, which includes the one-time payment by the Borough of the fair market value of the Easement in the total amount of \$2,650; and

WHEREAS, the Director of Law and Borough Engineer recommend to the Borough Council the approval of the Grant of Easement in the form attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, as follows:

1. The Mayor is authorized, and the Borough Clerk to attest, to execute the Grant of Easement in the form attached hereto.
2. The Director of Law is authorized and directed to take any action necessary to have the Deed recorded with the County Clerk.
3. A certified copy of this Resolution shall be provided to the Secretary of the Navy.

R-21-247 Resolution Designating the Public Agency Compliance Officer for 2022

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual by January 10th of each year to serve as its Public Agency Compliance Officer; and

WHEREAS, Shanon Rathyen, QPA, is the appropriate employee of the Borough to serve as the Public Agency Compliance Officer;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Shanon Rathyen, QPA be, and is hereby designated to serve as the Public Agency Compliance Officer on behalf of the Borough of Tinton Falls.

R-21-248 Resolution Authorizing the Award of Contracts Without Public Bidding Pursuant to the Provisions of N.J.S.A. 40A:11-6

WHEREAS, there was an emergency condition with the storm drain on Devon Court requiring immediate emergency attention as described in memorandum attached in the amount of \$18,836.30; and

WHEREAS, provisions of NJSA 40A: 11-6 permit the Borough to award contracts without public bidding when an emergency affecting the health, welfare and safety of the public requires the immediate performance of services; and

WHEREAS, Lucas Construction Group, Inc., P.O. Box 8939, NJ 07701 was called in to repair the damage;

WHEREAS, Thomas Neff, Borough Engineer has described the situation and declared this situation an emergency condition in memo dated December 14, 2021 attached;

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that authorization be and is hereby given to award the contract for the repairs necessary to the storm drain on Devon Court

I hereby certify funds are available from: Streets Operating Budget

/S/Thomas P. Fallon, Chief Financial Officer

R-21-249 Resolution Approving a Memorandum of Agreement Between the Borough of Tinton Falls and Tinton Falls Teamsters Local 177 – Public Works Employees

WHEREAS, the Borough of Tinton Falls (“Borough”) and the Teamsters Local 177 – Public Works Employees (“DPW Union”) are the parties to a Collective Bargaining Agreement (the “Agreement”) whose current term covered the period of January 1, 2018 through December 31, 2021; and

WHEREAS, the Borough and the DPW Union have engaged in negotiations for a successor agreement through the duration of January 1, 2022 through December 31, 2026; and

WHEREAS, the Borough and the DPW Union have agreed upon terms in a Memorandum of Agreement and are recommending the approval of the memorandum of agreement and the subsequent Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey hereby authorizes the execution of the Memorandum of Agreement in substantially the same form attached hereto with modifications made upon recommendation and advice of counsel; and

BE IT FURTHER RESOLVED, the Mayor and Borough Clerk are authorized to execute the Memorandum of Agreement and subsequent Collective Bargaining Agreement between the Borough of Tinton Falls and the Tinton Falls Teamsters Local 177 – Public Works Employees for a term of January 1, 2022 through December 31, 2026 in accordance with the terms of the Memorandum of Agreement on file in the Borough Clerk’s Office.

R-21-250 Resolution Approving a Memorandum of Agreement Between the Borough of Tinton Falls and Tinton Falls Teamsters Local 177 – Clerical Employees

WHEREAS, the Borough of Tinton Falls (“Borough”) and the Teamsters Local 177 – Clerical Employees (“Clerical Union”) are the parties to a Collective Bargaining Agreement (the “Agreement”) whose current term covered the period of January 1, 2018 through December 31, 2021; and

WHEREAS, the Borough and the Clerical Union have engaged in negotiations for a successor agreement through the duration of January 1, 2022 through December 31, 2026; and

WHEREAS, the Borough and the Clerical Union have agreed upon terms in a Memorandum of Agreement and are recommending the approval of the memorandum of agreement and the subsequent Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey hereby authorizes the execution of the Memorandum of Agreement in substantially the same form attached hereto with modifications made upon recommendation and advice of counsel; and

BE IT FURTHER RESOLVED, the Mayor and Borough Clerk are authorized to execute the Memorandum of Agreement and subsequent Collective Bargaining Agreement between the Borough of Tinton Falls and the Tinton Falls Teamsters Local 177 – Clerical Employees for a term of January 1, 2022 through December 31, 2026 in accordance with the terms of the Memorandum of Agreement on file in the Borough Clerk’s Office.

R-21-251 RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR DELISA WASTE SERVICES BLOCK 145, LOTS 19 & 20

WHEREAS, a request has been made for the release of Maintenance Guarantees for Delisa Waste Services, Block 145, Lots 19 & 20; and

WHEREAS, by letter dated December 14, 2021 (said letter attached and hereby made part of this Resolution), the Borough Engineer (T&M Associates) has certified that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition and recommends the release of the guarantees for Delisa Waste Services, Block 145, Lots 19 & 20.

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

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

R-21-252 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2021 4th quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Edward C. Erving 32 Rambling Meadows Court Tinton Falls, NJ 07724 and,	75	59	\$1,282.44

WHEREAS, said error has resulted in an overpayment of the 2021 4th quarter taxes in the amount of \$1,282.44, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$1,282.44 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,282.44.

R-21-253 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2021 4th quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Nicholas J. Gealoris 34 Midway Road South Tinton Falls, NJ 07724 and,	101.13	3.03	\$433.35

WHEREAS, said error has resulted in an overpayment of the 2021 4th quarter taxes in the amount of \$433.35, 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 \$433.35 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 \$433.35.

R-21-254 Resolution - Refunding Tax Overpayment

WHEREAS, an overpayment of 2021 4th quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Lauren Milne 156 Frontier Way Tinton Falls, NJ 07753 and,	124.15	6	\$834.83

WHEREAS, said error has resulted in an overpayment of the 2021 4th quarter taxes in the amount of \$834.83, 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 \$834.83 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 \$834.83.

R-21-255 Resolution - Payment of Bills - December 21, 2021

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending December 21, 2021; and

WHEREAS, the Borough Council has reviewed said claims.

**REGULAR/EXECUTIVE MEETING
DECEMBER 21, 2021
BOROUGH COUNCIL**

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	184,7
SEWER UTILITY	196,1
GENERAL CAPITAL	30,6
GRANT FUND	4,8
TRUST FUNDS	4,7
DOG TRUST FUND	3,2
ESCROW	57,1
ADDITIONS	1,255,9
TOTAL	1,737,4

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

EXECUTIVE SESSION (if applicable)

ADJOURNMENT

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

ROLL CALL

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

TIME: 7:59 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

Tracy Buckley, Council President

APPROVED AT A MEETING HELD ON: February 15, 2022