

**REGULAR/WORKSHOP MEETING
JUNE 12, 2018
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:28pm.

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

ROLL CALL

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

ABSENT: None

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

EXECUTIVE SESSION

Council President Baldwin asked Mr. Starkey to read the following Resolution

R-18-158 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)

None

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

Two Rivers Water Reclamation Authority v. State of New Jersey, Borough of Tinton Falls, et al., Case No. 3:18-CV-7994 (United States District Court for District of New Jersey)

Mr. Pak offered a motion to approve resolution 18-158 seconded by Mr. Manginelli and to move into executive session

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 to executive Session.

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Council President Baldwin advised that Council was back on record at 7:33 and asked Director of Law Kevin Starkey to give a quick review of what was discussed. Mr. Starkey gave a summary report of the confidential executive session meeting pertaining to the Two River Water Authority litigation against the borough of Tinton Falls, the State of New Jersey and several other municipalities challenging state legislation and discussed the borough's appropriate response to that litigation. That is the entirety of the discussion and concludes the report on this matter.

All present stood for a salute to the flag

Ms. Hesler called the roll for the opening of the regular meeting

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

ABSENT: None

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

APPROVAL OF MINUTES

Mr. Pak offered a motion to approve the minutes of the Regular/Workshop Meeting held February 6, 2018, seconded by Mr. Siebert

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: Ms. Fama

Mr. Manginelli offered a motion to approve the minutes of the Regular/Workshop meeting held February 20, 2018, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Presentation – Eagle Scout Project at the Crawford House – Matt Matula

Council President Baldwin introduced Matt Matula, a Boy Scout with one of the local scout troops. He recently completed an Eagle Scout project at the Crawford House. Mr. Matula would like to give a presentation to recap what his project entailed.

Matt Matula stated that he is with Troop 49 and gave a presentation showing his project at the Historic Crawford house which included flower bed restoration, drainage, and mulching of trails. He thanked everyone that donated their time, support and supplies to help make this project successful. Mr. Baldwin thanked Mr. Matula for the great job in completing this project

Discussion – Jon Cohen, Environmental Commission – Balloon Ban

Council President Baldwin introduced Jon Cohen, Chairman of the Environmental Commission and Ellen Goldberg, Environmental Commission member. Ms. Goldberg stated that on behalf of the Environmental Commission she would like to ask that Council consider passing an ordinance prohibiting all aerial launches of balloons and lanterns as these launches cause litter, pollution and adversely impact the environment, waterways and nature. Mr. Baldwin thanked the members for their dedication and time and that they will consider the information presented.

Mayor's Report – Vito Perillo

Mayor Perillo had no report.

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Engineer's Report – Thomas Neff

Mr. Neff reported on the Riveredge Road Outfall repairs and stated that the NJDEP issued Emergency Authorization to proceed with full pipe replacement and slope stabilization as necessary to address the pipe and slope failure. Mr. Neff explained that due to the emergency conditions construction is already underway. He also gave an update on the Hance Park Playground Improvements stating that construction of the new playground is now complete, and the playground is open for public use. Mr. Neff gave an update on the Parks & Recreation 5 Year Capital Plan. He stated that all of the site visits of the parks with Borough representatives are complete and the concept plans and preliminary construction cost estimates are being prepared.

Finance Director – Thomas Fallon

Mr. Fallon had no report.

Borough Administrator- Michael Skudera

Mr. Skudera discussed two items R-18-171 pertaining to the bids for the Sanitary Sewer Pump Station Monitoring System which is a much needed improvement. Secondly he discussed the workshop meeting to be held after the regular meeting this evening pertaining to the Hance-Sycamore intersection, Mr. Ettore, County Engineer and his team will be here to further discuss this matter.

Director of Law- Kevin N. Starkey, Esq.

Mr. Starkey had no report.

Borough Clerk – Melissa Hesler

Ms. Hesler had no report.

Council's Report

Councilwoman Fama welcomed everyone and discussed the recent informative walking tour that the Borough Engineer and council members had at the Hance Avenue intersection to discuss the many concerns that all the residents have expressed at the previous meetings. She thanked everyone for their input and stated the borough is taking this input very seriously and thoughtfully.

Councilman Pak had no report.

Councilman Siebert thanked everyone who took the time to attend the Memorial Day Services which was a very somber celebration.

Councilman Manginelli had no report and extended best wishes to all on Father's day.

Council President Baldwin reported the upcoming Senior Group meeting tomorrow at noon and invited interested parties to attend, he stated the Planning board meeting cancellation, and reminded everyone about the upcoming Flag Day celebration at 10 am at Russell Hall, Fort Monmouth, Garrison Headquarters at the flag pole on the main field. Mr. Baldwin also discussed the upcoming event on June 16th at 10 am at the Historic Battery Louis at Hartshorne Park in Highlands. He stated it is an event to discuss the history of the gun battery built during World War II to protect the coastline and New York Harbor.

ORDINANCES FOR INTRODUCTION - None

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hesler read Ordinance No. 2018-1431 entitled: ORDINANCE AMENDING § 7-6.2 OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF TINTON FALLS GOVERNING STOP INTERSECTIONS TO INCLUDE A STOP SIGN AT THE INTERSECTION OF TERRY LANE AND WILLIAM STREET

Mr. Pak offered a motion to open the Public Discussion on Ordinance 2018-1431 seconded by Mr. Siebert

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

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PUBLIC HEARING OPEN

There being no comments from the public Mr. Pak offered a motion to close the Public Hearing on Ordinance No. 2018-1431, seconded by Ms. Fama.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Manginelli offered a motion to adopt Ordinance 2018-1431 seconded by Ms. Fama.

ROLL CALL

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

PUBLIC DISCUSSION

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

ROLL CALL

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

PUBLIC DISCUSSION OPEN

Ron Battista, 521 Tinton Avenue, discussed the Lennar Project which will bring 265 high density housing units to the Borough this summer. Mr. Battista read from a letter sent to the Borough Council and Mayor and thanked those that responded. He explained that the homeowners at 511 Tinton Avenue are selling their home and land, a 10.42 acre historic farm right across from the proposed Lennar development. Mr. Battista encouraged the borough to consider a way to preserve that property as open space to offset the impact of sale and purchase for future development. Administrator Skudera stated that the matter will be considered and triaged.

Sean and Patricia Desfosse, 9 Bridle Path, Foxchase Development, discussed the property at 6 Bridle Path which currently exhibits property maintenance issues since it was damaged by a fire approximately six months ago. Borough Administrator Mike Skudera stated that he will look into the matter.

Gene Garvey, 15 Stratford Road, stated there was a lot of debris on his street and asked if someone could look into having the street cleaned up. He stated residents are putting leaves and branches at the curb when they shouldn't. Mr. Garvey asked if the Council would consider putting an appropriation in the budget for more manpower and/or equipment to help with the prompt pickup of the debris. Borough Administrator Skudera stated that he would look into the matter. Mayor Perillo stated that he receives many compliments regarding Public Works but he would also address Mr. Garvey's complaint.

David Elko, 692 Tinton Avenue discussed the noise from the large trucks that travel on Tinton Avenue day and night. He asked if there are any laws governing the noise. Borough Administrator Skudera stated there are local and state laws governing the traffic and noise and stated that he will follow up with the Chief of Police and look into this matter.

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Gerry Turning 32 Periwinkle Circle commented on the previous information presented regarding the ten acre farm on Tinton Avenue that is for sale and concurred that it is a great idea to have the borough investigate the possibility of purchasing the property. Mr. Turning inquired about the status of the Walz property. Borough Administrator Skudera stated that this property is still in contract negotiations and that he can't elaborate on the details. Mr. Turning asked for an update on the Fort Monmouth properties, in particular the pistol range and Myer Center. Council President Baldwin stated that the demolition of the Myer center has begun. Mr. Neff explained further that the demolition is being done from the inside out and all environmental concerns are being addressed with the complete demolition to be complete in the early part of 2019. Mr. Neff discussed the Pistol range stating that no formal application has been made to date. Council President Baldwin stated that plans have been made several times and each time FMERA must review. Mr. Turning inquired about the fire house property. Mr. Baldwin stated that the property has been purchased by Commvault and they will be moving forward with plans for usage. He also stated that Trinity Hall has begun the second of three phases the and also discussed the Lennar property which has planning board approval. Mr. Neff stated that Lennar is pretty close to breaking ground for parcel C1.

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

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER – None

MOTION TO AMEND THE CONSENT AGENDA

Mr. Baldwin explained that there is an additional resolution that does not appear on the agenda and asked for a motion to amend the consent agenda to include Resolution R-18-178

Mr. Pak offered a motion to amend the Consent Agenda, seconded by Mr. Siebert to include R-18-178.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTIONS: None

CONSENT AGENDA

Mr. Pak offered a motion to approve the Consent Agenda as amended, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

R-18-159 Resolution – Renewal of Certain Plenary Retail Consumption Liquor Licenses for the Year 2018/2019

WHEREAS, the holders of certain retail consumption licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects; and

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WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations; and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following plenary retail consumption licenses be renewed for the year commencing July 1, 2018 and expiring June 30, 2019:

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Twin Brook @ Tinton Falls, Inc.	1336-33-001-007	\$2,500.00	Twin Brook at Tinton Falls
McLoone's Tinton Falls LLC	1336-33-002-013	\$2,500.00	CJ McLoone's
Woody's TF Grille LLC	1336-33-003-005	\$2,500.00	Woody's Ocean Grille
Tinton Falls Lodging Realty, LLC	1336-36-007-013	\$2,500.00	Double Tree Hotel Tinton Falls
Mimoza, LLC	1336-33-009-007	\$2,500.00	Tally Ho Inn
Menditto, Inc.	1336-33-010-003	\$2,500.00	Luigi's Tavern & Restaurant
Tinton Falls Restaurant, Inc.	1336-33-011-005	\$2,500.00	Palumbo's Ristorante
GSPH Restaurants	1336-33-012-002	\$2,500.00	The Pour House
Apple Food Service of Tinton Falls, Inc	1336-33-013-008	\$2,500.00	Applebee's Neighborhood Grill & Bar
Village Falls, LLC	1336-33-014-011	\$2,500.00	MJ's
Courtyard Management Corporation	1336-36-015-003	\$2,500.00	Courtyard by Marriott

R-18-160 Resolution - Renewal of Certain Plenary Retail Distribution Liquor Licenses for the Year 2018/2019

WHEREAS, the holder of certain plenary retail distribution licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects; and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations; and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the following plenary retail distribution licenses be renewed for the year commencing July 1, 2018 and expiring June 30, 2019.

<u>TRADE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
F&T Spirits Interprises, Inc.	1336-44-004-013	\$2,500.00	Spirits Unlimited
3-Queens, Inc.	1336-44-005-003	\$2,500.00	Tinton Falls Buy Rite
Reva Enterprises LLC	1336-44-006-006	\$2,500.00	Pinebrook Liquor & Deli

R-18-161 Resolution - Renewal of Certain Club Liquor Licenses for the Year 2018/2019

WHEREAS, the holder of certain club licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects; and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations; and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the following club licenses be renewed for the year commencing July 1, 2018 and expiring June 30, 2019.

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Seabrook Village Resident's Association	1336-31-018-001	\$180.00	Seabrook Village

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R-18-162 Resolution – Releasing Maintenance Guarantees for Greenbriar Falls Phase 2a – Block 16, Lot 1, Block 19 Lot 11.02

WHEREAS, a request has been made for the release of Maintenance Guarantees for Greenbriar Falls Phase 2A, Block 16 Lot 1 and Block 19 Lot 11.02; and

WHEREAS, by letter dated May 9, 2018 (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 maintenance bond in the amount of \$132,297.77 for Greenbriar Falls Phase 2A, Block 16 Lot 1 and Block 19 Lot 11.02.

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.

R-18-163 Resolution Authorizing the Appointment of a Humane Law Enforcement Officer in Accordance with N.J.S.A. 4:22-14.1

WHEREAS, the State Legislature approved a law in 2017, designated as c.331, §25, codified as N.J.S.A. 4:22-14, which requires municipalities to designate a “humane law enforcement officer” to carry out the specified duties and obligations in the law; and

WHEREAS, the Police Chief has recommended the appointment of Detective Daniel Osofsky of the Borough’s Police Department to serve as the “humane law enforcement officer” in Tinton Falls; and

WHEREAS, the Mayor and Borough Council now desire to act on the Police Chief’s recommendation;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that Detective Daniel Osofsky is appointed to serve as the “humane law enforcement officer” for the Borough in accordance with the provisions of N.J.S.A. 4:22-14.1.

R-18-164 Resolution Appointing Borough Registrar of Vital Statistics

WHEREAS, pursuant to N.J.S.A. 26:8-11 et seq., the governing body of a municipality with no local board of health shall appoint a Registrar of Vital Statistics; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that Melissa A. Hesler, Borough Clerk, be and is hereby appointed to serve as the Registrar of Vital Statistics for the Borough of Tinton Falls pursuant to N.J.S.A. 26:8-11 and N.J.S.A. 26:8-13.

BE IT FURTHER RESOLVED that the office of the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State Registrar’s office.

BE IT FURTHER RESOLVED that this Resolution shall take effect June 13, 2018.

R-18-165 Resolution Authorizing Contract for Professional Engineering Services – T&M Associates – 2018 Road Improvement

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the 2018 Road Improvement Program; 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 include design, preparation of construction plans and specifications, bidding, contract administration and inspection as described in proposal attached dated June 4, 2018; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$290,000.00; and

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WHEREAS, this contract will be for one year from date of award;

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 June 4, 2018 for an amount not to exceed \$290,000.00; 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: Ordinance #2018-1430

/s/ THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

R-18-166 Resolution Authorizing Contract For Professional Engineering Services – T & M Associates Borough Hall Curb & Sidewalk Replacement

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Borough Hall Curb and Sidewalk Replacement; 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 June 5, 2018; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$11,075.00; 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 June 5, 2018 for an amount not to exceed \$11,075.00; 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 Budget – Capital Improvements

/s/ THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

R-18-167 Resolution Authorizing the Award of a “Non-Fair And Open” Contract for Professional Special Counsel Services Contract PS #7-18

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

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of Archer & Greiner PC, 10 Highway 35, Red Bank, NJ 07701 is so recognized; and

WHEREAS, this contract is to be awarded for a rate of \$7,500.00 per month for an amount not to exceed \$67,500.00 for Professional Special Counsel Services; and

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

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the firm of Archer & Greiner PC, 10 Highway 35, Red Bank, NJ 07701 is hereby retained to provide professional Special Counsel Services for a rate of \$7,500.00 per month for an amount not to exceed \$67,500.00 for the period April, 1, 2018 to December 31, 2018;

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2018 Municipal Budget as follows: Legal \$67,500.00

/s/THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

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R-18-168 Resolution Authorizing the Award of Contracts Without Public Bidding Pursuant to the Provisions of N.J.S.A. 40A:11-6

WHEREAS, there is an emergency condition where sinkholes are appearing along the drainage outfall pipe at 310 Riveredge Road requiring immediate emergency attention; 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., 173 Amboy Road, Morganville, NJ 07751 has submitted a proposal dated May 30, 2018 in the amount of \$15,750.00 to repair the damage;

WHEREAS, Thomas Neff, Borough Engineer has described the situation and declared this situation an emergency condition in his email dated May 31, 2018 attached;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls authorizes the award go to Lucas Construction Group, Inc. for the emergency repairs necessary to the drainage outfall pipe at 310 Riveredge Road;

I hereby certify funds are available from: Ordinance #14-1377

/s/ THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

R-18-169 Resolution - Authorizing the Award of a “Non-Fair and Open” Contract for Affordable Housing Counsel Services

WHEREAS, the Borough of Tinton Falls has a need for professional Affordable Housing Counsel services that may arise during the contract year June 12, 2018 through December 31, 2018, pursuant to a non-fair and open contract under the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a); and

WHEREAS, the Borough has determined the firm of Pashman, Stein, Walder, Hayden, PC, 28 Leroy Place, Red Bank, NJ 07701 satisfies the requisites to be considered for professional Affordable Housing Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$175.00 per hour for an amount not to exceed \$25,000.00, plus miscellaneous reimbursables for professional Affordable Housing Counsel services; and

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

1. The firm of Pashman, Stein, Walder, Hayden, PC, 28 Leroy Place, Red Bank, NJ 07701 is hereby retained to provide professional Affordable Housing Counsel services at an hourly rate of \$175.00 per hour for an amount not to exceed \$25,000.00 plus miscellaneous reimbursables for a term expiring December 31, 2018.

2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2018 Municipal Budget as follows: Affordable Housing Trust \$20,000.00 Legal \$5,000.00

/s/THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

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R-18-170 RESOLUTION AUTHORIZING PURCHASE UNDER MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM #65MCESCCPS LOADMASTER EXCEL – 27 YARD REAR LOADER

WHEREAS, the Tinton Falls Department of Public Works is in need of one (1) Loadmaster Excel – 27 Yard Rear Loader; 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, Detcon, 5039 Industrial Road, Farmingdale, NJ 07727 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of a one (1) Loadmaster Excel – 27 Yard Rear Loader for a total purchase price in the amount of \$75,997.00; 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, Interim 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:

Loadmaster Excel – 27 Yard Rear Loader

I hereby certify funds are available from: Recycling Tonnage Grant

/s/ THOMAS P. FALLON, CHIEF FINANCIAL OFFICER

R-18-171 Resolution Authorizing the Use of Proprietary Goods in the Bid Specifications for the Conversion of the Borough’s Sanitary Sewer Pump Station Remote Monitoring and Autodialing Systems From Landline to Cellular Telephone Service

WHEREAS, the Borough of Tinton Falls is currently responsible for 14 sanitary sewer pump stations; and

WHEREAS, all of these pump stations require a remote monitoring/autodialer system to notify personnel of emergency situations such as a power failure or high water level; and

WHEREAS, the Borough wishes to solicit bids for the conversion of the landline telephone service at each station to cellular telephone service, in order to maintain communication with the pump stations during storms when landlines may lose service or connection, which will require specific equipment that will work with the proprietary systems already installed; and

WHEREAS, twelve of the pump stations currently utilize a proprietary system known as a RACO Verbatim Autodialer, with the remaining two stations to be converted in the near future; and

WHEREAS, the New Jersey Local Public Contracts Law requires that bid documents allow a contractor to select any product that complies with the written specifications, unless the goods or services to be provided or performed are proprietary, whereupon such goods or services may be purchased by stipulating the proprietary goods or services in the bid specification in any case in which the resolution authorizing the contract so indicates, and the special need for such proprietary goods or services is directly related to the performance, completion or undertaking of the purpose for which the contract is awarded (N.J.S.A. 40A:11-13(d)); and

WHEREAS, prior to advertising for the receipt of bids that include proprietary goods or services, the contracting agent or purchasing agent shall certify in writing to the chief executive officer of the contracting unit an explanation of why the goods or services are of a specialized nature and necessary for the conduct of the affairs of the local contracting unit (N.J.A.C. 5:34-9.1(b)); and

WHEREAS, the Borough Engineer and the Purchasing Agent have certified to the Borough Council the need for specific equipment for the conversion of the landline telephone services to cellular telephone service, based on the fact that the RACO Cellularm system is the only product available that is designed to work specifically with the Borough’s existing RACO Verbatim Autodialers; and

WHEREAS, the RACO Cellularm system meets the State’s definition of being of a “specialized nature” and “necessary for the conduct of its affairs” and should be permitted as a proprietary good;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the use of the RACO Cellularm system is hereby authorized to be included as a proprietary good in the bid specifications for the conversion of the landline telephone service at the Borough’s sanitary sewer pump stations to cellular telephone service.

**REGULAR/WORKSHOP MEETING
JUNE 12, 2018
BOROUGH COUNCIL**

R-18-172 Resolution Authorizing the Execution of a First Amendment to The Affordable Housing Development Agreement with Soldier On for the Provision of Affordable Housing for Veterans

WHEREAS, the New Jersey Supreme Court, through its rulings in South Burlington County NAACP v. Mt. Laurel, 67 N.J. 151 (1975) and South Burlington County NAACP v. Mt. Laurel, 92 N.J. 158 (1983), (“the Mt. Laurel Doctrine”), has determined that every municipality has a constitutional obligation to provide through its land use regulations a realistic opportunity for the creation of a fair share of its region’s present and prospective need for low and moderate income housing (the “affordable housing obligation”); and

WHEREAS, pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq., as amended (the “Fair Housing Act”, the “Act” or “FHA”), the Legislature has provided a statutory mechanism for municipalities to address their affordable housing obligation under the Mt. Laurel Doctrine; and

WHEREAS, under the Act, the Borough may consider the donation or use of municipally owned land for the purpose of providing low and moderate income housing, see N.J.S.A. 52:27D-311a(5); provide for the acquisition, construction and maintenance of buildings, structures or other improvements necessary or useful for the provision of low and moderate income housing, see N.J.S.A. 52:27D-325 and may further utilize various techniques for providing low and moderate income housing, including granting tax abatements, see N.J.S.A. 52:27D-311a(6) and making donations, grants or loans of public funds for the provision of new affordable housing, see N.J.S.A. 52:27D-311f; and

WHEREAS, Soldier On is a nationally recognized non-profit organization that works in partnership with the Department of Veterans Affairs and other agencies to provide housing and supportive services for veterans; and

WHEREAS, the Borough is the owner of real property 12.59 acre +/- located at Block 128.03, Lot 5 (the “Property”), which Soldier On has expressed the desire to construct the Gordon H. Mansfield Village which would provide affordable veterans housing (the “Development”); and

WHEREAS, the Development will enable the Borough to address a portion of its affordable housing obligation under the Mt. Laurel Doctrine and Act; and

WHEREAS, the Borough and Soldier On have entered in to an Affordable Housing Agreement (the “Agreement”) for the purpose of setting forth their respective undertakings, rights and obligations in connection with the construction of the Development, all in accordance with applicable law and the terms and conditions of the Agreement; and

WHEREAS, Soldier On has requested an amendment to the Agreement to increase the Developer Fee from “up to five (5) percent” to “up to eight (8) percent” in order to make the Development’s application for tax credits through the New Jersey Housing Mortgage Financing Agency (“NJHMFA”) more competitive.

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 the Mayor is hereby authorized and directed to enter in to an First Amendment to Affordable Housing Agreement with Soldier On which is attached hereto and made a part hereof as Schedule A.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, Director of Law and Special Counsel to the Borough are hereby authorized and directed to execute and take all necessary actions to carry out the terms and conditions of the First Amendment to Affordable Housing Development Agreement.

R-18-173 RESOLUTION AUTHORIZING FINANCIAL AGREEMENT WITH SOLDIER ON, INC. FOR THE PURPOSE OF FURTHERING AFFORDABLE HOUSING UNDER THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY LAW

WHEREAS, Soldier On, Inc. (“the Sponsor”) proposes to construct a 70-unit Veteran specific affordable housing project (“the Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (“HMFA Requirements”) within the Borough of Tinton Falls (“the Borough”) on a site described as Lot 5, Block 128.03 as shown on the Official Tax Map of the Borough, and commonly known as Soldier On along Essex Road; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (“Agency”); and

WHEREAS, pursuant to the HMFA Requirements, the Borough hereby determines that there is a need for this housing project; and

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WHEREAS, the Sponsor has presented a revenue projection for the Project, which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

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:

- (1) It finds and determines that the proposed Project meets an existing affordable housing need as set forth in the Borough's housing plans; and
- (2) It hereby adopts the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
- (3) It hereby adopts the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit B in an amount equal to five (5) percent of the Project Revenues as defined therein; and
- (4) The Borough Council hereby authorizes and directs the Mayor of the Borough to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit B; and
- (5) The Borough Council understands and agrees that the revenue projections set forth in Exhibit A are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and the Borough.

R-18-174 Resolution Releasing Performance Bond For Wayside Manor Block 119 Lots 2.01-2.03

WHEREAS, JLM Realty Partners, LLC was the original owner and developer of the Wayside Manor Development, Block 119 Lots 2.01-2.03 and posted the required 90% Performance Bond (letter of credit), 10% Cash Bond and 5% Inspection Escrow; and

WHEREAS, JLM Realty Partners, LLC has sold the properties to Ronique NJ, who has posted the necessary performance bond in the amount of \$696,782.52, 10% cash in the amount of \$77,420.28 and 5% inspection escrow in the amount of \$32,285.45 and will be responsible for all future development of the site.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the Performance Bond in the form of an Irrevocable Letter of Credit for this project posted by JLM Realty Partners in the amount of \$696,782.52, 10% cash bond and any remaining inspection fees be released.

R-18-175 RESOLUTION – REFUNDING ESCROW – Garden State Veterinary Specialists

WHEREAS, the following listed applicant has posted consultant escrow fees in conjunction with various Land Use applications in accordance with the Borough of Tinton Falls Land Use Ordinance, and

WHEREAS, the Planning Board Secretary, Deanna Keefer, has certified the applicant's account is deemed closed and no additional funds for consultants will be required,

WHEREAS, the Director of the Department of Audit, Accounts & Control has certified funds are available for release.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the consultant escrow fees, plus any accrued interest, are hereby authorized to be released for the following applicant:

Garden State Veterinary Specialist KTDM, LLC \$351.79

**REGULAR/WORKSHOP MEETING
JUNE 12, 2018
BOROUGH COUNCIL**

R-18-176 Resolution - Refunding Sewer Overpayment

WHEREAS, 2018 4th quarter Sewers on the following properties have been paid in the year of 2017, in an amount exceeding the amount due by the homeowner.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>TOTAL</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724			
	(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)		

and,

WHEREAS, said payments have resulted in overpayments of the 2018 sewers in the amount of \$453.42, 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 \$453.42 is hereby approved for the aforementioned properties. Said overpayments shall be applied to 2019 sewers.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayments to be \$453.42.

BOROUGH OF TINTON FALLS - 2018 SEWER OVERPAYMENTS TO BE APPLIED TO 2019 SEWER					
BLOCK	LOT	NAME	ZIP	PROPERTY LOCATION	
40.01	29	CARBONE, TODD & JENNIFER 33 BIRCHWOOD COURT TINTON FALLS, NJ	07724	33 BIRCHWOOD COURT	0.20
52.02	25	DEROSA, ANTHONY J & CARVALHO, J. 27 CARLTON DRIVE TINTON FALLS, NJ	07724	27 CARLTON DRIVE	374.20
62.03	16	LOUZAKOS, GEORGE & PAULA 22 PEGASUS DRIVE TINTON FALLS, NJ	07724	119 HOPE ROAD	0.27
120.07	9	LATTANZI, JAMES R & TENA D 1 OLIVIA DRIVE TINTON FALLS, NJ	07712	1 OLIVIA DRIVE	78.75
					453.42

R-18-177 Resolution for Approval of Bills June 12, 2018

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending June 12, 2018; 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.

**REGULAR/WORKSHOP MEETING
JUNE 12, 2018
BOROUGH COUNCIL**

SUMMARY

GENERAL	3,923,493.99
SEWER UTILITY	34,620.57
TRUST FUNDS	52,060.98
CAPITAL FUND	344.25
GRANT FUND	633.60
DOG TRUST	49.20
ESCROW	32,904.76
ADDITIONS	971,918.45
	<hr/> 5,016,025.80

CERTIFICATION OF FUNDS:

/s/ **THOMAS P. FALLON, CHIEF FINANCIAL OFFICER**

R-18-178 RESOLUTION - Authorizing the Award of a “Non-Fair and Open” Contract for Architectural Services for Phase I of the Tinton Falls Library Addition & Renovation

WHEREAS, the Borough of Tinton Falls has a need for professional Architect services related to the Tinton Falls Library Addition & Renovation project, pursuant to a non-fair and open contract under the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a); and

WHEREAS, the Borough has received a written proposal from Settembrino Architects, 25 Bridge Avenue, Red Bank, New Jersey 07701, that satisfies the requisites to be considered for professional Architect services for this project; and

WHEREAS, this contract is to be awarded for Phase I of the project, which includes a Schematic Plan, Estimate & NJ Library Bond Act Application, for an amount not to exceed \$16,500.00, plus miscellaneous reimbursables, for professional Architectural services; and

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

1. The architectural firm of Settembrino Architects, 25 Bridge Avenue, Red Bank, New Jersey 07701, is hereby retained to provide Architectural services for an amount not to exceed \$16,500.00 plus miscellaneous reimbursables, for services related to Phase I of the Tinton Falls Library Addition & Restoration project, which includes a Schematic Plan, Estimate & NJ Library Bond Act Application.
2. This contract is awarded through the non-fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2018 Municipal Budget as follows: Current Budget – Library Improvements \$16,500

/s/ **THOMAS P. FALLON, CHIEF FINANCIAL OFFICER**

ADJOURNMENT TO WORKSHOP

Discussion Hance-Sycamore Intersection

Mr. Pak offered a motion to adjourn to workshop, seconded by Mr. Siebert at 7:33 pm

ROLL CALL

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

**REGULAR/WORKSHOP MEETING
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Mr. Baldwin called the workshop meeting to order stated that speakers on the subject matter will be called from the signup sheet. Mr. Baldwin thanked the residents for their emails and letters and stated that no formal action will be taken tonight. Mr. Baldwin welcomed Joe Ettore and his staff from the Monmouth County Engineering Department. Mr. Baldwin asked if the council members had any questions. Councilwoman Fama inquired if residents could ask questions of the County representatives, Mr. Baldwin confirmed that is correct. Councilman Pak stated that the Council is looking for what is in the best interest of the borough and stated that he is happy to obtain more information from this forum.

William DeVizia, 799 Sycamore Avenue stated that his main concern is that this intersection be made safe and asked that a temporary light be considered, find a means to slow down traffic, enforce the weight limit and compile a speed study. County Engineer Joe Ettore explained that a speed study was done in 2017. Mr. DeVizia stated that he feels that the plan as proposed is intended to move large numbers of vehicles through the intersection and that the intersection can be made safe without major changes. He pointed out various municipalities that have similar intersection issues who have solved the same type of problem with installation of a traffic light. He urged that consideration be given to a temporary light to see the results.

Chris Colson, Counsel for Sycamore LLC introduced himself and stated that he represents many area residents that are concerned about safety and asked if he could set up a meeting with the County Engineers to present and share supplemental data that he has compiled. Mr. Ettore stated that the information to the county offices and they would share the information expeditiously.

Peter Karavites, 784 Sycamore Avenue thanked the Council members that attended the walking tour of the site, he discussed the impact of the changes on the homeowners in the area and thanked Mayor Perillo for his time and support. Mr. Karavites stated that the improvements need to be something that works with safety being the center of the concerns and that the borough needs to be in active negotiations. We need to find a solution that both sides are happy with and Tinton Falls Council needs to take an active role in this decision.

Richard Calanni, 1 Old Farm Road stated that there was a recent accident on Hope Road and he was grateful there were no fatalities. He discussed the need for a review of safety issues, lowering speed limits particularly in and around schools and weight limit changes. Mr. Calanni stressed the need for a solution to this dangerous intersection. Mr. Ettore stated that the County does not have jurisdiction over weight limit, but it does have an obligation to provide a regional network of roads. Mr. Ettore stated that the statutes dictate to speed limits in school zones, just as they dictate that the county cannot regulate weight limits. He further discussed the speeding and the statistics for traffic incidents. Councilman Pak stated that many of the accidents happened when a vehicle tries to make a left hand turn onto Hance and onto Sycamore.

Ruth Rapkin, 717 Sycamore Avenue discussed the taking of property for the improvements and suggested that possibly a signal be placed before the blind curve to warn of an impending red signal ahead would help. County Engineer Joe Ettore stated that it is a measure of last resort and stressed the best solution would be to have a clear line of site. He further discussed the proposal as it relates to widening, turn lanes and traffic flow.

Janice Kulla, 340 Hance Avenue, discussed the slide presentation and inquired about pedestrian and bike safety. Mr. Ettore stated that for pedestrian safety there would be hand countdown signals and stated that bicycle traffic had not been taken into consideration and explained that if there were to be a bike lane the road would have to be wider. Ms. Kulla further discussed lighting, restricting turning movements, and collision diagrams. Ms. Kulla discussed several facts from the traffic manual. She felt that there had to be other alternatives to the proposed plan.

Nina Bell, 19 Majestic Drive stated that she has a deep concern for a safe and equitable solution and stated that this is not a quantifiable solution as presented.

Don MacNeal, 1 Edward Farm Road stated that safety is the primary issue and he urged the Council to vote for the least impactful, financially sound solution.

Greg Spicer, 12 Edwards Farm Road stated that he supports the traffic light but is very concerned about the bi-pass solution.

Frank Self, 20 Chelsea Court, stated that he understands the problem the property owners have with taking of property but stated this is a very dangerous intersection. He stated that he was in a serious car accident at this intersection and was almost killed. He urged a solution that makes this a safer intersection before a fatal accident occurs.

Deb McNally 793 Sycamore Avenue stated that she submitted her comments and that she analyzed the plans. She stated that she works at Rutgers on a planning and development team. Ms. McNally stated that she is in favor of a traffic light but not one that creates massive change. She stated that safety trumps all and she felt that the engineers have many other options that they can consider. Ms. McNally stated that the study is flawed and incomplete and needs to be reassessed.

**REGULAR/WORKSHOP MEETING
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Ken Walls, 798 Sycamore Avenue, voiced his concern of the dangerous intersection and urged enforcement of speed and weight limit restrictions.

Gerald Turning, 32 Periwinkle Circle, addressed the County Engineer, Mr. Ettore, regarding the history of this intersection which was investigated eight to ten years ago during which time he was Police Chief. He stated at that time it was a dangerous intersection and something needs to be done.

Lenny Paulin, 826 Sycamore Avenue stated that he thinks the plans presented are unclear and muddled. He commented on the left turn lane, the blind curve, and general all day backup of traffic along Sycamore in front of his home.

Tracey Buckley, 17 Helene Court, stated that she submitted a letter on behalf of the Winding Brook Condo Association asking if a complete study could be done all the way to Shrewsbury Avenue intersection where speeding is an issue and impacts safety.

Ron Walder, 8 Green Meadow Drive stated that this is a dangerous intersection which should address safety first. He stated that he has empathy for those whose property would be taken but also asked if the Borough is liable if they do nothing and do not address a dangerous situation. Mr. Walder stated that his is in favor of improvements without taking of property. Mr. Starkey commented regarding liability and his role to protect the council and residents of Tinton Falls.

Amy Mallet, 14 Rebecca Ann Court thanked the borough and county officials for this forum and stated that the feedback is vital for making the correct decision regarding improving the intersection. She stated that the message is loud and clear that the interest of safety is a priority and improvements are necessary but there needs to be a solution without major impact. She urged that the lines of communication be kept open.

Mr. Baldwin invited Council's comments. Councilwoman Fama thanked the County Engineer's for their time this evening. Ms. Fama wanted to echo Mrs. Mallet's comments that this is a matter of safety. Ms. Fama stated that she feels this to be a very simple question, can a light be put in place and avoid taking of property? Ms. Fama asked if an interim measure can be put in place for some period of time to see if we can effectuate a solution. Ms. Fama suggested that it would need to be a measure that addressed reduction of speed limit, weight limit enforcement and a temporary light for a period of time with further evaluation to follow. Ms. Fama stated that every avenue needs to be considered before a final vote is taken on this matter.

Councilman Siebert stated that he has lived in Monmouth County all of his life and discussed the many similar intersections in this County where traffic congestion at intersections are a common place occurrence. Mr. Siebert stated that he has submitted ideas and suggestions and they were rejected. He stated that he feels strongly that the intersection changes do not need to be drastic and that there are comparisons to be made with other recently improved intersections in surrounding municipalities.

Councilman Pak stated his concerns are similar, something needs to be done and a solution needs to be found. Safety needs to be the first concern, another look needs to be taken of the whole scope and the feel of the area needs to be preserved. Mr. Pak stated that taking of property is permanent and that we can work together for a solution that will minimize the impact of the borough, residents and immediate area.

Councilman Manginelli stated that he feels this is dejavu from a few years back where we went through the same scenario. At that time we told the County that Council didn't want people to lose property and asked them to revisit the plan and return with a revision that [provides safety but minimally impacts the residents and property. We are back to square one and doing this all over again.and peoples lives are being impacted.

ADJOURNMENT:

Mr. Pak offered a motion to adjourn, seconded by Ms. Fama at 9:40 PM

Respectfully Submitted,

Melissa A. Hesler
Borough Clerk

APPROVED AT A MEETING HELD ON: February 5, 2019