

**REGULAR MEETING
AUGUST 13, 2024
BOROUGH COUNCIL**

Council President Clay called the Regular Meeting to order at 7:33 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 and filing with the Borough Clerk all on December 19, 2023."

ROLL CALL (Regular Meeting)

PRESENT: Ms. Buckley, Dr. Dobrin, Mr. Manginelli, Mrs. Clay

ABSENT: Mr. Nesci

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Charles Terefenko, Business Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Ms. Buckley offered a motion to approve the July 9, 2024, Regular Meeting Minutes seconded by Dr. Dobrin.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Manginelli, Mrs. Clay

NAYS: None

ABSENT: Mr. Nesci

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Engineer – Mr. Neff

Mr. Neff provided an update on several projects in the Borough. The 2024 Road program is moving along nicely. Concrete work completed in the north end. Currently working on drainage on Colonial Drive then moving to Trent, Andrew, Wardell and Essex. Mr. Neff advised that the sidewalk repairs on Shrewsbury Avenue are being done this week. Down to one lane on the southside of the road. The Sycamore softball fields are substantially complete, please refrain from utilizing the north field to allow sod to take. Official ribbon cutting to be held sometime in September.

Director of Finance – Mr. Fallon

Mr. Fallon had no report.

Administrator – Mr. Terefenko

Mr. Terefenko congratulated the recreation department on another successful summer camp season. This year there were approximately 260 attendees. That is the highest enrollment since the inception of the summer camp program. Mr. Terefenko stated that there will be a ribbon cutting for the softball fields grand opening at Sycamore Park, date to follow. He also reported on the progress of the Community Day event scheduled for October 5th.

Director of Law – Mr. Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council's Reports

Ms. Buckley reported the next Environmental Commission meeting will be held August 29th in the Crawford House. Attended the TFEC bench dedication for Bob Sandberg. She stated that the taste of Tinton Falls will take place on Saturday August 24th at the Crawford House.

-Dr. Dobrin reported that the library's Music Festival is Saturday, August 17th at the Sycamore Recreation Complex from 5pm to 9pm. Also, the library project is nearly complete with a possible opening day to be held sometime in October.

-Mr. Manginelli had no report.

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-Mrs. Clay thanked everyone involved with the planning of Community Day. She stated it will be an outstanding event with lots of entertainment and activities for all. She also attended the TFEC bench dedication for Bob Sandberg. Earlier in the month she attended a welcome bbq at St Thomas AME Zion Church where she was pleased to meet the new pastor as well as a number of congregants. She noted a resolution on the agenda R-24-157 recognizing August 31st as Overdose Awareness Day and that there are purple flags present in many towns. She stated that opioid addiction impacts everyone, it is a family disease, and she is pleased to see the participation of Tinton Falls in this project.

ORDINANCES FOR INTRODUCTION - None

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **2024-1515 An Ordinance Authorizing an Easement and Right-of-Way to Neptune Township for the Installation and Maintenance of a Sanitary Sewer Project Along Hovchild Boulevard**

Ms. Buckley offered a motion to open the Public Hearing on Ordinance No. 2024-1515, seconded by Dr. Dobrin.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Nesci

PUBLIC HEARING OPEN

There being no comments, Ms. Buckley offered a motion to close the Public Hearing on Ordinance No. 2024-1515, seconded by Dr. Dobrin.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Nesci

PUBLIC HEARING CLOSED

Ms. Buckley offered a motion to adopt Ordinance No. 2024-1515, seconded by Dr. Dobrin.

ROLL CALL

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

PUBLIC DISCUSSION

Ms. Buckley offered a motion to open the Public Discussion, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Nesci

Mrs. Clay asked the Clerk if there were any public comments submitted and Ms. Hutchinson stated there were none.

Brendan Tobin, 5 Chestnut Court – Mr. Tobin expressed his concern with regard to the Monmouth County Sheriff's Office providing EMS services for the Borough. He suggested that the Borough offer a tax break of \$1,000.00 to each

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volunteer as recruiting method. He feels that this would be a cost savings method for the Borough and would bring in more volunteers. Mr. Tobin would like Council to consider his suggestion.

There being no further comments, Ms. Buckley offered a motion to close the Public Discussion, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Nesci

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Mrs. Clay stated that on September 17th Monmouth County Commissioner Director Arnone as well the Monmouth County Professionals will be attending the Council meeting with an update on Monmouth County Reclamation Center.

RESOLUTIONS - None

CONSENT AGENDA

Mrs. Buckley offered a motion to approve the Consent Agenda, seconded by Dr. Dobrin.

ROLL CALL

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

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-157

**RESOLUTION DECLARING AUGUST 31ST AS OVERDOSE AWARENESS DAY
IN THE BOROUGH OF TINTON FALLS**

WHEREAS, Overdose Awareness Day aims to raise awareness of overdose, reduce the stigma surrounding drug-related deaths and remember those who have died or suffered permanent injury due to drug overdose; and

WHEREAS, an overdose occurs when a drug (or combination of drugs), including prescription medications prescribed by a doctor overwhelms the body; and

WHEREAS, prescription and illegal drug overdoses are now the number one cause of accidental death in the Nation, surpassing car accidents; and

WHEREAS, In 2023, provisional data from the Centres for Disease Control and Prevention yielded an estimate of 105,303 drug overdose deaths in the United States, a decrease of 2 per cent from 2022; and

WHEREAS, according to the Office of the State Medical Examiner, in 2023, we lost 2,564 New Jerseyans to suspected overdose deaths; and

WHEREAS, by acknowledging residents who have been affected by overdose, we help the general public understand effects on New Jersey's communities; and

WHEREAS, practitioners, persons at high risk, family members and others can save lives by learning about signs of overdose and how to administer naloxone and then calling 9-1-1.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Tinton Falls declares August 31st as

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Overdose Awareness Day.

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COUNTY OF MONMOUTH**

R-24-158

RESOLUTION DECLARING SEPTEMBER 11, 2024 AS A BOROUGH HOLIDAY

WHEREAS, in light of the significance of the attacks on America on September 11, 2001, and the importance of September 11th as a day of remembrance, reflection and mourning, the Borough of Tinton Falls desires to declare September 11, 2024 as a paid holiday for its employees so that they can reflect upon the losses suffered by America on that fateful day; and

WHEREAS, the County of Monmouth has declared September 11, 2024 to be a County holiday, and has called upon the municipalities in the County to join in this day of remembrance; and

WHEREAS, the Borough calls upon its employees and the Borough at large to use September 11, 2024 as a day of service to benefit our fellow citizens.

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

1. September 11, 2024 is hereby declared to be an official holiday for 2024 and the Borough shall therefore be closed for business.
2. Those Borough employees normally required to report to work on a declared Borough holiday shall do so on September 11, 2024 in accordance with Borough policy and subject to the pertinent terms of any application collective negotiations agreements (essential employees).
3. The declaration that September 11, 2024 is a paid holiday for Borough employees is not intended to and shall not be deemed to create a “past practice” for future years.
4. Certified copies of this Resolution shall be forwarded to the Borough Administrator; the Borough Director of Finance; Labor Counsel; all Borough Department Heads; and the Monmouth County Administrator.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-159

**RESOLUTION
REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION – NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Tinton Falls in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$5,000, which is now available from the New Jersey Historic Trust Grant.

BE IT FURTHER RESOLVED, that the like sum of \$5,000 is hereby appropriated under the caption of New Jersey Historic Trust Grant; and

BE IT FURTHER RESOLVED, that the electronic special item of revenue resolution submittal form be filed with the Division of Local Government Services.

**BOROUGH OF TINTON FALLS
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R-24-160

**RESOLUTION AUTHORIZING GRANT AGREEMENT WITH THE NEW JERSEY HISTORIC TRUST
FOR A DISCOVERY NJ HISTORY LICENSE PLATE GRANT**

WHEREAS, the Borough of Tinton Falls Historic Preservation Commission has been recommended for a grant in the amount of \$5,000 through the Discovery New Jersey History Heritage Tourism Grant Program, New Jersey Historic Trust, State of New Jersey, for the project known as Interpretive Signage at the Historic Crawford House; and

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WHEREAS, the Borough Council desires to further historic preservation by approving an grant agreement with the State; and

WHEREAS, the Borough Council desires to authorize Thomas Fallon, the Borough's Chief Financial Officer to execute a grant agreement with the State in an amount up to \$5,000 and to seal the grant agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Thomas Fallon, the Borough's Chief Financial Officer, is authorized to sign the grant application, and they or their successors in said titles are authorized to sign the grant agreement, and any other documents needed in connection therewith.

**RESOLUTION AUTHORIZING LIQUOR LICENSE PLACE TO PLACE TRANSFER (EXPANSION OF PREMISES) WOODYS TF GRILLE LLC T/A WOODY'S OCEAN GRILLE, 1202 SYCAMORE AVENUE
1336-33-003-006**

WHEREAS, Woodys TF Grille LLC T/A Woody's Ocean Grille, has made application to the Borough Council of the Borough of Tinton Falls for a place-to-place transfer of Plenary Retail Consumption License #1336-33-003-006, for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the applicant has provided all of the necessary documentation including the twelve-page application, affidavit of publications, appropriate fees, and property descriptions; and

WHEREAS, no written objection has been received by the Municipal Clerk to said application.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls does hereby approve, effective August 13, 2024, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 1202 Sycamore Avenue, Tinton Falls, New Jersey, 07724, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized to endorse the transfer on the face of the license certificate showing the State assigned license number to be #1336-33-006-007.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-162

**RESOLUTION AUTHORIZING EXECUTION OF A DEED NOTICE FOR BOROUGH PROPERTY
DESIGNATED AS BLOCK 100, LOT 1**

WHEREAS, the Borough of Tinton Falls owns property designated as Block 100, Lot 1, on which the Borough's Department of Public Works operates (the "Borough Property"); and

WHEREAS, the Borough Property had underground storage tanks that were decommissioned in 1995 and resulted in some minor contamination; and

WHEREAS, the Borough has undertaken remedial measures that have brought the soil levels of ethylbenzene and benzene below the minimum limits for Non-Residential Properties for NJDEP Site Remediation Standards; and

WHEREAS, to achieve final NJDEP compliance for the site, the Borough needs to establish a Deed Notice for the Property, which will require a biennial certification indicating there has been no disturbance to the impacted material (21 feet below grade); and

WHEREAS, the Mayor and Borough Council desire to authorize the Deed Notice to achieve final NJDEP compliance for the Borough Property;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Mayor is authorized to execute the attached "Deed Notice" for the Borough property designated as Block 100, Lot 1 and to authorize its recoding with the County of Monmouth.

**BOROUGH OF TINTON FALLS
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R-24-163

**RESOLUTION OF AWARD OF CONTRACT #24-4 THREE (3) 2023 OR NEWER
FORD MAVERICKS (2) 2025 XL AWD AND (1) 2024 XLT AWD**

WHEREAS, one (1) bid was received on Tuesday, August 9, 2024, for Contract #23-4 for Three (3) 2023 or Newer Ford Mavericks; and

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WHEREAS, Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034 submitted the lowest responsible bid in the amount of \$92,402 for the above contract; and

NOW, THEREFORE BE IT RESOLVED that Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034 be awarded a contract in the amount of \$92,402 for (2) 2025 XL AWD Ford Mavericks and (1) 2024 XLT AWD Ford Maverick;

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

I hereby certify funds are available: Current Budget: Acquisition of DPW Trucks

**BOROUGH OF TINTON FALLS
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R-24-164

RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Borough of Tinton Falls would like to purchase a Kohler Generator Model KG180 for the Jumping Brook Pump Station; and

WHEREAS, Warshauer Generator, LLC, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 has a valid State Contract #21-GNSV1-01587 for Maintenance/Repair and Replacement Services – Portable Commercial Mobile Generator for a total purchase price in the amount of \$152,523; and

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

WHEREAS, Thomas Neff, PE, PP, CME, CFM, Borough Engineer recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid 2024 State Contract:

One (1) Kohler Generator Model KG180

I hereby certify funds are available from: Sewer Budget: Capital Outlay

**BOROUGH OF TINTON FALLS
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R-24-165

**RESOLUTION AUTHORIZING PURCHASE UNDER
SOURCEWELL COOPERATIVE PURCHASING AGREEMENT
ONE (1) 2024, CATERPILLAR INC. MODEL WT-SWL WORK TOOLS**

WHEREAS, the Tinton Falls Department of Public Works is in need of one (1) 2024, Caterpillar Inc. Model WT-SWL Work Tools; and

WHEREAS, the Borough of Tinton Falls is a current member of the Sourcewell Cooperative as approved by Resolution #R-16-123; and

WHEREAS, Foley, 833 Centennial Avenue, Piscataway, NJ 08854-3912 is a valid vendor on the Sourcewell Cooperative, for the purchase of one (1) 2024, Caterpillar Inc. Model WT-SWL Work Tools for a total purchase price in the amount of \$25,245; 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 Sourcewell Cooperative:

One (1) 2024, Caterpillar Inc., Model WT-SWL Work Tools

I hereby certify funds are available from: Capital Improvements: Various DPW Equipment - \$25,000
Current Budget: Streets - \$245

**BOROUGH OF TINTON FALLS
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R-24-166

RESOLUTION REFUNDING FIREARMS REPORT FEE OVERPAYMENT

WHEREAS, fees were collected for a firearms report.

WHEREAS, said money was deposited by the Borough of Tinton Falls.

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WHEREAS, the resident overpaid for the firearms report.

WHEREAS, The Brough of Tinton Falls needs to refund said overpayment.

Payee	Address	Refund Amount
Disakias, Debbie	65 Willshire Drive Tinton Falls, NJ 07724	\$75.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the refund in the amount listed in the “Refund Amount” column be issued.

**BOROUGH OF TINTON FALLS
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R-24-167

**RESOLUTION ALLOWING FOR THE EXTENSION OF THE TAX BILL
INTEREST PENALTY DEADLINE**

WHEREAS, certification of the tax rate was not received until July 10, 2024 causing the late printing of the late printing of the property tax bills, and

WHEREAS, the third quarter property taxes were due on August 1, 2024 with a ten (10) day grace period for interest to August 10, 2024, and

WHEREAS, the Tax Collector was not able to complete the mailing of the tax bills until July 23, 2024 for reasons stated above and requests the interest penalty date be extended to August 19, 2024, 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 2024 3rd quarter property tax bills be extended to August 19, 2024.

**BOROUGH OF TINTON FALLS
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R-24-168

**RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A
100% TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, overbillings and overpayments of 2024 Taxes have been made as a result of a 100% Totally Disabled Veteran Exemptions for the year 2024.

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
(HEREBY ATTACEHD AND MADE PART OF THIS RESOLUTION)	VARIOUS		\$26,551.12	\$11,377.86	\$37,928.98

and,

WHEREAS, said exemptions resulted in overbillings and overpayments of the 2024 taxes in the amount of \$37,928.98 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 \$26,551.12 be cancelled for the year 2024 and that a refund in the amount of \$11,377.86 is hereby approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$26,551.12 and the amount of overpayment to be \$11,377.86.

**BOROUGH OF TINTON FALLS
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R-24-169

RESOLUTION REFUNDING TAXES DUE TO BOROUGH OWNED PROPERTY EXEMPTION

WHEREAS, an overpayment of 2024 Taxes has been made as a result of an exemption due to the Borough of Tinton Falls Acquiring of property on October 26, 2023 known as:

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>REFUND</u>
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Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	129.09	55	\$1,057.72
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Re: Borough of Tinton Falls from Helen J. McGarry
15 Fennec Court
and,

WHEREAS, said exemption resulted in an overpayment of the 2024 taxes in the amount of \$1,057.72 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 \$1,057.72 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 \$1,057.72.

**BOROUGH OF TINTON FALLS
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R-24-170

RESOLUTION REFUNDING TAXES DUE TO BOROUGH OWNED PROPERTY EXEMPTION

WHEREAS, an overpayment of 2023 Taxes has been made as a result of an exemption due to the Borough of Tinton Falls Acquiring of property (from October 26, 2023 through December 31, 2023) known as:

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>REFUND</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	129.09	55	\$387.68

Re: Borough of Tinton Falls from Helen J. McGarry
15 Fennec Court
and,

WHEREAS, said exemption resulted in an overpayment of the 2023 taxes in the amount of \$387.68 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 \$387.68 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 \$387.68.

**BOROUGH OF TINTON FALLS
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R-24-171

RESOLUTION CANCELLING 2024 TAXES

WHEREAS, overbillings of 2024 taxes have been made as a result of Veteran's deductions for the tax year 2024 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 reductions have resulted in cancellations of the 2024 taxes in the amount of \$750.00 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that cancellations in the amount of \$750.00 are hereby approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$750.00.

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R-24-172

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RESOLUTION - REFUNDING 2023 INTEREST PAID ON TAXES

WHEREAS, the 2023 interest paid for Taxes on the following property has been paid in error in the year 2023 by applying payment to the wrong parcel of property.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>INTEREST</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	147.01	2	\$174.10

Re: N. Alan & Deborah McNish
150 Shark River Road

and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that a refund for the 2023 interest paid for Taxes in the amount \$174.10, is hereby approved for the aforementioned property. Said refund will be applied to the principal of the 2023 property taxes billed for 150 Shark River Road.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment of interest to be \$174.10.

**BOROUGH OF TINTON FALLS
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R-24-173

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2024 Taxes has been made as a result of a reduction in the assessed value, creating an overbilling, for the year 2024 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
T.F. Campus, LLC 3000 Essex Road Tinton Falls, NJ 07753	128.03	19.04	\$59,310.63

and,

WHEREAS, said reduction has resulted in an overpayment of the 2024 taxes by the property owner in the total amount of \$59,310.63 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 \$59,310.63 is approved for the above property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayment to be \$59,310.63.

**BOROUGH OF TINTON FALLS
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R-24-174

**RESOLUTION AUTHORIZING THE EXTENSION OF AFFORDABILITY
CONTROLS**

WHEREAS, the Borough of Tinton Falls ("Borough") filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Borough of Application of the Borough of Tinton Falls, Docket No. MON-L-2475-15 following the New Jersey Supreme Court's decision in Mt. Laurel IV; and

WHEREAS, the Borough entered into a Settlement Agreement with Fair Share Housing Center on or about April 20, 2018 establishing the Borough's Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Borough will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, the Court entered an order on November 7, 2018 approving the Settlement Agreement by and between the Borough and Fair Share Housing Center finding on a preliminary basis that the Settlement Agreement is fair to low and moderate-income households; and.

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WHEREAS, the Court entered a Third Round Judgment of Compliance and Repose in the Borough’s favor on July 17, 2023 approving the Borough’s Third Round Housing Element and Fair Share Plan including its Spending Plan protecting the Borough from builder’s remedy lawsuits through July 1, 2025; and

WHEREAS, the Court approved Housing Element and Fair Share Plan established a Deed Extension Program and the Spending Plan authorizes the Borough to pay \$10,000 from the Borough’s affordable housing trust fund to an owner of an affordable housing unit with his/her affordability controls expiring and/or expired in exchange for a new affordable housing deed restriction which will allow the Borough to obtain future affordable housing credit towards the Borough’s overall affordable housing obligation (the “Deed Extension Program”).

WHEREAS, the property designated as Block 75, Lot 76 bearing the address 6 Spring Meadow Court (the “Unit”) is an affordable housing unit with affordability controls which have expired and the Unit owner has advised the Borough he is willing to participate in the Deed Extension Program and the Borough Council believes it is in the best interest of the Borough to pay the Unit owner \$10,000 in exchange for an extension of the affordability controls so that the Borough may continue to obtain affordable housing credit towards its future affordable housing obligation.

NOW THERE BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls, County of Monmouth, hereby authorizes the Borough of Tinton Fall pay the owner of Block 75, Lot 76 (6 Spring Meadow Drive) \$10,000 in exchange for the extension of new affordability controls on the Unit for a period of at least thirty (30) years in a form approved by the Borough’s Special Affordable Housing Counsel.

BE IT FURTHER RESOLVED the Borough Council authorizes the Mayor, Borough Administrator, and Borough’s Special Counsel are hereby authorized to execute any and all documents required to effectuate and implement the Deed Extension Program for the Unit and all other similarly situated affordable housing units in the Borough which are eligible for the Deed Extension Program.

**BOROUGH OF TINTON FALLS
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R-24-175

RESOLUTION TO OFFER A MODIFIED INCENTIVE UNDER THE STATE HEALTH BENEFITS PROGRAM

WHEREAS, the Borough of Tinton Falls, recognizes the need to offer more affordable health care options to its’ full-time employees through the State of New Jersey’s Health Benefit Plan program; and

WHEREAS, the State Health Benefits Department offers tiered-network medical plans otherwise known as Aetna’s Liberty Plus Plan and Horizon Blue Cross Blue Shield of New Jersey’s OMNIA Plan, and allows municipalities to offer their employees an incentive to join said plans; and

WHEREAS, the Borough of Tinton Falls, agrees to voluntarily participate in the modified Financial Incentive Program granting financial incentives to subscribers who select enrollment into a tiered-network medical plan.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that we will hereby manage and administer this incentive program. The terms of the Incentive Program described above shall include:

1. The Incentive Program shall be available to subscribers who are first time enrollees in a tiered-network medical plan beginning Plan Year 2024 or 2025 and continuing for one year through December 31, 2024 or 2025, respectively;
2. The Incentive Program does not extend to participants enrolled under P.L. 2005, c. 375 (certain over-age adult children) and COBRA;
3. Participation is voluntary at the option of the employer;
4. The financial incentive for eligible employees shall be: \$1,000 at any level of coverage (Single, Member/Spouse, Family, Parent/Child) when changing to a tiered-network plan;
5. The incentive amount shall be paid within the respective Plan Year and is reportable income; and
6. The incentive shall be forfeited and returned to the employer if the subscriber fails to remain enrolled for at least one plan year, except that if a subscriber is made ineligible for healthcare through layoff, involuntary separation, reduction to part-time status, or classification into an ineligible position. If a subscriber voluntarily retires or changes health plans due to a catastrophic or emergency health need as determined by the employer within the year, then the incentive shall be forfeited on a pro-rata basis.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-176

RESOLUTION – APPROVAL OF BILLS – August 13, 2024

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 13, 2024; and

**REGULAR MEETING
AUGUST 13, 2024
BOROUGH COUNCIL**

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	6,780,846.48
SEWER UTILITY	673,935.83
GENERAL CAPITAL	202,432.87
GRANT FUND	15,536.95
TRUST FUNDS	146,280.63
DOG TRUST FUND	3,307.75
ESCROW	75,653.65
ADDITIONS	3,134,742.38
TOTAL	11,032,736.54

CERTIFICATION OF FUNDS:

EXECUTIVE SESSION

ADJOURNMENT

Ms. Buckley offered a motion to adjourn, seconded by Dr. Dobrin.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Nesci

TIME: 7:51pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Risa Clay, Council President

APPROVED AT A MEETING HELD ON: September 17, 2024.