

**REGULAR MEETING
MARCH 20, 2018
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:34 PM.

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. Baldwin

ABSENT: Mr. Siebert

ALSO PRESENT: Melissa A. Hesler, Borough Clerk

Brian Nelson, Director of Law

Vito Perillo, Mayor

Michael Skudera, Borough Administrator

Thomas Neff, Borough Engineer

Mr. Baldwin noted that Mr. Siebert is on vacation.

All present stood for Salute to Flag.

APPROVAL OF MINUTES

None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

2018 Mayor's Budget Presentation

Council President Baldwin welcomed Mayor Perillo and Borough Administrator Michael Skudera and invited their comments on the budget before the presentation.

Mayor Perillo thanked Mr. Fallon, Mr. Skudera and Mr. Neff on the fine job done on the budget and he thanked the members of the public for coming out tonight in this bad weather.

Mr. Skudera, Mr. Fallon and Mr. Neff discussed the budget slide presentation and explained the highlights of this year's budget.

Borough Administrator Mike Skudera discussed the budget processes that lead to the final budget and introduction of the budget this evening. He explained there were many meetings with departments and discussions about what works well, improvements and cost savings. The slide presentation addressed the two percent overall budget decrease, technology upgrades which includes funding for a new website, return of the borough newsletter, and funding for business processing automation to improve efficiency and foster better communication. Mr. Skudera discussed other budget items that effect the budget, including infrastructure improvements, vehicle upgrades and rotation, introduction of a five year Recreation Master Plan, and the consumer price index increase.

CFO Tom Fallon gave an in depth overview of the numbers and appropriations by function, breaking each function down by percentage as represented in the budget pie chart. Mr. Fallon discussed the anticipated budget revenue which includes revenue raised by taxation, surplus, local revenue, state aid, shared services, grants and other special items and delinquent taxes. Mr. Fallon noted that state aid has remained the same for the past 9 years. Mr. Fallon explained that the municipal tax rate has remained consistent over the past five years. He gave a brief overview of the remaining slides for municipal net debt and net valuation taxable, capital projects for roads, sidewalks and drainage.

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Borough Engineer Tom Neff discussed the capital appropriations and explained that a large part of the appropriation will be earmarked for road improvements to a small portion of the 85 miles of roads the borough is responsible for maintaining. He discussed the various projects that will be addressed, including road reconstruction, sidewalks and drainage projects. CFO Fallon discussed the funding for these projects.

Mr. Skudera stated that the hearing on the 2018 budget will be held April 17, 2018.

Ms. Fama inquired about the library funding and asked if Mr. Neff would be addressing the final library report. Mr. Neff stated he would address it in the Report section of the meeting. Mr. Fallon confirmed that there is \$150,000 in the capital budget appropriated for the library.

Mr. Pak asked for more detail on the Administration's portion of the budget which has increased greatly. Mr. Skudera explained that the increase is for IT projects geared toward automation and streamlining of processes in different departments, and the redistribution of a retired central services staff member to administration. He stated that staff levels are still less than last year. Mr. Fallon explained the IT budget was previously shown in the miscellaneous line item for 2017 and shifted to show in the IT line item for 2018 with an increase for additional IT purchases. Mr. Pak inquired about the debt service costs. Mr. Fallon explained that it is based upon the management of our debt management program.

Mr. Baldwin thanked the Administrator, CFO and Engineer for the presentation and asked if he could receive a copy of the presentation for the council and thanked the staff for keeping the budget lean. He commented on the reserve which in comparison is far better than surrounding towns, which reflects a credit to spending habits and the operations of the town. Mr. Baldwin stated this is an indication of financial strength.

Mayor's Report – Vito Perillo

Mayor Perillo had no report.

Engineer's Report – Thomas Neff

Mr. Neff discussed the final Library Report and gave an overview of the report which included removal of the trailer, air quality, mold findings, age of the building, replacement of the HVAC system, removal of the window units, sources of moisture within the building, duct work, adding a split zone system, electrical service upgrades, structural improvements, lead paint results and radon testing. Mr. Neff gave an overview of the individual costs associated with the recommendations of the report which totaled \$170,000.00. He stated this cost would just address the bare minimum to get the library open to the public. He stressed the age of the building and discussed the potential for later improvements after the initial opening at an additional cost. He stated that full report gives details on all items.

Ms. Fama complimented the engineer for the depth of the study to ensure public safety, and the necessity of this report to examine and determine if the Library can be reopened. Ms. Fama inquired about how the library and other interested parties can receive copies of the report. Mr. Baldwin stated that interested parties could directly discuss the report with Mr. Neff or file an OPRA request to receive a copy. Mr. Neff further explained that he will be providing a summary which will be posted to the website for public review.

Mr. Pak questioned how the Council could come to a decision of this magnitude. He discussed the possibility of the cost rising over the estimate once the construction begins and how it would be handled. Mr. Baldwin stated he also had some of the same questions which he had discussed with code enforcement. He discussed some of the possibilities and hidden costs that may be uncovered once the construction begins. Ms. Fama stated this report is just the first step in finding out what the choice options we have after full evaluation.

Mr. Baldwin stated this is a lot of information to digest and the matter will be open to other discussions and decisions with a final decision being made after full consideration by all parties involved.

Finance Director – Thomas Fallon

Mr. Fallon discussed introduction of Ordinance 2018-1429 for CAP Bank and explained that this is an ordinance passed as a matter of course each year which provides a cost of living adjustment as determined by the state. This year the cap is at 2 ½ percent and provides flexibility in the budget process going forward. The law allows us to bank this amount for a two year period just in case the Borough needs the CAP at a later date. The Borough has not used the CAP in prior years but it is recommend to adopt for flexibility.

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Borough Administrator – Michael Skudera

Mr. Skudera discussed the recent legislation regarding the Earle housing Bill A-1114 and Senate Bill 1919. Both bills will be considered for a full floor vote soon and if adopted would solve the Earle issues regarding education responsibilities in Tinton Falls. Mr. Baldwin stated he recently had the opportunity to discuss this matter with Senator Eric Houghtaling who introduced the bill and the senator felt things were looking good for passage of the bills.

Director of Law – Kevin Starkey

Kevin Starkey discussed resolution R-18-114 on tonight’s agenda which is mandated by the State that requires every town to adopt a resolution certifying that the hiring practices of the Borough are compliant with certain Federal Regulations adopted by the EEOC. He stated it is required that this be done prior to adoption of the municipal budget.

Borough Clerk’s Report – Melissa Hesler

Ms. Hesler had no report.

Council’s Report

Ms. Fama had no report

Mr. Pak thanked everyone involved in the budget presentation.

Mr. Seibert was absent

Mr. Manginelli commented on the upcoming Easter Egg Hunt, and joked that snow shoes would be need with the impending weather. He complimented everyone on the budget presentation this evening.

Mr. Baldwin had no report.

ORDINANCES FOR INTRODUCTION

Ms. Hesler read Ordinance No. 2018-1427 entitled: ORDINANCE VACATING A PORTION OF PHIPPS PLACE LOCATED IN THE BOROUGH OF TINTON FALLS

Mr. Manginelli offered a motion to introduce Ordinance No. 2018-1427, seconded by Mr. Pak.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Siebert

ABSTAIN: None

Public Hearing/Adoption will be held on April 3, 2018

**ORDINANCE VACATING A PORTION OF PHIPPS PLACE
LOCATED IN THE BOROUGH OF TINTON FALLS**

WHEREAS, there exists in the Borough of Tinton Falls (“the Borough”) a certain street known as Phipps Place; and

WHEREAS, Roger Mumford Homes, LLC owns certain lands designated as Block 105.03, Lots 23 (proposed Lot 23.01) and 24, on the Official Tax Map of the Borough (“the Property”), which abut a portion of Phipps Place; and

WHEREAS, the portion of Phipps Place to be vacated herein that abuts the Property is situated between two existing cul-de-sacs and remains unimproved; and

WHEREAS, the Borough finds that the public necessity and the general welfare of the inhabitants of the Borough do not require that the portion of Phipps Place to be vacated herein, which is more particularly described in Section 2 of this Ordinance, be continued as open and maintained for public road purposes; and

WHEREAS, the Borough finds that the public interest will be better served by releasing the below described portion of Phipps Place; and

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WHEREAS, the Borough claims no public interest in said lands; and

WHEREAS, a release and extinguishment of whatever rights and interest the public may have in said lands would be in the public interest.

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

SECTION 1.

Those lands known as a portion of Phipps Place, which are more particularly described in Section 2 of this Ordinance, be and the same are hereby vacated and the public rights therein be and the same are hereby extinguished.

SECTION 2.

The description of those aforementioned lands known as a portion of Phipps Place, hereby vacated, is as follows: See Schedule A attached hereto.

SECTION 3.

The portion of Phipps Place to be vacated shall revert to the property owners of Lots 23 (proposed Lot 23.01) and 24 in Block 105.03 as follows: 5,293.29 square feet to Lot 23 (proposed Lot 23.01) and 0.88 square feet to Lot 24, as depicted on the map attached hereto.

SECTION 4.

All the rights of any and all public utilities and/or cable television companies are hereby expressly reserved and excepted from this vacation.

SECTION 5.

The Borough Clerk, within sixty (60) days after this Ordinance becomes effective, shall file a certified copy hereof under the seal of the Borough of Tinton Falls, to be a true copy hereof, together with a copy of the proof of publication thereof with the Office of the Clerk of Monmouth County.

SECTION 6.

All ordinances of the Borough of Tinton Falls which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

SCHEDULE "A"

**DESCRIPTION OF A PARTIAL ROAD VACATION OF
PHIPPS PLACE A 50 FOOT RIGHT-OF-WAY
SITUATED IN THE
BOROUGH OF TINTON FALLS
MONMOUTH COUNTY, NEW JERSEY**

All the certain portion of Phipps Place (50' Right-of-Way) being a public road owned and maintained by the Borough of Tinton Falls, Monmouth County, New Jersey and being more particularly described as follows: BEGINNING at a point in the southerly Right-of-Way line of Phipps Place (50' Right-of-Way per Filed Map) at the intersection of the westerly Right-of-Way line of Hockhockson Road (A.K.A. Murphy Road) (49.5' wide R.O.W. per Tax Map) running a distance of 478 feet westerly to a point; thence,

- 1. Westerly, South 83o 53' 09" West, a distance of 0.70 feet to a point; thence,**

- 2. Westerly, South 82o 17' 34" West, a distance of 89.71 feet, to a point of curvature; thence,**

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3. Westerly along a curve to the left having a radius of 60.00 feet, an arc length of 81.30 feet, a central angle of 77° 38' 23", and a chord bearing and distance of North 56° 07' 27" West, a distance of 75.22 feet to a point of non-tangency; thence,
4. Easterly, North 81° 21' 26" East, a distance of 4.45 feet to a point; thence,
5. Easterly, North 82° 17' 34" East, a distance of 144.02 feet to a point; thence,
6. Southerly, South 05° 39' 46" East, a distance of 50.05 feet to the point and place of BEGINNING.

Containing 5,293.30 square feet or 0.12 acres.

Subject To:

Any recorded or unrecorded easements, restrictions and covenants.

Utility Easement Dedicated to the Borough of Tinton Falls.

An 8 foot wide Shade Tree Easement Dedicated to the Borough of Tinton Falls.

Being intended to describe the partial road vacation of Phipps Place as shown on a plan entitled "Minor Subdivision of Lots 13, 14, 15, & 16, Block 105 & Lots 23, 24, 25, & 26, Block 105.03, and road vacation of a portion of Phipps place, situated in the Borough of Tinton Falls, Monmouth County, New Jersey", prepared by French & Parrello Associates, dated September 22, 2017, last revised February 27, 2018.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

Ms. Hesler read Ordinance No. 2018-1428 entitled **ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DEED OF ROADWAY DEDICATION FOR NOMINAL CONSIDERATION FROM ROGER MUMFORD HOMES, LLC FOR A PORTION OF PHIPPS PLACE LOCATED IN THE BOROUGH OF TINTON FALLS**

Mr. Pak offered a motion to introduce Ordinance No. 2018-1428, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Siebert

ABSTAIN: None

Public Hearing/Adoption will be held on April 3, 2018

ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DEED OF ROADWAY DEDICATION FOR NOMINAL CONSIDERATION FROM ROGER MUMFORD HOMES, LLC FOR A PORTION OF PHIPPS PLACE LOCATED IN THE BOROUGH OF TINTON FALLS

WHEREAS, there exists in the Borough of Tinton Falls ("the Borough") a certain street known as Phipps Place; and

WHEREAS, Roger Mumford Homes, LLC owns certain lands designated as Block 105, Lots 14 (proposed Lot 14.01) and 15 (proposed Lot 15.01) on the Official Tax Map of the Borough ("the Property"), which abut a portion of Phipps Place; and

WHEREAS, Roger Mumford Homes, LLC, pursuant to a subdivision approved by the Planning Board by Resolution dated February 14, 2018, intends to construct a cul-de-sac on the westerly portion of Phipps Place; and

WHEREAS, Roger Mumford Homes, LLC desires to transfer a portion of the Property and roadway improvements to be installed to the Borough of Tinton Falls for acceptance as a public road; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to accept the roadway dedication from Roger Mumford Homes, LLC in order to facilitate the continued public use of Phipps Place.

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

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SECTION 1.

The Borough of Tinton Falls accepts the Deed of Roadway Dedication for nominal consideration attached hereto as Exhibit A for the public purpose of owning, maintaining and operating that portion of Phipps Place.

SECTION 2.

The description of those aforementioned lands known as a portion of Phipps Place, hereby dedicated, is as follows: See Exhibit B attached hereto.

SECTION 3.

That the Mayor or Borough Administrator is authorized and directed to execute, and the Municipal Clerk, is authorized and directed to attest to any and all documents, and to perform all actions, which may be necessary in order to effectuate the intentions of the within Ordinance.

SECTION 4.

That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

SECTION 5.

The Borough Clerk, within sixty (60) days after this Ordinance becomes effective, shall file a certified copy hereof under the seal of the Borough of Tinton Falls, to be a true copy hereof, together with a copy of the proof of publication thereof with the Office of the Clerk of Monmouth County.

SECTION 6.

That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 7.

That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

EXHIBIT B

**DESCRIPTION OF A DEDICATION OF LAND
TO THE BOROUGH OF TINTON FALLS
SITUATED IN THE
BOROUGH OF TINTON FALLS
MONMOUTH COUNTY, NEW JERSEY**

All the certain portion of land owned formerly by Lot 14, and Lot 15, Block 105 in the Borough of Tinton Falls, Monmouth County, New Jersey, and being more particularly described as follows:

BEGINNING at a point in the southerly Right-of-Way line of Phipps Place (50' Right-of-Way per Filed Map) at the intersection of the westerly Right-of-Way line of Hockhockson Road (A.K.A. Murphy Road) (49.5' wide R.O.W. per Tax Map) running a distance of 568.42 feet to a place marked by a monument on the southerly Right-of-Way line of Phipps Place and the newly formed property line of Lot 14.01, Block 105 to a point of curvature; thence,

1. Westerly along a curve to the right having a radius of 60.00 feet, an arc length of 184.03 feet, a central angle of 175° 44' 24", and a chord bearing and distance of South 70° 33' 57" West, a distance of 119.92 feet to a point of reverse curvature; thence,

2. Westerly along a curve to the left having a radius of 30.00 feet, an arc length of 40.36 feet, a central angle of 77° 04' 44", and a chord bearing and distance of North 60° 06' 12" West, a distance of 37.38 feet to a point; thence,

3. Easterly, North 81° 21' 26" East, a distance of 95.63 feet to a point; thence,

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4. Easterly, North 82o 17' 34" East, a distance of 51.41 feet to the point and place of **BEGINNING**.

Containing 6,941.76 square feet or 0.12 acres of land to be dedicated to the Borough of Tinton Falls for use as a public roadway.

Subject To:

Any recorded or unrecorded easements, restrictions and covenants.

Being intended a portion of land formerly owned by Lots 14 & 15, Block 105 dedicated to the Borough of Tinton Falls, as shown on a plan entitled "Minor Subdivision of Lots 13, 14, 15, & 16, Block 105 & Lots 23, 24, 25, & 26, Block 105.03, and road vacation of a portion of Phipps place, situated in the Borough of Tinton Falls, Monmouth County, New Jersey", prepared by French & Parrello Associates, dated September 22, 2017, last revised February 27, 2018.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

Ms. Hesler read Ordinance No. 2018-1429 entitled: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-45.14)**

Mr. Pak offered a motion to introduce Ordinance No. 2018-1429, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: Mr. Siebert

ABSTAIN: None

Public Hearing/Adoption will be held on April 3, 2018

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Tinton Falls in the County of Monmouth finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$208,680.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Tinton Falls, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Tinton Falls shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$730,383.43 and that the CY 2018 municipal budget for the Borough of Tinton Falls be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the two succeeding years; and,

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of the ordinance upon adoption, with the recorded vote included thereon, be filed with said Director with 5 days after such adoption.

ORDINANCES FOR FINAL CONSIDERATION

None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Siebert

ABSTAIN: None

PUBLIC DISCUSSION OPEN

Public Comments

Bill Holobowski, 56 Neville Street, thanked the Council and Mayor for the recognition and support of the initiative and for the show of support in Trenton, it was a great show for Tinton Falls in the interest of education. He updated the Council stating the bill will be acted upon in both Assembly and Senate this week. Mr. Holobowski asked that Council consider passing a resolution of support asking the Governor to sign this bill.

Elizabeth Perez, 2 Harvest Lane, Tinton Falls, read a statement regarding her resignation as an employee of Tinton Falls. She discussed her service and experience with the borough in her various roles, her treatment during her tenure as interim business administrator and the decision of the Mayor to choose someone other than her to continue in that capacity. Ms. Perez discussed her disappointment in the work environment at the end of her tenure by the new administration, her reasons to separate her employment, her love of Tinton Falls and hopes the community might continue to flourish under the new administration.

Mr. Baldwin expressed his surprise at the news of Ms. Perez's resignation and stated he appreciates her hard work and her support given to him.

Mr. Manginelli echoed Mr. Baldwin's comments and wished her best of luck.

Ms. Fama expressed her appreciation of Ms. Perez's work and wished her best of luck in her new career.

Mr. Pak stated he was sorry hear of Ms. Perez resignation and wished her luck.

Ron Batista, 521 Tinton Avenue echoed the thanks for the budget, very clear and well explained, and thanked the board for the recent open space purchase of the farm near Shark River Road. He discussed his concern over the recently approved housing adjacent to the municipal complex, an abomination of dense housing, its effect on the school system, and the disappointment that the borough had no choice in the matter. Mr. Batista explained that this was a FMERA decision for property owned by the federal government. He asked the council to please consider using the open space money to stop future sprawl of this type of development.

Mr. Baldwin discussed the purchase of the land to prevent building, the units to be generated on the fort property and the inability to make a decision on the FMERA property.

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Mayor Perillo stated he has been to both planning and zoning board meetings and they are bound by laws that allow property owners to develop their property and in many cases the town's hands are tied.

Mr. Batista stated the Master Plan should protect us, FMERA was beyond our control but we could use the power of the town and the town's voice to fight back and make an impact in certain situations. Other towns seem to get it to happen by fighting back.

Mr. Pak discussed the town trying to keep their eyes and ears open, get ahead of the game when we need to. Mr. Pak commended the Board of Education who seemed to be a step ahead in preparing for the increase.

Gerry Turning, 32 Periwinkle Circle, discussed the planning board revisiting the master plan as required every seven years by law. He stated this is the time for the town to have input into the new plan, an opportunity to determine what can be built where, and once approved the master plan will remain that way for another seven years. Mr. Turning congratulated the administration on the budget and asked if deferred school taxes were used. Mr. Fallon stated none. Mr. Turning thanked the Council!

Nancy Britton 158 Cloverdale Circle, thanked the Council and Engineer for the library study and stated she hoped the library will stay in Tinton Falls. Ms. Britton asked about the public information coordinator position that is posted on the League of Municipalities website and asked the purpose of this position and asked why full-time and who currently manages the website.

Mr. Skudera discussed the need to be able to provide information to residents, events, newsletters and keeping with the Mayor's initiative of transparency.

Mr. Baldwin stated each department manages the content to be posted on the website and reinforced the need for transparency and better communication with the public.

Ms. Britton suggested that maybe this could be a position shared by the Administrative Secretary to the Mayor.

Barbara Turning, 32 Periwinkle Circle, asked about the cost of the newsletter and where that cost could be found in the budget? Mr. Fallon stated that the cost for the newsletter would be in the miscellaneous line item for that department.

Brian Perry, 29 Columbia Drive, VP of Library Association, thanked the Council for the library report and budget presented. He discussed the future of the library, previous feasibility studies, possibly finding a new building and hope that the library continues. Mr. Perry stated that the structural improvements have been neglected for a long time, only in the past three or four years were some of the improvements made, some of which were provided by a county grant, the costs in the report evolved due to neglect. He discussed the expertise of the DPW staff and electrician who have a lot of knowledge about what has been done over the years. Mr. Perry encouraged a decision to be made soon.

Denise Catalano, 11 Alpine Trail discussed the library, the age of the building, costs stated in the report, additional costs if additional repairs are needed, cost of replacing material items like books, computers and annual cost to run the library, annual maintenance, and the overall cost to the borough including the cost to belong to the County library. Ms. Catalano stated this is a lot of money, not every resident is in favor of keeping the library open, and also discussed usage, not membership in the library. Ms. Catalano encouraged conversation to make a decision that is in the best interest of the Borough.

Christine Anderson, 17 Cranberry Drive, stated she was a previous library employee and is currently laid off and currently works as a librarian at the High School. She discussed the lack of resources available to the students, lack of transportation to the Monmouth County branch, the rapport between the Tinton Falls Library and the school and the availability of resources that are provided through them.

Gerry Turning, 32 Periwinkle Circle wanted to let the Council know about the passing of Richard Brandstetter of Branford Circle, he was a council member in the early 1980's who served Tinton Falls for many years. Mr. Turning suggested that he be recognized. Mr. Turning asked about the round 3 COAH certification and if the Borough closed on the property on Shark River Road, the Weitz property. Mr. Baldwin stated it is in the works and we are very close to a settlement. Mr. Neff stated the closing hasn't yet taken place but they are making some progress.

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

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ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER: None

RESOLUTIONS

Mr. Manginelli offered a motion to approve Resolution R-18-105, seconded by Mr. Pak.

ROLL CALL

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

R-18-105 INTRODUCTION OF 2018 MUNICIPAL BUDGET

Borough of Tinton Falls
County of Monmouth

R-18-105

Introduction of 2018 Municipal Budget
Municipal Budget Notice

Section 1:

Municipal Budget of the Borough of Tinton Falls, County of Monmouth for the Fiscal Year 2018

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018;

Be It Further Resolved that the said Budget be published in the Coaster in the issue of March 29, 2018. The Governing Body of the Borough of Tinton Falls does hereby approve the following as the Budget for the year 2018.

Offered: Mr. Manginelli	Abstained: None
Seconded: Mr. Pak	Absent: Mr. Siebert
AYES: Fama, Manginelli, Pak, Baldwin	
NAYS: None	

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Tinton Falls, County of Monmouth on March 20, 2018.

A Hearing on the Budget and Tax Resolution will be held at the Borough Hall on April 17, 2018 at 7:30 o'clock, pm at which time and place objections to said Budget and Tax Resolution for the Year 2018 may be presented by taxpayers and or other interested persons.

I, Melissa A. Hesler, Borough Clerk, do hereby certify this is a true copy of the Resolution adopted by the Governing Body of the Borough of Tinton Falls on March 20, 2018.

Melissa A. Hesler, Borough Clerk

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CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSENT: Mr. Seibert

ABSTAIN: None

R-18-106 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic 3001 Hackberry Road Irving, TX 75063	76.02	80	\$3,886.44

Re: Dale Edlin
90 Sunset Drive

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$3,886.44, 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 \$3,886.44 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 \$3,886.44.

R-18-107 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Title Company and by the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Old School Title Services, LLC 247 Franklin Avenue Nutley, NJ 07110	124.50	133	\$951.77

Re: Calello to Rudden
47 Richmond Court

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$951.77, 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 \$951.77 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 \$951.7

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R-18-108 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic 3001 Hackberry Road Irving, TX 75063	68.02	14	\$1,963.63

Re: Justin Eichhorn
760 Tinton Avenue

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$1,963.63, 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 \$1,963.63 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 \$1,963.63.

R-18-109 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company paying on an incorrect property.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic 3001 Hackberry Road Irving, TX 75063	75	68	\$1,168.88

Re: Lucinda Cioffi
2 Rambling Meadows Court

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes paid in the amount of \$1,168.88, 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 \$1,168.88 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 \$1,168.8

R-18-110 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Amrock 662 Woodward Detroit, MI 48226	123	82	\$1,819.00

Re: Rene Graniere & Thomas Carter
5 Silvercrest Drive
and,

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WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$1,819.00, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$1,819.00 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,819.00.

R-18-111 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Investors Bank 101 Wood Ave. S. Iselin, NJ 08830	124.50	153	\$1,523.95

Re: William Raulerson
15 St. Paul Court

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes in the amount of \$1,523.95, 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 \$1,523.95 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 \$1,523.95.

R-18-112 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2018 1st quarter taxes on the following properties has been paid in error creating an overpayment by the Homeowner and by Mortgage Companies:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Corelogic Real Estate Tax Service Attn: Tax Refunds 3001 Hackberry Road Irving, TX 75063	(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)		

and,

WHEREAS, said error has resulted in an overpayment of 2018 1st quarter taxes paid in the amount of \$97,071.73, 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 \$97,071.73 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 \$97,071.73.

**REGULAR MEETING
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R-18-113 RESOLUTION AUTHORIZING EXECUTION OF A DEED OF SHADE TREE AND VARIOUS UTILITY EASEMENTS IN CONJUNCTION WITH MINOR SUBDIVISION APPROVAL GRANTED BY THE BOROUGH PLANNING BOARD TO ROGER MUMFORD HOMES, LLC (BLOCK 105, LOTS 13, 14 and 16 and BLOCK 105.03, LOT 23)

WHEREAS, on February 14, 2018, the Borough of Tinton Falls Planning Board granted Minor Subdivision Approval to Roger Mumford Homes, LLC (Block 105, Lots 13, 14, 15 and 14 and Block 105.03, Lot 23) and in accordance with the Resolution for same, the property owner has prepared for the Borough's acceptance a Shade Tree Easement and various Utility Easements as further set forth in Exhibit A attached hereto.

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 Deed of Shade Tree and Utility Easements provided by Roger Mumford Homes, LLC are hereby accepted by the Borough of Tinton Falls.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the Mayor, Borough Clerk and Director of Law are hereby authorized and directed to sign and take all necessary actions to execute and effectuate the recordation of the easements.

R-18-114 RESOLUTION CERTIFYING COMPLIANCE WITH UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that it hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Borough Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

R-18-115 RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Tinton Falls Police Department is in need of one (1) 2018 Chevrolet Tahoe's, 4X4 pursuit vehicles to replace a vehicle that was totaled in an accident on January 27, 2018; and

WHEREAS, Day Chevrolet, 1600 Golden Mile Highway, Monroeville, PA 15146 has a valid NJ State Contract #A89938 for one (1) 2018 Chevrolet Tahoe's, 4X4 pursuit vehicles with options for a total purchase price in the amount of \$36,060.01 ; and

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

WHEREAS, Chief John Scrivanic recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid 2018 NJ State Contract:

One (1) 2018 Chevrolet Tahoe's, 4X4 pursuit vehicles with options: \$36,060.01.

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MARCH 20, 2018
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R-18-116 RESOLUTION – APPROVAL OF BILLS – MARCH 20, 2018

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending March 20, 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.

SUMMARY

GENERAL	654,993.13
SEWER UTILITY	14,145.19
TRUST FUNDS	50,506.67
DOG TRUST	2,559.00
ESCROW	5,447.25
ADDITIONS	1,267,456.88
	<hr/>
	1,995,108.12

ADJOURNMENT

Mr. Pak offered a motion to adjourn, seconded by Mr. Manginelli.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 9:37 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: May 1, 2018