

**REGULAR MEETING
FEBRUARY 19, 2019
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:32pm.

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

All present stood for a salute to the flag

APPROVAL OF MINUTES

Mr. Siebert offered a motion to approve the minutes of January 8, 2019, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

MAYOR'S APPOINTMENT TO SHADE TREE COMMISSION

Council President Baldwin announced that Mayor Perillo has made a new appointment to the Shade Tree Commission that will fill an unexpired term ending December 31, 2022. He stated that Mayor Perillo has appointed Colleen Connolly to the board and thanked all who volunteer their time to serve on the various boards and commissions.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report – Vito Perillo

Mayor Perillo had no report.

Engineer's Report – Thomas Neff

Mr. Neff reported that the traffic signal on Shafto Road located at Mazza's driveway has been turned on and should be in flashing mode. He explained that it will remain in flashing mode for one week and will be fully activated next Tuesday, February 26, 2019 at 9:00 AM. Mr. Neff gave a brief update on Fort Monmouth and stated that the Meyer's Center, also known as the hexagon demolition is nearly complete. He explained that the site will be cleared and leveled out for the next developer.

Finance Director – Thomas Fallon

Mr. Fallon discussed Resolution 2019-039 which is an annual resolution to make an adjustment to the Length of Service Award program contributions by the Borough of Tinton Falls. He explained that this is based off of CPI index which went up 1.6% and would increase the Borough's contribution in the amount of \$23.35 per eligible EMS volunteer. Total cost to the Borough is an additional \$653.00

Borough Administrator – Michael Skudera

Mr. Skudera reported that he, Mayor Perillo and John Mack attended a Monmouth County Health Commission meeting in which the commissioners voted to terminate an agreement with the Monmouth County Health Department effective April 29, 2019. This contract terminates the Regional Health Commission as a subcontractor to the Monmouth County Board of Health. He explained that the Regional Health Commission is the party responsible for inspecting the landfill odor and complaints.

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Director of Law – Kevin Starkey

Mr. Starkey reported that there is an Ordinance on for Introduction tonight vacating a portion of a Right-of-Way known as Pine Street. The first reading will take place tonight and it will be up for approval at the March 5, 2019 meeting.

Borough Clerk's Report – Melissa Hesler

Ms. Hesler had no report.

Council's Report

Ms. Fama reported that she was recently contacted by a local realtor who informed her about a new state law that states smoke detectors and carbon monoxide detectors cannot be more than ten years old in a home. She explained that she found this information to be important and should be passed along. Ms. Fama also reminded everyone of the upcoming library fundraiser at Monster Mini Golf on February 22, 2019, 50% of the proceeds will be donated to the Tinton Falls Public Library. She commended Administration for Resolution R-19-040 Supporting Changes and Improvements to the Monmouth County Reclamation Center. She asked Borough Administrator Skudera to provide an additional update of the progress at the landfill. Mr. Skudera explained that general updates are being posted on the County website. He spoke with Monmouth County Administrator Teri O'Connor and inquired about having the Monmouth County Freeholders come to Tinton Falls to give residents an updated timeline of their plans. Council President Baldwin added that Senator Gopal has been very efficient in providing informative updates about the landfill and explained that residents who wish to contact Senator Gopal can do so by emailing him.

Mr. Pak also provided additional information about receiving updates about the landfill. He spoke briefly about the impending winter weather and abbreviated school days for the local area. Mr. Pak reported that he has also been in contact with Senator Gopal about alternative solutions to the landfill issue. He thanked Borough Administrator Skudera for his updates regarding the landfill and the Regional Health Commission. He stated that the TNR Program is in its final stages and they are currently ironing out the details. He briefly discussed the Puppy Mill ban that Council is working to get on the next agenda for the next meeting.

Mr. Siebert thanked DPW and the Police Department for their responsive actions in moving the radar speed sign to Riverdale West.

Mr. Manginelli had no report.

Mr. Baldwin reported that FEMERA will meet tomorrow, February 20, 2019 and invited all to attend. He announced that the planning board meeting this week has been canceled.

ORDINANCES FOR INTRODUCTION

Ms. Hesler read Ordinance No. 2019-1438 entitled: ORDINANCE VACATING A PORTION OF THE RIGHT-OF-WAY KNOWN AS PINE STREET IN THE BOROUGH OF TINTON FALLS

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Borough Council may, by adopting an appropriate ordinance, vacate any public street or portion thereof; and

WHEREAS, the Borough Council is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to that portion of a right-of-way known as Pine Street, as shown on Schedule A hereto (metes and bounds description and Plat of Vacation); and

WHEREAS, the portion of Pine Street to be vacated is bounded on the southerly side by property owned by the County of Monmouth and on the northerly side by property owned by KTDM, LLC and known as Block 123, Lot 49.02; and

WHEREAS, the County has consented that, upon successful adoption of this vacation ordinance, one hundred percent (100%) of the vacated right-of-way land shall belong to KTDM, LLC and shall become a part of Block 123, Lot 49.02; and

WHEREAS, the Borough Council has determined that said portion of the right-of-way of Pine Street as described on Schedule A attached hereto lends itself to higher and better use than for public road purposes and that it is in the best interest of the general public and the Borough of Tinton Falls that the rights and interests in and to the same shall as a public right-of-way be vacated, released and extinguished, on the terms set forth herein; and

WHEREAS, the Borough Council must, pursuant to N.J.S.A. 40:67-1(b), preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right of way to be vacated;

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

SECTION 1. All public easements, right and interests to that portion of the right-of-way known as Pine Street as shown on Schedule A attached hereto are hereby vacated, extinguished and released except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13.

SECTION 2. The Borough Clerk shall publish this ordinance, after being introduced and having passed at first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

SECTION 3. It is the intent of the Borough Council to vacate the aforementioned interests that the public may have in the Property, and to provide that the property shall be conveyed, in its "as is" condition, to the property owner to the northerly side of the vacated roadway, and that the vacated roadway property become a part of Block 123, Lot 49.02.

SECTION 4. The Borough Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

SECTION 5. The Borough Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.

SECTION 6. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 7. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

Mr. Pak offered a motion to introduce Ordinance No. 2019-1438, seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Ms. Hesler read Ordinance No. 2019-1439 entitled: ORDINANCE SETTING SALARIES FOR DEPARTMENT HEADS, STATUTORY EMPLOYEES, MAYOR AND COUNCIL.

WHEREAS, both the general municipal law (N.J.S.A. 40A:9-165) and the Faulkner Act (N.J.S.A. 40:69A-43a and 180) require that certain salaries be adopted by ordinance; and

WHEREAS, the Borough of Tinton Falls ("the Borough") does currently have an ordinance establishing these salaries, which is updated and adopted annually; and

WHEREAS, the Borough is restrained in establishing certain salaries pursuant to the terms of pre-existing collective bargaining agreements and New Jersey law impacting statutory employees.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the following management salaries be established effective January 1, 2019 as follows:

SECTION ONE – STATUTORY EMPLOYEES

Chief Financial Officer (Director of Audits, Accounts & Controls)	\$171,133
Borough Clerk	\$ 81,600
Tax Assessor	\$104,456
Tax Collector	\$ 92,500

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SECTION TWO – DEPARTMENT HEADS

Director of Administration	by contract
Director of Public Works	\$129,540
Director of Public Safety	by contract
Police Chief	by contract

SECTION THREE – MAYOR AND COUNCIL

Mayor	\$ 6,000
Council President	\$ 5,000
Councilmembers	\$ 4,500

SECTION FOUR – REPEALER

Any ordinances, or portions thereof, which are inconsistent with the provisions of this ordinance shall hereby be repealed to the extent of any such inconsistency.

SECTION FIVE – EFFECTIVE DATE

This ordinance shall take effective upon publication pursuant to law and the General Revised Ordinances of the Borough of Tinton Falls.

Mr. Pak offered a motion to introduce Ordinance No. 2019-1439, seconded by Ms. Fama

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

ORDINANCES FOR FINAL CONSIDERATION None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION OPEN

Leo Lomangino, 93 Colonial Drive- Mr. Lomangino introduced himself as a resident of Tinton Falls as well as the Solid Waste Advisory Committee Representative. He stated that it is his understanding that the Host Community Agreement with the Monmouth County Landfill contractually expired in January. He encouraged Council to work on getting the Host Community fee raised. Council President Baldwin explained that the attorney is currently working on this agreement. Director of Law Kevin Starkey explained that the benefits are being continued to the Borough however the agreement is currently being renegotiated.

Charles Lomangino, 3 Helena Street- Mr. Lomangino inquired about the Host Community fees in comparison to other counties and municipalities. He explained that he attended the public meeting hosted by Senator Gopal about the landfill and briefly discussed his experience in the landfill industry. He suggested the Borough reach out to representatives at the county and have the NJDEP look into the current work being done at the landfill.

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Michelle Simon, 71 Madison Court- Ms. Simon asked Council to clarify the purpose of Resolution R-11-009 regarding the Host Benefit Agreement; she inquired about whether there was a supplemental contract after it expired in December 2017. Borough Attorney Mr. Starkey explained that the eight year contract allows for the benefits to exist and continue until a new contract is entered into. Ms. Simon voiced her concerns over the renegotiations of the new contract and stated she would like to see the contract include other benefits to the host community. Mr. Starkey explained that the public will have the opportunity to comment on the new agreement before its approval.

Paul Abrams, 23 Taylors Run- Mr. Abrams inquired if any Council members attended the Monmouth County Freeholder's Meeting this afternoon. He stated that he noticed that the agenda included an emergency arrangement with Waste Management Corporation for two and a half million dollars to address issues at the landfill including odor. Mr. Abrams stated that he is concerned that this is a step towards privatization of the landfill and inquired about what would happen to the Borough if it lost the Host Agreement. He discussed the lack of communication with the County and the host community. Council President Baldwin stated that Council was not aware of the County meeting, if they had known someone from Council would have attended.

Bill Keasler, 71 Edgebrook Court- Mr. Keasler discussed the advertisement of the Freeholder's meeting on social media and stated he was surprised that the landfill was not at the top of Council's priority list. Council President Baldwin assured Mr. Keasler that the landfill is certainly at the top of Council's list of priorities.

Kerry Morgenthaler, 25 Thistledown Street- Ms. Morgenthaler introduced herself and spoke about her interest in the TNR program and the puppy mill ordinance. She inquired about a possible timeline for the Trap, Neuter, Release program (TNR). Mr. Baldwin stated that Administration is responsible for handling the agreement and they have been working on getting it ready for Council approval. Ms. Morgenthaler explained that the spring is kitten season and the shelters become inundated with kittens. The sooner the TNR program is put into place it would provide the most humane solution to this growing issue.

David Elko, 692 Tinton Avenue- Mr. Elko discussed the need for a "No Knock" Ordinance in the Borough of Tinton Falls. He discussed research that he has done and explained that Jackson Township introduced an Ordinance which would require the Borough to keep a list of residents who do not wish to have solicitors at their door. He provided many reasons as to why an Ordinance like this would be relevant in today's day and age. Council President Baldwin explained that this has been discussed before and asked Mr. Starkey to briefly explain the process. Mr. Starkey stated that this Ordinance could be bureaucratically difficult to enforce and discussed possible issues this Ordinance could create. Mr. Elko understands that the Borough does have a solicitation plan in place, however asked Council to consider introducing an Ordinance that would require the Borough to keep a list of residents who do not wish to participate in door-to-door solicitation. Councilwoman Fama stated that she is in support of Mr. Elko's suggestion and formally asked Mr. Starkey to look into instituting this "No Knock" plan. Mr. Starkey stated that he will draft an Ordinance.

Tracy Buckley, 17 Helene Court- Ms. Buckley briefly discussed the TNR program and stated that she has reviewed some information about the program and believes it is the best solution to solve the Borough's feral cat issue. She inquired about changing the name of the Daddy Daughter Dance to simply the Daughter Dance, and Mayor Perillo stated he spoke with Sherri Eisele, Recreation Director, and gave her permission to change the name.

Gerry Turning, 32 Periwinkle Circle- Mr. Turning spoke about the Monmouth County Regional Health Commission Meeting he attended on February 5, 2019. He inquired if there were any updates regarding the letter sent ending the contract to handle complaints about the landfill. Mr. Skudera explained that the Regional Health Commission voted to end the contract effective April 29, 2019. He spoke with Monmouth County Administrator Teri O'Connor regarding handling the complaints. Mr. Turning inquired about the Borough ending their contract with the Regional Health Commission if they will no longer provide this service to the Borough. Mr. Turning commented on the Salary Ordinance 2019-1439 and stated that the contracts should be settled before passing this Ordinance. He briefly discussed a recent article in the Asbury Park Press highlighting Mayor Perillo's first year in office. Discussion ensued regarding the position of Deputy Police Chief and the purpose it serves to the Borough.

There being no further comments, Mr. Siebert offered a motion to close the public discussion, seconded by Mr. Manginelli.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER: None

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RESOLUTIONS

Council President Baldwin advised that Resolution R-19-044 will be removed from the Consent Agenda and will be voted on separately.

Mr. Manginelli offered a motion to remove Resolution R-19-044 from the Consent Agenda and to approve, seconded by Mr. Pak.

ROLL CALL

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

R-19-044 -RESOLUTION – APPROVAL OF BILLS – February 19, 2019

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending February 19, 2019; and

WHEREAS, the Borough Council has reviewed said claims.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

SUMMARY

GENERAL	433,678.56
SEWER UTILITY	43,993.23
TRUST FUNDS	38,087.47
GRANT FUND	1,720.24
GENERAL CAPITAL	5,356.72
ESCROW	1,600.00
DOG TRUST	5,118.00
ADDITIONS	<u>1,273,469.79</u>
TOTAL	1,803,024.01

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. Siebert, Mr. Baldwin
NAYS: None
ABSENT: None
ABSTAIN: None

R-19-037 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 flooding and icing is occurring on a regular basis on Hope 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, Earle Asphalt Company, PO Drawer 556, Farmingdale, NJ 07727 has submitted a proposal dated February 5, 2019 in the amount of \$116,840.00 to install new drainage improvements;

WHEREAS, Thomas Neff, Borough Engineer has described the situation and declared this situation an emergency condition in his letter dated February 12, 2019 attached;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls authorizes the award go to Earle Asphalt Company for the emergency drainage repairs necessary on Hope Road;

R-19-038 RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS WITHOUT PUBLIC BIDDING PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:11-6

WHEREAS, there was an emergency condition at the Hance Avenue Pump Station requiring immediate emergency attention to the pumps as described in memorandum attached in the amount of \$14,545.43; 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

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services; and;

WHEREAS, Mark Shaffery, Director of Public Works has described the situation and declared this situation an emergency condition in memo dated February 13, 2019 attached;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that authorization be and is hereby given to award contracts for the repairs necessary for the safe operation of the Hance Avenue Pump Station.

R-19-039 RESOLUTION MAKING COST OF LIVING ADJUSTMENT FOR THE BOROUGH'S LOSAP PROGRAM

WHEREAS, the Borough of Tinton Falls has had a Length of Service Awards Program ("LOSAP") in place since July 22, 2003 upon adoption of Ordinance No. 03-1100 to provide a small incentive for emergency service volunteers; and

WHEREAS, LOSAP provides for annual contributions to eligible volunteer members of the Borough's emergency medical services, which for 2017 was set at a rate of \$1,459.37; and

WHEREAS, the Division of Local Government Services has authorized a maximum contribution increase for those serving in 2018 of 1.6% or \$23.35 for a total 2018 contribution of \$1,482.72; and

WHEREAS, the Borough Council has determined to set the 2018 maximum LOSAP contribution to \$1,482.72 in order to continue to recruit and retain emergency service volunteers.

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 sets the 2018 LOSAP contribution rate at \$1,482.72 for each eligible member of the Borough's emergency medical service squads.

R-19-040 RESOLUTION SUPPORTING THE TOP 10 IDEAS TO HELP IMPROVE THE MONMOUTH COUNTY RECLAMATION CENTER

WHEREAS, Tinton Falls Business Administrator Michael Skudera compiled and researched through a series of meeting with key stakeholders, ideas to help improve the Monmouth County Reclamation Center; and

WHEREAS, this list originated through a kick-off meeting with the Monmouth County Regional Health Commission on January 10, 2019 with members of the Tinton Falls Administration: Mayor Perillo, Michael Skudera (Business Administrator), John Mack (OEM Coordinator) and Council President Gary Baldwin; and

NOW, THEREFORE BE IT RESOLVED by the Borough of Tinton Falls, in the County of Monmouth, New Jersey, the following suggestions and action items are fully supported as follows:

1. Technology:

- a. Inspections – Health Commission should research what, if any equipment that could be used to assist their inspectors in measuring and recording odors.
- b. Odor Control – Monmouth County is encouraged to explore and implement an advanced odor control system.
- c. Landfill Gas Flares – Monmouth County is encouraged to explore any upgrades to its Landfill Gas Flares, as they burn off excess landfill gas (methane to carbon dioxide).
- d. Surface Emission Monitoring (SEM) – Monmouth County is encouraged to explore any new tools, processes, and equipment which would improve its monitoring of gas emissions for regulatory compliance.
- e. Drones – Monmouth County is encouraged to explore and implement the use of drones and infrared camera technology to collect and measure real-time, three-dimensional data of its landfill gas emissions, as this could help to identify areas of inefficiency and pinpoint areas that have a build-up of gases.

2. **Enhanced Complaint Process** – Health Commission to provide an easy to read document on what is required by law for the public to file a complaint, citing the sources and regulations that govern this process.

3. **Anonymous and Incomplete Complaints** – Complaints that don't meet the statutory guidelines should still be sent to Monmouth County for their awareness by the Health Commission.

4. **Increased Access** - Health Commission inspectors are not always permitted to access the landfill at night; their access should be increased by Monmouth County.

5. **Expanded Public Information** – Monmouth County is encouraged to post additional information about the status of the landfill on the internet, to allow for easier access for the public to learn about the operations and upcoming projects that may impact the immediate area.

6. **Best Practices** – Monmouth County is encouraged to study other NJ landfills, which are located near densely populated areas and update their best practices.

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7. **Collaboration** – Tinton Falls Administration conducted several meetings with the Health Commission and will also attend and conduct other meetings with key stakeholders to review these suggestions and help coordinate the next steps.
8. **Review and Modernize NJ Law** – New Jersey legislatures are encouraged to review current state regulations and introduce amendments such as increasing fines and streamlining the complaint process.
9. **Process Improvement** – Monmouth County is encouraged to identify, analyze, and improve the following:
 - a. Landfill Odor Control Plan
 - b. Efficiency and functionality of its gas and leachate collection systems
 - c. Systems for monitoring and analyzing weather data how conditions could impact landfill gases
 - d. Processes for monitoring onsite and offsite odors
 - e. Process for notifying the Borough of Tinton Falls and the Health Commission on all permits and projects in the Reclamation Center
 - f. Any additional processes that are identified
10. **Action Plan** – Monmouth County and key stakeholders are encouraged to conduct a public meeting in Tinton Falls or a suitable area to outline their findings, and present an action plan along with an implementation timeline on how they plan to take immediate and corrective action.
- 11.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough of Tinton Falls, in the County of Monmouth, New Jersey, that this resolution will be forwarded to the Monmouth County Board of Chosen Freeholders for their response, and

NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough of Tinton Falls, in the County of Monmouth, New Jersey, that a copy of this resolution will also be forwarded to the Monmouth County Health Commission, who is encouraged to adopt the same, the New Jersey Department of Environmental Protection, the New Jersey District 11 Assembly Members and the New Jersey District 11 Senator

R-19-041 RESOLUTION AMENDING RESOLUTION #R-18-043 AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR RFP #2-18 LABOR COUNSEL SERVICES

WHEREAS, the Borough of Tinton Falls adopted Resolution R-18-043 on January 16, 2018 wherein Cleary, Giacobbe, Alfieri & Jacobs, LLC, 5 Ravine Drive, P.O. Box 533, Matawan, NJ 07747 was awarded the above contract for an amount not to exceed \$40,000.00;

WHEREAS, this contract is to be increased for an amount not to exceed \$6,500.00 for a total contract for Cleary, Giacobbe, Alfieri & Jacobs, LLC for the Professional Labor Counsel Services, in the amount of \$46,500.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Cleary, Giacobbe, Alfieri & Jacobs, LLC, 5 Ravine Drive, P.O. Box 533, Matawan, NJ 07747 is hereby authorized to provide professional labor counsel services for an amount not to exceed \$46,500.00; and

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

R-19-042 RESOLUTION AMENDING RESOLUTION #R-18-130 PROFESSIONAL SPECIAL LABOR COUNSEL SERVICES GLUCK WALRATH, LLP

WHEREAS, the Borough of Tinton Falls adopted Resolution R-18-130 on April 17, 2018 wherein Gluck Walrath, LLP, 428 River View Plaza, Trenton, NJ 08611 was awarded the above contract for an amount not to exceed \$17,500.00;

WHEREAS, due to unforeseen circumstances this contract is to be increased for an amount not to exceed \$1,500.00 for a total contract for Gluck Walrath, LLP for Professional Special Labor Counsel Services in the amount of \$19,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Gluck Walrath, LLP, 428 River View Plaza, Trenton, NJ 08611, is hereby authorized to provide Professional Special Labor Counsel Services for an amount not to exceed \$19,000.00; and

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

R-19-043 RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #3076 was issued to the Borough of Tinton Falls for delinquent sewer charges on Block 129.08 Lot 41 (9 Basset Court), assessed to Heather O’Connell, at a tax sale held on December 21,

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2016; and

WHEREAS, TD Bank, has redeemed Certificate #3076 by paying the full amount of the delinquency.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to endorse Certificate of Sale #3076 for cancellation.

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:42PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: APRIL 2, 2019