

**REGULAR MEETING
SEPTEMBER 19, 2023
BOROUGH COUNCIL**

Council President Manginelli called the Regular Meeting to order at 7:30 PM.

The Borough Clerk read the following statement: “Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on December 20, 2022.”

ROLL CALL

PRESENT: Ms. Buckley, Mrs. Clay, Dr. Dobrin, Mr. Nesci, Mr. Manginelli
ABSENT: None
ALSO PRESENT: Michelle Hutchinson, Borough Clerk
 Kevin Starkey, Director of Law
 Charles Terefenko, Business Administrator
 Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES - None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer – Thomas Neff

Mr. Neff reported on a follow-up request from the last council meeting whereby he met with the individual regarding sidewalk improvements at the south end of town. The suggestions from this meeting will be considered in the next road program project.

Administrator – Mr. Terefenko

Mr. Terefenko reported as a reminder that Community Day is October 7th with rain date on October 8th and sponsorships are still available with information on the Borough website.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council’s Reports

-Ms. Buckley reported on attending the lovely end of summer barbeque at the Solder On veterans housing which was also attended by the management from their Massachusetts headquarters. She thanked the Tinton Falls fire companies and Administration for the 9/11 ceremony which was well attended. The next Environmental Commission meeting is September 28th at Crawford House.

-Mrs. Clay reiterated the comments made by Ms. Buckley regarding the 9/11 ceremony and the fantastic turnout. She hopes to see everyone at the upcoming Community Day. The Board of Education is meeting Thursday this week. Mrs. Clay commented on Ordinance 2023-1507 Update Regulations for Farms and Agricultural Uses, she was pleased that it was able to be expedited and placed on the agenda.

-Dr. Dobrin reported the Library’s Music Festival was very successful and thanked everyone for their support and assistance. Today, Dr. Dobrin, Charlie Terefenko, and Mr. Manginelli attended a meeting organized by Senator Gopal who spoke about the tax relief program, StayNJ for senior citizens. He provided a brief overview of the StayNJ program details. He also attended the 9/11 service which was beautifully done and was touched by the commentaries.

-Mr. Nesci reported the Planning Board approved an application for 135 Apple Street mixed use office space geared toward professional use such as dentist or lawyers’ office and upstairs two apartments. The Board approved and agreed that Ordinance 2023-1507 is not inconsistent with the master plan.

-Mr. Manginelli had no report.

ORDINANCES FOR INTRODUCTION - None

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ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **2023-1507 AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE BOROUGH CODE TO UPDATE REGULATIONS FOR FARMS AND AGRICULTURAL USES**

Mr. Starkey clarified the changes from first reading was the regulation of bees and beekeepers. State law governs bees and beekeepers not municipalities. The change in the ordinance is not considered a material change therefore the Council can proceed with the second reading and public hearing of the ordinance.

Dr. Dobrin offered a motion to open the Public Hearing on Ordinance No. 2023-1507, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments, Mrs. Clay offered a motion to close the Public Hearing on Ordinance No. 2023-1507, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING CLOSED

Ms. Buckley asked Mr. Starkey to explain on page 3 of the ordinance section *control of pests* – can residents designated in the R1 and R2 zones now kill or trap pests. Mr. Starkey stated that this does not fall into State category and under this ordinance you cannot trap or kill animals.

Mrs. Clay offered a motion to adopt Ordinance No. 2023-1507, seconded by Mr. Nesci.

ROLL CALL

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

PUBLIC DISCUSSION

Dr. Dobrin offered a motion to open the Public Discussion, seconded by Mrs. Clay.

ROLL CALL

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

Mr. Manginelli asked the Clerk if there were any public comments submitted and there were none.

Robert Caizza, 9 Liberty Drive – Mr. Caizza expressed his frustration with the response from the Borough and DPW when gallons of fluid spilled in front of his house and moved to surrounding blocks was not appropriately removed and cleaned up. He stated DPW did come and put speedy dry down to assist with the cleanup, but he expressed his concern that the fluid was going down the sewer drain. He stated it was hydraulic fluid that covered his street. DPW used several methods and attempts to clean up the spill. Mr. Caizza was not satisfied with the clean-up results and stated his recently paved street is ruined and needs to be repaved.

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

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ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-153

RESOLUTION – APPROVAL OF BILLS – SEPTEMBER 19, 2023

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending September 19, 2023; 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	710,257.97
SEWER UTILITY	186,987.35
GRANT FUND	1,224.89
TRUST FUNDS	112,208.39
DOG TRUST FUND	22.20
ESCROW	3,922.50
ADDITIONS	1,379,386.11
TOTAL	2,394,009.41

CERTIFICATION OF FUNDS:

Mr. Nesci offered a motion to adopt Resolution R23-153, seconded by Ms. Buckley.

ROLL CALL

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

CONSENT AGENDA

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

ROLL CALL

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

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-150

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**RESOLUTION DESIGNATING APPROVED SIGNATORIES FOR
THE MUNICIPAL COURT BAIL AND OPERATING ACCOUNTS**

WHEREAS, it is necessary that the Municipal Court maintain bank accounts for the purpose of depositing monies, checks and other instruments which may come into the possession of the Municipal Court during the course of regular business; and

WHEREAS, it is also necessary that signatories be appointed for said accounts and for the accounts maintained by Tinton Falls for Monmouth Beach and Eatontown under the Shared Service Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Tinton Falls Borough Council that the authorized signatories for said Municipal Court Accounts are the Court Administrator and Deputy Court Administrators;

BE IT FURTHER RESOLVED, that the Municipal Clerk and signatories stated herein shall execute the OceanFirst Municipality Agreement hereby made a part of this resolution and copies be forwarded to OceanFirst Bank N.A. upon approval of this resolution.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-151

**RESOLUTION AUTHORIZING PURCHASE UNDER
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #65MCESCCPS
KESTRAL EVO S 5.0 RIGHT SIDE, SHEARTRIM CUTTER BAR**

WHEREAS, the Tinton Falls Department of Public Works is in need of one (1) Kestral EVO S 5.0 Right Side and one (1) Sheartrim Cutter Bar; and

WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS as approved by Resolution #R-14-186; and

WHEREAS, Storr Tractor Company, 3191 US Highway 22, Branchburg, NJ 08876 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of a one (1) Kestral EVO S 5.0 Right Side and one (1) Sheartrim Cutter Bar for a total purchase price in the amount of \$53,190.50; 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 Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS:

One (1) Kestral EVO S 5.0 Right Side and one (1) Sheartrim Cutter Bar

I hereby certify funds are available from: Open Space Trust Fund; Clear Communities Grant;
Detention Basin Trust

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-152

RESOLUTION-REFUNDING DOG LICENSE FEES

WHEREAS, fees were collected for dog license(s).

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

WHEREAS, the Borough of Tinton Falls was not able to issue the dog license(s) due to the dog being too young for a license. A refund in the amount listed shall be issued.

Payee	Address	Refund Amount
Marcia Nadel	152 Sunset Drive Tinton Falls, NJ 07753	\$13.00

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

EXECUTIVE SESSION

ADJOURNMENT

Ms. Buckley offered a motion to adjourn, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 7:59pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

John Manginelli, Council President

APPROVED AT A MEETING HELD ON: October 17, 2023.