

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

Council President Clay 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 19, 2023.”

\*\*\*\*\*

**ROLL CALL (Regular Meeting)**

PRESENT: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay  
ABSENT: Mr. Manginelli  
ALSO PRESENT: Michelle Hutchinson, Borough Clerk  
Scott Kenneally, Director of Law Representative  
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**

*Dr. Dobrin offered a motion to approve the April 2, 2024, Regular Meeting Minutes seconded by Ms. Buckley.*

**ROLL CALL**

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

\*\*\*\*\*

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Engineer – Mr. Neff**

Mr. Neff reported on the bid and contract awards on the consent agenda with updates on Resolution R-24-064 2024 Road Program which will start in July; Resolution R-24-065 authorizing funds to NJ American Water to construct a new water main on Wardell Road to allow for a restroom at Wardell Park and the rejection of a single bid Resolution R-24-066 for Wardell Park restroom construction. He suggested another bid to attract more bidders for the project and more favorable pricing with the anticipation of awarding a bid at the June meeting.

**Director of Finance – Thomas Fallon**

Mr. Fallon had no report.

**Administrator – Mr. Terefenko**

Mr. Terefenko thanked everyone involved in the Earth Day event, which was well attended. He announced the Junior Police Academy is available for signup on our website. Community Day is October 5<sup>th</sup> with save the date information being sent to vendors. The Recreation Department has posted their kids summer activities, for parents who are interested check out their website. Centennial 2025 is taking place next summer and volunteers are needed.

**Director of Law Representative – Scott Keneally**

Mr. Keneally had no report.

**Borough Clerk – Michelle Hutchinson**

Ms. Hutchinson had no report.

**Council’s Reports**

-Ms. Buckley reported the Earth Day event was very successful and thanked Administration, DPW, Environmental Commission and TF Green Team members along with all the vendors who participated. Also thanking the Little League team for helping to clean up the park. Historic Preservation Commission had an event at the Crawford House the same day highlighting the restored Crawford piano. Ms. Buckley stated that herself and Mrs. Clay attended an event at Monmouth Regional High School, *Running Women in Government* which was fantastic.

-Dr. Dobrin reported the Tinton Falls Library construction continues and looking forward to an opening in the Fall. Planning a music festival for August 17<sup>th</sup> for library fundraising. He mentioned an odor complaint by his neighbor was responded to within 10 minutes and he thanked everyone involved in improving this process.

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

-Mr. Nesci reported the Planning Board approved an application from Trinity Hall for preliminary and final site plans and described the specifics of the plans. He mentioned this week is Nurses Week and wished for them joy and appreciation for all that they do and their unwavering commitment to patient wellbeing.

-Mrs. Clay reported attending the April 25<sup>th</sup> Board of Education meeting which was well attended. The staff of Atchinson, Swimming River and TF Middle School discussed preschool expansion. A new board member from Shrewsbury was sworn in, Sophia Lent. The school expressed their gratitude for the work done at the middle school ballfields. Mrs. Clay listed the process changes in reporting odor complaints at MCRC and appreciated the positive improvements and progress so far. Earth Day was a well-attended, successful event and she thanked everyone involved. Also, as mentioned by Ms. Buckley, attending the *Running Women in Government* event at the high school was a successful event and she described some of the topics discussed. This week is Teachers Week and a shout out to all the educators for the important work that they do.

\*\*\*\*\*

**ORDINANCES FOR INTRODUCTION** - None

\*\*\*\*\*

**ORDINANCES FOR FINAL CONSIDERATION**

Ms. Hutchinson read the title of the Ordinance: **2024-1513 2024-1513 An Ordinance Amending Section 40-68 Of the Borough Code, Entitled “Stormwater Management Requirements”**

\*\*\*\*\*

*Mr. Nesci offered a motion to open the Public Hearing on Ordinance No. 2024-1513, seconded by Ms. Buckley.*

**ROLL CALL**

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

**PUBLIC HEARING OPEN**

*There being no comments, Dr. Dobrin offered a motion to close the Public Hearing on Ordinance No. 2024-1513, seconded by Ms. Buckley.*

**ROLL CALL**

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

**PUBLIC HEARING CLOSED**

*Ms. Buckley offered a motion to adopt Ordinance No. 2024-1513, seconded by Mr. Nesci.*

**ROLL CALL**

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

\*\*\*\*\*

**PUBLIC DISCUSSION**

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

**ROLL CALL**

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

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

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

*Denise Catalano, 11 Alpine Trail* – Ms. Catalano stated there is an art contest organized by the TF Community Gardens with local school students and would like to hang signs advertising the ceremony at the Water Street garden site. She wanted to know the timeline of the Wardell Road project. Mr. Neff stated this year and provided details of the construction.

*Nancy Fama, 36 Gallant Fox Road* – Ms. Fama thanked everyone for being fiscal responsible and lobbying for more police officers. With recent police promotions she asked if there would be a back fill of those positions and would they be full hires or Class II positions. Mr. Terefenko responded the positions will be filled by full time officers this year and he thanked Ms. Fama and her neighborhood for supporting the police department and their efforts.

*Beth Sommerman, 69 Diane Drive* – Ms. Sommerman questioned why there is no rent leveling board in Tinton Falls. Mrs. Clay stated she would table this until our attorney can address this question.

*Joe Fama, 36 Gallant Fox Road* – Mr. Fama wanted to confirm the number of officers in the budget and with new hires we will be at the budgeted number of officers. Mr. Fallon will follow up with the exact number of budgeted officers, which is approximately 46. Mr. Terefenko stated when the new hires are confirmed we will be at the budgeted number of officers.

*Ellen Goldberg, 90 Glenwood Drive* – Ms. Goldberg also stated Happy Teachers Day to all the educators. She thanked everyone involved in making the Earth Day Festival a success and listed all involved.

*Frank Matula, 43 Lennox Drive* – Mr. Matula mentioned the police presence is a good thing since traffic in his neighborhood has increased. He mentioned his neighbors have brought up the issue of cars parking on the street instead of their driveways is becoming an issue.

*Michelle Simon, 71 Madison Court* – Ms. Simon thanked Council for all their assistance with MCRC and the odor compliant issues. She is concerned with trucks running red lights on occasion by Shafto Road and Asbury Avenue. Asking for more enforcement on the county road of Shafto Road and cooperation between Monmouth County and Tinton Falls on this issue.

*There being no further comments, Ms. Buckley offered a motion to close the Public Discussion, seconded by Dr. Dobrin.*

**ROLL CALL**

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

\*\*\*\*\*

**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER** - None

\*\*\*\*\*

**RESOLUTIONS** - None

\*\*\*\*\*

**CONSENT AGENDA**

*Mr. Nesci offered a motion to approve the Consent Agenda, seconded by Dr. Dobrin.*

**ROLL CALL**

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

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-063**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF NEPTUNE FOR THE REPAIR AND IMPROVEMENTS TO ESSEX ROAD**

**WHEREAS**, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to enter into shared services agreements with other public entities to provide or receive services that the local unit participating in the agreement is empowered to provide or receive; and

**WHEREAS**, Tinton Falls is proceeding with the repair and improvements to Essex Road within the borders of Tinton Falls; and

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

**WHEREAS**, the Township of Neptune desires to have the improvement of the portions of Essex Road located within the borders of Neptune, including the southeastern portion of Essex Road within Neptune, to be included within the improvement project; and

**WHEREAS**, Tinton Falls and Neptune believe it will be beneficial and cost effective to both municipalities to enter into a Shared Services Agreement so that the Essex Road Improvements Project can proceed within both municipalities; and

**WHEREAS**, Tinton Falls has agreed to assume lead agency responsibilities and pay the initial costs associated with the design and oversight of the project; and

**WHEREAS**, Tinton Falls and Neptune have negotiated a Shared Services Agreement for the project, in the form attached hereto, and desire to authorize the appropriate municipal officials to execute the agreement.

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

1. The Borough Council hereby authorizes and approves the proposed Shared Services Agreement between the Borough of Tinton Falls and the Township of Neptune, in the form attached hereto, for the purpose of repairing and improving Essex Road within the borders of Tinton Falls and Neptune, in accordance with the terms and conditions set forth in the attached agreement.

The Borough Clerk is authorized to provide a certified true copy of this Resolution to the Township Administrator and the Chief Financial Officer of the Township of Neptune.

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-064**

**RESOLUTION OF AWARD OF CONTRACT #24-3  
2024 ROADWAY IMPROVEMENT PROGRAM**

**WHEREAS**, eight (8) bids were received on Friday, April 5, 2024 for Contract #24-3 for the 2024 Roadway Improvement Program; and

**WHEREAS**, Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 submitted the lowest responsible bid in the amount of \$3,384,535.56 for the above contract; and

**WHEREAS**, the Director of Law has found the bid to be in order, and Michael Macfarlane, P.E., C.M.E., Consulting Engineer recommends award in his bid report attached dated April 11, 2024; and

**WHEREAS**, this award shall be made subject to New Jersey Department of Transportation Local Aid concurrence; and

**NOW, THEREFORE BE IT RESOLVED** that Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 be awarded a contract in the amount of \$3,384,535.56 for the 2024 Road Improvement Program;

**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 from: Ordinance #2023-1502

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-065**

**RESOLUTION AUTHORIZING PAYMENT TO  
NEW JERSEY AMERICAN WATER FOR WATER MAIN EXTENSION PROJECT  
ON WARDELL ROAD**

**WHEREAS**, New Jersey American Water ("NJAW") will be constructing a new water main extension on Wardell Road at the Borough's request to allow for a restroom to be constructed at Wardell Park; and

**WHEREAS**, NJAW has completed the bidding process and has approved Gemini General Contracting as the contractor who will be completing this project in the amount of \$132,747.22; and

**WHEREAS**, the Borough has already processed a \$10,000 deposit approved by Resolution #R-24-042 on March 5, 2024, for a total due to the NJAW in the amount of \$122,747.22; and

**NOW, THEREFORE BE IT RESOLVED** that the Borough will issue payment to New Jersey American Water in the amount of \$122,747.22 for the Water Main Extension Project on Wardell Road;

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

**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 from: Ordinance #2023-1503

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-066**

**RESOLUTION REJECTING BIDS FOR CONTRACT NO. 24-2  
WARDELL PARK RESTROOM IMPROVEMENTS**

**WHEREAS**, one (1) bid was received on Tuesday, April 25, 2024 for Contract No. 24-2 for the Wardell Park Restroom Improvements project; and

**WHEREAS**, Precise Construction, Inc., 1016 Route 33, Building A, Freehold, NJ 07728, was the sole bidder and submitted a bid in the amount of \$923,120.00; and

**WHEREAS**, the Engineer's Estimate for the project was in the amount of \$660,950.00, and the bid therefore significantly exceeds the cost estimate; and

**NOW, THEREFORE BE IT RESOLVED** that in accordance with N.J.S.A. 40A:11-13.2, as the lowest (and only) bid substantially exceeds the cost estimate for this project, the bid is rejected, and no contract will be awarded at this time.

**COUNTY OF MONMOUTH  
BOROUGH OF TINTON FALLS**

**R-24-067**

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE  
BUY BOARD NATIONAL PURCHASING COOPERATIVE**

**WHEREAS**, N.J.S.A. 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Buy Board National Purchasing Cooperative hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

**WHEREAS**, the governing body of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, pursuant to N.J.A.C 5:34-7.6 (a), duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED** that this RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Buy Board National Purchasing Cooperative,

Pursuant to the provisions of N.J.S.A. 40A:11-11(5) and N.J.A.C 5:34-7.6 (a), the Borough of Tinton Falls is hereby authorized to enter into a Cooperative Pricing Agreement with Buy Board National Purchasing Cooperative, the Lead Agency.

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-068**

**RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE**

**WHEREAS**, Tax Sale Certificate #23-03354 was issued to the Borough of Tinton Falls for sewer charges on Block 129.10 Lot 92 (8 Harrier Court), assessed to Gabrielle Miele, at a tax sale held on December 13, 2023 and

**WHEREAS**, CoreLogic, on behalf of Regions Mortgage, paid the full amount of the certificate's 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 #23-03354 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #23-03354 was redeemed on April 30, 2024.

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-069**

**RESOLUTION – REFUNDING ESCROW – TRINITY HALL**

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

**WHEREAS**, the Planning Board Secretary, Trish Zibrin, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

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

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

**Trinity Hall  
TRI3962CU  
\$461.25**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-070**

**RESOLUTION – REFUNDING ESCROW – TRINITY HALL**

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

**WHEREAS**, the Planning Board Secretary, Trish Zibrin, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

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

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

**Trinity Hall  
TRI5348CO  
\$415.89**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-071**

**RESOLUTION – REFUNDING ESCROW – ROGER MUMFORD**

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

**WHEREAS**, the Planning Board Secretary, Trish Zibrin, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

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

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

**Roger Mumford  
ROG5330CU  
\$0.25**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-072**

**RESOLUTION – REFUNDING ESCROW – ROGER MUMFORD**

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

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

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

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

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

**Roger Mumford  
ROG6189CU  
\$1,028.00**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-073**

**RESOLUTION – REFUNDING ESCROW – SOLDIER ON**

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

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

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

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

**Soldier On  
SOL4195CU  
\$623.62**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-074**

**RESOLUTION – REFUNDING ESCROW – SOLDIER ON**

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

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

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

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

**Soldier On  
SOL5660CO  
\$1,529.61**

**BOROUGH OF TINTON FALLS  
COUNTY OF MONMOUTH**

**R-24-075**

**RESOLUTION – APPROVAL OF BILLS – May 7, 2024**

**WHEREAS** the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending May 7, 2024; and

**WHEREAS**, the Borough Council has reviewed said claims.

**REGULAR MEETING  
MAY 7, 2024**

**BOROUGH COUNCIL**

**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**

<b>GENERAL</b>	<b>3,528,260.64</b>
<b>SEWER UTILITY</b>	<b>327,812.23</b>
<b>GENERAL CAPITAL</b>	<b>708,000.82</b>
<b>GRANT FUND</b>	<b>3,655.29</b>
<b>TRUST FUNDS</b>	<b>21,307.21</b>
<b>DOG TRUST FUND</b>	<b>2,575.00</b>
<b>ESCROW</b>	<b>21,805.74</b>
<b>ADDITIONS</b>	<b><u>1,392,915.02</u></b>
<b>TOTAL</b>	<b><u>6,006,331.95</u></b>

CERTIFICATION OF FUNDS:

\*\*\*\*\*

**EXECUTIVE SESSION**

**ADJOURNMENT**

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

**ROLL CALL**

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

TIME: 8:06pm

Respectfully Submitted,

\_\_\_\_\_  
Michelle Hutchinson, Borough Clerk

\_\_\_\_\_  
Risa Clay, Council President

APPROVED AT A MEETING HELD ON: June 11, 2024.