

**REGULAR MEETING
APRIL 4, 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 Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

None

Mr. Terefenko announced the promotional oath of office for the Borough of Tinton Falls Police Department and asked Chief DeLucia to conduct the swearing in ceremony. Chief DeLucia stated this is the second officer to be sworn in this year and provided a brief background on the new officer before the swearing in of Gabrielle J. DeGroat, Police Officer.

Council President Manginelli asked that Councilmen Nesci read the following Arbor Day 2023 proclamation.

*Borough of Tinton Falls County of Monmouth
April 28, 2023*

Proclamation Celebrating Arbor Day

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday called Arbor Day was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other products; and

WHEREAS, Tinton Falls has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, VITO PERILLO, Mayor of the Borough of Tinton Falls do hereby proclaim April 28th as

ARBOR DAY

In the Borough of Tinton Falls, I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

DATED this 4th day of April in the year 2023.

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer – Thomas Neff

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Mr. Neff had no report.

Director of Finance - Thomas Fallon

Mr. Fallon had no report.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council's Reports

-Ms. Buckley thanked the Administration, DPW and Recreation Departments for the egg hunt celebration this past Sunday. As liaison for the Environmental Commission, she attended the Association of Environmental Commissioner's Annual Workshop and made a presentation regarding the completed Osprey project. Also mentioned was the Earth Day Festival on April 29th with many vendors participating and the Little League Home Run Derby all at Sycamore Recreation Complex.

-Mrs. Clay reported the library fundraiser fashion show which took place on March 25th was a success. Mrs. Clay gave recognition to the Library Board, Councilman Dr. Dobrin and Ellen Goldberg for their hard work.

-Dr. Dobrin echoed the sentiments of Mrs. Clay regarding the library fashion show. He wished everyone to enjoy the upcoming holidays with their family and friends and thanked the hard-working staff members of the Borough.

-Mr. Nesci had no report but wanted to comment on recent feedback he received regarding the Planning Board's decision to allow certain development along Wayside Road. He explained the Planning Board members are volunteers who live in town and want what is best for the town. They dedicate their time to reviewing applications that align with the master plan and the ordinances. Mr. Neff explained as well if the use is permitted in that zone there is very little the Planning Board can do to deny the application. Mr. Starkey added all the decisions made are made publicly at the Planning Board hearings and many in the public do attend to voice their concerns. The Planning Board and the Council do listen to concerns and try to address them when able.

-Mr. Manginelli had no report.

ORDINANCES FOR INTRODUCTION

There were no ordinances on for introduction this evening.

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **2023-1500 CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Mrs. Clay offered a motion to open the Public Hearing on Ordinance No. 2023-1500, seconded by Dr. Dobrin.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments, Mr. Nesci offered a motion to close the Public Hearing on Ordinance No. 2023-1500, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING CLOSED

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Mr. Nesci offered a motion to adopt Ordinance No. 2023-1500, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC DISCUSSION

Mrs. Clay offered a motion to open the Public Discussion, seconded by Ms. Buckley.

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 the response was none.

Elizabeth Perez, 2 Harvest Lane – Ms. Perez applauded the hiring of more female police officers. She manages a softball team and has issues with confirming ballfield dates and times. Mr. Terefenko understood her issue and stated he will look into the matter and contact her.

Nora, 16 Linda Lane – Nora thanked the Council for a great town and how great this town is for providing her school.

Ellen Goldberg, 90 Glenwood Drive – Ms. Goldberg thanked Dr. Dobrin for all his efforts regarding the library fashion show and Mrs. Clay and Ms. Buckley for their continuing support of the library. The fashion show was a huge success with many compliments from the parents and students. Fundraising efforts exceeded the past three years. Ms. Goldberg mentioned the upcoming Earth Day Festival event and announced their Music Festival will be August 19th.

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

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 - None

CONSENT AGENDA

Mr. Nesci 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
ABSTAIN: None
NAYS: None
ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-062

**RESOLUTION AUTHORIZING AND RATIFYING
COUNTERCLAIMS IN STATE COURT TAX APPEALS**

WHEREAS, several commercial property owners in the Borough have filed appeals, or are anticipated to file appeals, with the New Jersey State Tax Court for calendar year 2023; and

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WHEREAS, the Borough Tax Assessor has recommended that the governing body authorize the filing of counterclaims to certain of the appeals and ratify the filing of counterclaims for those appeals in which counterclaims have already been filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, as follows:

1. The Borough Conflict Tax Attorney is hereby authorized to file counterclaims in tax court cases as recommended by the Borough Tax Assessor and, to the extent any counterclaims have already been filed by current or predecessor counsel for the Borough, such counterclaim authority is hereby ratified.
2. A certified copy of this Resolution shall be provided to both the Borough tax assessor and Borough conflict tax attorney.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-063

**RESOLUTION OF AWARD
HOCKHOCKSON PARK FIELD #2 REPAIRS**

WHEREAS, three (3) contractors were solicited for quotes and only one (1) was received on Tuesday, March 14, 2023, for the Hockhockson Park Field #2 Repairs; and

WHEREAS, Shady Tree, 257 Norwood Avenue, Long Branch, NJ 07740 submitted a quote in the amount of \$15,000 for the above services; and

WHEREAS, Thomas Neff, PE, PP, CME of T & M Associates recommends this award; and

NOW, THEREFORE BE IT RESOLVED that Shady Tree, 257 Norwood Avenue, Long Branch, NJ 07740 be awarded a contract in the amount of \$15,000 for the Hockhockson Park Field #2 Repairs;

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: Open Space Trust Fund

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-23-064

RESOLUTION – APPROVAL OF BILLS – APRIL 4, 2023

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending April 4, 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	3,450,767.54
SEWER UTILITY	13,689.13
GENERAL CAPITAL	22,769.60
GRANT FUND	507.00
TRUST FUNDS	5,892.17
DOG TRUST FUND	2,500.00
ESCROW	27,491.68
TOTAL	3,523,617.12

CERTIFICATION OF FUNDS:

EXECUTIVE SESSION

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ADJOURNMENT

Mrs. Clay offered a motion to adjourn, seconded by Dr. Dobrin.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 7:58pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

John Manginelli, Council President

APPROVED AT A MEETING HELD ON: