

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

Council President Baldwin called the Regular Meeting to order at 7:33 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. Siebert, Mr. Baldwin  
ABSENT: None  
ALSO PRESENT: Melissa A. Hesler, Borough Clerk  
                  Kevin Starkey, Director of Law  
                  Vito Perillo, Mayor  
                  Michael Skudera, Borough Administrator  
                  Thomas Fallon

All present stood for Salute to Flag.

\*\*\*\*\*

Council President Baldwin took a moment to recognize and congratulate the three Councilmembers-Elect, Tracy Buckley, Risa Clay and Mike Nesci who are in the audience tonight.

**APPROVAL OF MINUTES**

*Mr. Siebert offered a motion to approve the Regular Meeting minutes of October 15, 2019, seconded by Mr. Manginelli.*

**ROLL CALL**

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

\*\*\*\*\*

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Presentation of Fire District #1 Annual Report- Andrew Calvo**

Council President Baldwin introduced Fire District #1 Commissioner Andrew Calvo who will present a summary of their annual report.

Mr. Calvo introduced himself as the Fire Commissioner of Tinton Falls Fire District #1, which covers the southern portion of the Borough. He began by giving a brief overview of Fire District #1 and stated that Pinebrook and Wayside Fire companies are within District #1. Most of the residential and commercial developments in the last 5-10 years have been within District #1's jurisdiction. He discussed the structure and duties of a Fire District and explained how Pinebrook and Wayside Fire Companies work within District #1. The district provides all funding for apparatus, equipment, gear and training for these companies. Mr. Calvo explained that both Fire District's #1 and #2 are operated separately, however they still work closely together. He discussed some of the recent changes made in District #1 which include; creation of district chiefs, hiring a training and compliance officer, moving elections to November, and the Junior Firefighting Program. The creation of District Chiefs encourages a closer working relationship between the two fire companies and puts more firefighters in operational roles. Hiring a training and compliance officer ensures that the volunteers in District #1 have standardized and current training up to State and National standards. Mr. Calvo explained that The District moved their election from February to the November General Election. By doing so, there was an increase in citizen involvement, and the County Clerk is now responsible for all election costs, saving the district financially. Mr. Calvo gave a brief overview of some of the grants they have received including the Plymovent Grant and stated that they have applied for a Digital Radio Grant. With improvements to their technology, District #1 has streamlined communication and increased standardization within the district. He also discussed the Junior Firefighting Program which exposes teenagers to volunteer firefighting with the intentions of encouraging them to join the ranks when they turn 18. Mr. Calvo explained that there are currently 11 youth members from throughout the Borough. He discussed the budget and announced that the tax rate has decreased almost 10% in the last five years; the average residential property pays \$200 a year for fire protection services. He briefly discussed some fire concerns and how they plan on addressing issues such as the decline in volunteerism. Councilman Siebert thanked Mr. Calvo for his thorough presentation. Council President Baldwin also thanked Mr. Calvo and applauded him for the hiring of the compliance officer.

\*\*\*\*\*

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**Mayor's Report – Vito Perillo**

Mayor Perillo congratulated Tracy Buckley, Risa Clay and Mike Nesci for winning the election.

**Borough Engineer – Thomas Neff**

Mr. Neff reported that they have been busy with the numerous sanitary sewer projects occurring throughout the Borough including DEP approval for water main extension on Water Street at the west end and will provide sanitary sewer for residents in that area. He explained that the Borough has opened informal bids for the pump station cellular conversion. They are continuing to work on the Rutgers and Nutmeg Drive pump station improvements. Mr. Neff gave a brief overview of Ordinance 2019-1454 restricting truck traffic on Shark River Road on tonight's agenda for final consideration.

**Finance Director – Thomas Fallon**

Mr. Fallon reported that he has received Moody's Annual Issues Report and would like to update Council on the results of the report. He briefly explained the purpose of the report and stated that it is published on Moody's.com for anyone who would like to review it and it will be posted to the borough website. The report uses data from 2014 through 2018 and shows improvement in areas of the Borough's finances. The credit overview states that the credit positions for the Borough of Tinton Falls are very strong and its AA2 rating exceeds the median AA3 for cities nationwide. Moody's concluded that the overall economy and tax base in Tinton Falls is very strong. Under debt, the Borough has a low debt burden and a moderate pension liability. Under finances, it notes the Borough has a strong financial position which is relatively favorable when compared to its assigned rating of AA2. Tinton Falls cash balance is much higher than the US median. Under economy and tax base, Moody's notes that the Boroughs ratings are very strong. Regarding debt the Borough has a low debt burden which is favorable, and the net direct debt has decreased. The Borough's pension and liability is slightly elevated and is relatively unfavorable in comparison to the AA2 rating. However, overall it is an excellent report on the Borough's financial and economic health. Mr. Fallon reported on the bid were opening on 4.7 million dollars for bond anticipation notes in October with very nice bid from Jefferies LLC of 1.42 percent on paper notes for a period of one year.

**CFO Report- 2019 Best Practices.**

The Best Practices is distributed by the Department of Community Affairs. They use this to obtain vital information about municipal government practices in New Jersey. This year, the Best Practices questionnaire had 84 questions and Mr. Fallon gave a breakdown of questions asked. Out of a possible 46 points the Borough scored 44 ½ which translates to 97% which is an excellent score. If the Borough receives a score of 30 or greater, they will receive all state aid. Mr. Fallon stated that the report was submitted on October 30, 2019 and the Borough has therefore met all the statutory requirements, and the final inventory questionnaire is available for anyone who would like to review it. Councilwoman Fama thanked Mr. Fallon for a job well-done.

**Borough Administrator – Michael Skudera**

Mr. Skudera briefly discussed Resolution R-19-185 on tonight's agenda, which is authorizing a professional service contract with T&M for the 2020 Road Program.

**Borough Clerk's Report – Melissa Hesler**

Ms. Hesler reported that the County has posted the final election numbers on their website, she read off the totals in order of how the candidates appear on the ballot. The results are as follows:

**Ronald Wollner: 1,461  
Donald Michaels: 1,516  
Kenneth Asmar: 1,333  
Lawrence A. Dobrin: 488  
Tracy Buckley: 2,275  
Risa Clay: 2,233  
Mike Nesci: 2,256**

Ms. Hesler explained that the majority total that was required to avoid a runoff election was 1,985.

**Director of Law – Kevin Starkey**

Mr. Starkey gave a follow up report on the 2019 General Election. He explained that a runoff election is called into question when there are more than double the number of candidates to fill the seats. This year there were 3 Council seats up for election, and there were 7 candidates. This raises the prospect that at least one candidate would not receive a majority vote. The three candidates who won all exceeded the majority number of votes cast, therefore a runoff election will not be necessary. These results are final and were certified by the Monmouth County Clerk today.

**Council's Report**

Councilwoman Fama congratulated Tracy, Risa and Mike on their victory and she looks forward to seeing them up on the dais. She also recognized Council President Gary Baldwin for his ongoing battle advocating for a veteran's property tax deduction for those living in a CCRC. She congratulated him on this win and thanked him for his efforts fighting on behalf of our veterans.

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

Councilman Pak echoed the comments of Ms. Fama and congratulated Mr. Baldwin on his successful win. He also congratulated the three Councilmembers-Elect. Mr. Pak asked TNR community liaison Kerry Morganthaler to give a brief update on the program during the public discussion.

Councilman Siebert also extended his congratulations to Tracy, Risa, and Mike. He stated that he was disappointed not to see a Resolution on tonight's agenda supporting the plan at Hance and Sycamore.

Councilman Manginelli congratulated the Councilmembers-Elect and stated that he is looking forward to working alongside them.

Council President Baldwin reported that the Solider-On Project will be on the agenda at the Planning Board meeting tomorrow night at 7:30 PM.

\*\*\*\*\*

**ORDINANCES FOR INTRODUCTION-** None

\*\*\*\*\*

**ORDINANCES FOR FINAL CONSIDERATION**

Ms. Hesler read Ordinance No. 2019-1454 entitled: **ORDINANCE AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED "TRAFFIC" TO LIMIT CERTAIN TRUCKS ON A PORTION OF SHARK RIVER ROAD.**

*Mr. Siebert offered a motion to open the Public Hearing on Ordinance 2019-1454, seconded by Mr. Manginelli.*

**ROLL CALL**

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

**PUBLIC HEARING OPEN**

*George Turner, 72 Shark River Road-* Mr. Turner stated that he is a 17-year resident of the Borough of Tinton Falls and thanked the governing body for this Ordinance. He described Shark River Road as a quiet road however there was a noticeable increase in truck traffic coming through. It became a short cut from Route 33 to Shafto Road. He stated that the traffic study concluded that every nine minutes a multi-ton truck would pass his home, therefore significantly disturbing his peace. Mr. Turner thanked Mayor Perillo, Council and Administration for their support. Councilman Siebert stated that the study was true and validated all of Mr. Turners comments.

*Stanley DeLage, 199 Hockhockson Road-* Mr. DeLage stated that 4-ton vehicles are restricted on Water Street, however there is no signage to reflect that. He stated that Mr. Neff informed him that this is not currently enforced. Council President Baldwin stated that the Engineer, Administrator, and Attorney will have to review this Ordinance. Mr. Starkey agreed, and stated that he will look into it.

*There being no further comments, Mr. Pak offered a motion to close the Public Hearing on Ordinance No. 2019-1454, seconded by Mr. Manginelli.*

**ROLL CALL**

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

**PUBLIC HEARING CLOSED**

*Mr. Pak offered a motion to adopt Ordinance 2019-1454, seconded by Mr. Manginelli.*

**ROLL CALL**

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

\*\*\*\*\*

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**Trap, Neuter, Release Program Report-** Kerry Morganthaler, Liaison

Ms. Morganthaler reported that as of October 31, 2019 there have been about 81 cats that have been trapped. Some of the cats are eligible to be adopted, while the others are neutered and released. There are currently nine approved locations with colony care takers. She explained that there are many resident volunteers who are qualified to help in trapping the cats. Council President Baldwin inquired about the kitten adoption process. Ms. Morganthaler explained that the local animal shelters are full of cats and kittens waiting to be adopted. The Council thanked Ms. Morganthaler for her report and are happy to see this program succeeding.

\*\*\*\*\*

**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: None

ABSTAIN: None

**PUBLIC DISCUSSION OPEN**

*Stanley DeLage, 199 Hockhockson Road-* Mr. DeLage discussed the solar farm being built on the Earle Naval Base and inquired if it would be possible for the town to go after the property as a ratable because it is a private lease. Mr. Starkey explained that the definitive answer would have to be given by the Borough Assessor, however it is his understanding that when a property is located on federal land it is not taxable.

*Bill Keasler, 71 Edgebrook Court-* Mr. Keasler discussed the draft plan of the Hance/Sycamore project and inquired if there is anything Council can share at this time. Council President Baldwin explained that there is nothing that they can share publicly. Mr. Starkey clarified that the County has the right to maintain confidentiality for draft plans. Mr. Baldwin stated that Council has asked the County to hold a public meeting and share a presentation of their plan, however they have yet to do so. Mr. Keasler inquired if the County could submit a non-draft plan to the public. Mr. Baldwin stated that the next step would be for the County to have a public meeting to share their plan. Mr. Keasler asked if there has been any shareable progress with the Host Community Agreement, and Mr. Skudera explained that nothing has been settled yet and he cannot publicly comment. He also congratulated Mr. Baldwin the successful passing of Public Question #1 on the ballot.

*Elizabeth Perez, 2 Harvest Lane-* Ms. Perez also congratulated Mr. Baldwin on all his hard work in getting the veteran's property tax deduction bill to pass. She also inquired about the upcoming department head budget meetings, Mr. Hesler stated it has been advertised and will appear in The Coaster.

*Ellen Goldberg, 90 Glenwood Drive-* Ms. Goldberg stated she is here this evening after much thought and consideration to voice her disappointment in the campaigning of this most recent election. She stated that she felt betrayed by local officials. The politics that were played in this election were unlike any election she has seen in all the years she has lived here. She explained how upset she was to see endorsement and support of one team over the other. Ms. Goldberg stated that she has been a Tinton Falls resident for nearly 30 years and has served on the Environmental Commission and has been working with the library for the past two years to help fundraise. She believes in a non-partisan town. She discussed her disagreement with the letter that was sent to residents endorsing three candidates. She stated that she heard a rumor that the Menorah and Christmas Tree lighting may not happen this year, and she strongly encouraged the Mayor and Council to reconsider.

*Pete Maclearie, 58 Glenwood Drive-* Mr. Maclearie thanked the Council for allowing both Fire Districts to give their respective presentations. He inquired about the 2020 Road Program and asked if Glenwood Drive is on the list to get repaved. Mr. Neff explained that they are working their way in phases, and Glenwood is not on the list for this year. Mr. Maclearie thanked the current Councilmembers for their years of dedication and service to the Borough and congratulated and welcomed the newly elected members.

*Paul Abrams, 23 Taylors Run-* Mr. Abrams inquired about the solar project at Earle Naval Base, stating he thought that the Borough would have a third-party investment which would generate tax revenue for Tinton Falls. He discussed what Colts Neck did with their portion of the base, and suggested the Borough reach out to them for information. Mr. Starkey stated that he would reach out to the tax assessor and discuss this with him. Mr. Abrams asked who is responsible for monitoring this site, and Mr. Starkey confirmed that it is the federal government. Mayor Perillo discussed the history of the Fort and stated that government property does not pay taxes to the Borough. Council President Baldwin discussed the long-term lease of homes by the Navy, it is his understanding that Colts Neck was not receiving any tax revenue from these homes. Discussion ensued regarding this piece of Fort Monmouth property. Pete Maclearie gave a brief explanation as to how a solar grid works.

*Carl Bowles, 46 Diane Drive-* Mr. Bowles stated that DPW employee Pierre Hicks will be honored at the League of Municipalities convention next week, November 21, 2019. He also announced that St. Thomas A.M.E. Zion Church is holding a flea market on Saturday, November 16, 2019 and every third Saturday of the month thereafter.

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

*Stanley DeLage, 199 Hockhockson Road-* Mr. DeLage also voiced his displeasure with the ugly politics that took place during this General Election. He mentioned that he was also disappointed with some of the campaign literature he received this year. Mr. DeLage offered to have the Christmas tree lighting at his house this year, if the Borough decides to cancel it. He explained that he has a 60-foot spruce tree, that was gifted to him and transplanted in his yard some years ago. Mr. DeLage invited everyone to 199 Hockhockson Road to see the tree his son decorates.

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

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC DISCUSSION CLOSED**

\*\*\*\*\*

**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER- 1:37:00**

Councilwoman Fama addressed Mayor Perillo and asked if the Borough will be having a Menorah and Christmas tree lighting this year. Mayor Perillo stated that he will have the tree lighting if there are volunteers. He does not want to pay overtime for this event. Ms. Fama stressed that by cancelling, he would be taking away something special that brings this community together. She urged him to not obliterate this tradition. Council President Baldwin agreed with the comments made by Ms. Fama. Councilman Pak stated that he spoke with Mayor Perillo before the meeting, and he is willing to figure out a way to make this work. Mayor Perillo explained that he has spent the past two years looking at the Borough's expenditures and has found that some employees are receiving overtime when they should not be. Councilwoman Fama asked the Mayor if he ever took his children to a Christmas tree lighting, and Mayor Perillo stated he did not and clarified that he did not cancel the tree lighting. Councilman Siebert stated that if the Mayor decides to cancel the Menorah and Christmas tree lighting, it will be the worst decision he has made thus far.

**RESOLUTIONS**

Councilman Siebert asked to remove Resolution R-19-186 from the Consent Agenda to discuss before voting on it. Council President Baldwin asked for a motion to remove Resolution R-19-186 entitled: *Resolution Amending Resolution R-19-097 for PS #3-19 Gluck Walrath* from the Consent Agenda.

*Mr. Manginelli offered a motion to remove Resolution R-19-186 from the Consent Agenda, seconded by Mr. Siebert.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

*Ms. Fama offered a motion to approve Resolution R-19-186, seconded by Mr. Siebert.*

*Council President Baldwin opened the floor to Council to discuss Resolution R-19-186.*

Councilman Siebert discussed the increase in legal fees in relation to contract negotiations. He would like to know why there has been such an increase. Mr. Starkey clarified that the law firm Gluck Walrath does not negotiate the contracts. He explained that this law firm handles personnel investigations and complaints. This firm is designated as special labor council for personnel matters. He explained that the Borough can't anticipate what services they will need during the year, which is why the cost went up. Councilman Siebert stated that the total labor council fees have dramatically increased under this Administration. Councilman Pak noted that contract negotiation seems to be a prolonged process. Mayor Perillo stated that he also questioned the increase in expenses for legal fees.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

**R-19-186 RESOLUTION AMENDING RESOLUTION #R-19-097 NON-FAIR AND OPEN CONTRACT FOR PS #3-19 SPECIAL LABOR COUNSEL SERVICES**

**WHEREAS**, the Borough of Tinton Falls adopted Resolution R-19-048 on March 5, 2019 wherein Gluck Walrath, LLP, 428 River View Plaza, Trenton, NJ 08611 was awarded the above contract for an amount not to exceed \$19,000; and

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**WHEREAS**, this contract was increased by \$20,000 by resolution #R-19-097 awarded on June 18, 2019, for a new total contract in the amount of \$39,000; and

**WHEREAS**, this contract is to be increased for an additional amount not to exceed \$18,100 for a total contract for Gluck Walrath, LLP for Special Labor Counsel in the amount of \$57,100; 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 \$57,100; and

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

\*\*\*\*\*

**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. Seibert, Mr. Baldwin  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**R-19-183 RESOLUTION – RELEASING PERFORMANCE GUARANTEE UPON THE POSTING OF MAINTENANCE GUARANTEE – J&C PROPERTY HOLDINGS, LLC (A/K/A ATLANTIC RENTALS) BLOCK 128.03, LOT 1.09 (FORMERLY LOT 1.08)**

**WHEREAS**, the developer has requested the release of Performance Guarantee posted for J&C Holdings, LLC (a/k/a/ Atlantic Rentals) Block 128.03, Lot 1.09 (formerly Lot 1.08) and

**WHEREAS**, by letter dated October 18, 2019, the Borough Engineer (T&M Associates) has recommended the release of the guarantee as the developer has completed all of the improvements subject to the posting of the required maintenance guarantee as set forth in said letter (said letter hereby attached and made part of this Resolution) and the payment of any and all outstanding engineering and inspection fees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that Performance Guarantee for J&C Property Holdings, LLC (a/k/a/ Atlantic Rentals) Block 128.03, Lot 1.09 (formerly Lot 1.08) be released subject to the posting of the required maintenance guarantees and the payment of any and all outstanding engineering and inspection fees.

**R-19-184 RESOLUTION - DENYING RELEASE OF PERFORMANCE GUARANTEES ENCLAVE AT SHARK RIVER BLOCK 147 LOT 10**

**WHEREAS**, the developer has requested the release of Performance Guarantees for Enclave at Shark River, Block 147, Lot 10; and

**WHEREAS**, by letter dated October 24, 2019, (said letter hereby attached and made part of this Resolution) the Engineer, T&M Associates, has outlined the items which need to be addressed prior to the release of performance guarantees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that based on the facts as set forth in the Engineer's letter of October 24, 2019, that the developer's request for a release of the Performance Guarantees be and hereby is denied.

**R-19-185 RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES 2020 ROAD IMPROVEMENT PROGRAM**

**WHEREAS**, the Borough of Tinton Falls has a need for professional engineering services for the 2020 Road Improvement Program; and

**WHEREAS**, T & M Associates is the Borough Engineer as approved by Resolution R-19-013 adopted on January 8, 2019; and

**WHEREAS**, these services will include design, preparation of construction plans and specifications, bidding, contract administration and inspection as described in proposal attached dated November 4, 2019; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$305,200.00; and

**WHEREAS**, this contract will be for one year from date of award;

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in proposal dated November 4, 2019 for an amount not to exceed \$305,200.00; 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-19-186 RESOLUTION AMENDING RESOLUTION #R-19-097 NON-FAIR AND OPEN CONTRACT FOR PS #3-19 SPECIAL LABOR COUNSEL SERVICES**

This resolution was removed from consent and voted on separately.

**R-19-187 RESOLUTION AUTHORIZING AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION PERTAINING TO THE NEW TRAFFIC SIGNAL GENERATOR ADAPTABLE CABINET AT THE INTERSECTION OF ROUTE 33 AND ROUTE 66**

**WHEREAS**, the New Jersey Department of Transportation (“NJDOT”) has installed a new traffic signal generator adaptable cabinet at the intersection of Route 33 and Route 66 to allow for the connection of a generator in an emergency power outage situation; and

**WHEREAS**, the NJDOT has proposed a letter agreement with the Borough, dated October 25, 2019 and attached hereto as Exhibit A (the “Agreement”), which reflects the terms and conditions of the Borough’s responsibilities concerning the emergency generator to be utilized with the cabinet; and

**WHEREAS**, the Agreement provides that the Borough will be able to utilize the generator to supply power to maintain traffic signal operation at the intersection in the event of a power outage; and

**WHEREAS**, the Borough Council desires to authorize the execution of the Agreement in the form attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of Tinton Falls does hereby authorize the Mayor to sign, and the Borough Clerk to attest, the Letter Agreement between the NJDOT and the Borough, pertaining to the traffic signal generator cabinet at the intersection of Route 33 and Route 66, in the form attached hereto.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to the NJDOT

**R-19-188 RESOLUTION REFUNDING STREET OPENING BOND**

**WHEREAS**, On 10/11/19, Doreen Beam, 71 Society Hill Way, Tinton Falls, NJ 07724, posted a \$960.00 street opening cash repair deposit for a sidewalk installation at 71 Society Hill Way, Tinton Falls, NJ 07724.

**WHEREAS**, said funds were deposited by the by the Borough of Tinton Falls; and

**WHEREAS**, Doreen Beam, 71 Society Hill Way, Tinton Falls, NJ 07724, has completed the work described in Street Opening Permit 2018-10-020; and

**WHEREAS**, the Department of Public Works has inspected street opening work, finds the site to be in compliance with Borough requirements, and the Director of Public Works recommends the release of the cash bond.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$960.00 posted by Doreen Beam, 71 Society Hill Way, Tinton Falls, NJ 07724, be released.

**R-19-189 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2019 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Owner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Janus Trade Group, LLC P.O. Box 290109 Brooklyn, NY 11229	115	12.01	\$2,291.74

Re: 1424 Shafto, LLC  
1424 Shafto Road

and,

**WHEREAS**, said error has resulted in an overpayment of 2019 3<sup>rd</sup> quarter taxes in the amount of \$2,291.74, 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 \$2,291.74 is hereby approved for the aforementioned property

**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**R-19-190 RESOLUTION - PLACING DEBRIS LIEN ON PROPERTY KNOWN AS 61 SPRINGDALE AVENUE**

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
A & Y Holdings LLC 1 Noam Lane Lakewood, NJ 08701	6.01	5	\$195.42

Re: Prop. Loc.: 61 Springdale Avenue

and

**WHEREAS**, N.J.S.A. 40:48-2.14 provides where obnoxious growth, garbage, trash and debris are destroyed or removed from any dwelling or lands, the cost shall be certified to the governing body, which shall examine the certificate and if found correct shall cause the cost to be charged against said dwelling or lands.

and,

**WHEREAS**, the Department of Public Works of the Borough of Tinton Falls performed a clean up on the above mentioned property totaling \$195.42 pursuant to a letter dated October 15, 2019 from Mark Shaffery, Director of Public Works hereby attached and made part of this resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that a debris lien in the amount of \$195.42 is charged to the property known as 61 Springdale Avenue and shall become part of the taxes to be assessed and levied

**R-19-191 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2019 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Property Transfer Services, Inc. 1013 Route 88, Suite 2 Point Pleasant, NJ 08742	82.02	10	\$2,535.42

Re: Nicholas & Amanda DePalma  
3 Harvard Drive

and,

**WHEREAS**, said error has resulted in an overpayment of 2019 3<sup>rd</sup> quarter taxes in the amount of \$2,535.42, 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 \$2,535.42 is hereby approved for the aforementioned property.

**R-19-192 RESOLUTION - CANCELLING TAXES FOR A VETERAN'S DEDUCTION**

**WHEREAS**, an overbilling of 2019 taxes has been made as a result of a Veteran's deduction for the year 2019 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Patrick V. Terranova 48 Michael Drive Tinton Falls, NJ 07712	120.10	88	\$250.00

and,

**WHEREAS**, said deduction has resulted in a cancellation of the 2019 taxes in the amount of \$250.00, as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that an adjustment in the amount of \$250.00 is hereby approved as a result of the cancellation of the taxes for the aforementioned property for the year 2019.



**REGULAR/WORKSHOP MEETING  
NOVEMBER 12, 2019  
BOROUGH COUNCIL**

**R-19-193 RESOLUTION – APPROVAL OF BILLS – November 12, 2019**

**WHEREAS**, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending November 12, 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.

<b><u>SUMMARY</u></b>	
<b>GENERAL</b>	<b>3,408,749.91</b>
<b>SEWER UTILITY</b>	<b>66,928.93</b>
<b>CAPITAL FUND</b>	<b>60,852.94</b>
<b>GRANT FUND</b>	<b>8,713.92</b>
<b>TRUST FUNDS</b>	<b>87,420.65</b>
<b>DOG TRUST FUND</b>	<b>3,018.00</b>
<b>ESCROW</b>	<b>42,039.86</b>
<b>ADDITIONS</b>	<b><u>1,519,296.75</u></b>
<b>TOTAL</b>	<b>5,197,020.96</b>

\*\*\*\*\*

**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: 9:27 PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

**APPROVED AT A MEETING HELD ON:**