

**REGULAR/WORKSHOP MEETING
OCTOBER 2, 2018
BOROUGH COUNCIL**

Council President Baldwin called the regular meeting to order at 7:30 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
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a Salute to Flag.

APPROVAL OF MINUTES

None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report- Vito Perillo

Mayor Perillo encouraged residents and audience members to consider volunteering for the Zoning Board and Planning Board.

Engineer's Report- Thomas Neff

Mr. Neff discussed the completion of the Borough Hall curb and sidewalk repair and explained that the walkways and entrances are now ADA compliant. He reported that he is currently working on the contract for the Road Program and will have more information at the next council meeting. Mr. Neff stated that the County adopted a resolution to remove the Hope Road and Sycamore Avenue intersection from the Master Plan per the request of the residents and the Borough Council. Council President Baldwin congratulated Mr. Neff on his recent wedding and wished him well.

Director of Finance- Thomas Fallon

Mr. Fallon reported that the 2019 Budget process has officially begun and stated the departmental budget meetings will begin the third week of November. Council President Baldwin explained that the budget meetings are open to the public if they wish to attend.

Director of Law- Kevin Starkey

Mr. Starkey had no report, however he explained that Borough Administrator Michael Skudera could not attend tonight's meeting and asked Mr. Starkey to report on his behalf. He announced that Tinton Falls Day will be held Saturday, October 6, 2018 at the Sycamore Recreation Complex with a rain date of Sunday, October 7, 2018. He stated that the Borough has successfully migrated over to Microsoft Office 365.

Borough Clerk's Report – Melissa Hesler

Ms. Hesler had no report.

Council's Report

Ms. Fama announced that FEMA along with the FCC will be conducting a nationwide test of the Emergency Broadcast System tomorrow, October 3rd at 2:18 PM. She explained that the alert will ring on every cell phone at the same time. She discussed the purpose of this test and how it will be used for natural disasters and emergencies.

Mr. Pak congratulated Borough Engineer Tom Neff on his wedding and welcomed him back.

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Mr. Siebert stated that he is looking forward to this year's Tinton Falls Day and encouraged residents to attend this great event.

Mr. Manginelli also extended his congratulations to Mr. Neff and wished him well.

Mr. Baldwin reported that the Planning Board will not be meeting this week due to lack of applicants.

ORDINANCES FOR INTRODUCTION

None

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hesler read Ordinance No. 2018-1434 entitled: **ORDINANCE AMENDING CHAPTER 40 OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF TINTON FALLS, ENTITLED "LAND USE REGULATIONS" TO AUTHORIZE AND REGULATE OUTDOOR DINING, OUTDOOR EATING AND SIDEWALK CAFES**

Mr. Manginelli offered a motion to open the Public Hearing on Ordinance No. 2018-1434, seconded by Ms. Fama.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments from the Public, Mr. Pak offered a motion to close the Public Hearing on Ordinance No. 2018-1434, seconded by Mr. Manginelli.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Siebert offered a motion to carry Ordinance No. 2018-1434 for action at a later date, seconded by Mr. Pak.

ROLL CALL

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

PUBLIC DISCUSSION

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

ROLL CALL

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

PUBLIC DISCUSSION OPEN

Denise Catalano, 11 Alpine Trail- Ms. Catalano inquired whether or not notice of the FCC alert can be posted on the Borough website to inform residents about the emergency test. Ms. Fama stated she will reach out to Mr. Skudera to ensure notice will be posted accordingly.

There being no other comments from the public, Mr. Pak offered a motion to close the Public Discussion, seconded by Mr. Manginelli.

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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

CONSENT AGENDA

Mr. Manginelli offered a motion to approve the Consent Agenda, seconded by Mr. Siebert.

ROLL CALL

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

R-18-274 RESOLUTION – RELEASING PERFORMANCE GUARANTEE UPON THE POSTING OF MAINTENANCE GUARANTEE – GEORGE WALL FORD LINCOLN BLOCK 18 LOT 11

WHEREAS, the developer has requested the release of Performance Guarantee posted for George Wall Ford Lincoln Block 18 Lot 11; and

WHEREAS, by letter dated September 14, 2018, 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 and remaining engineering escrow fees for George Wall Ford Lincoln, Block 18 Lot 11, be released subject to the posting of the required maintenance guarantees and the payment of any and all outstanding engineering and inspection fees.

R-18-275 RESOLUTION – REFUNDING ESCROW – 102 WILLSHIRE DRIVE

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 Zoning Board Secretary, 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:

Davidson, Jeffery – BA 2018-12 - \$59.59
Block 65.04 lot 20

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R-18-276 RESOLUTION - PLACING DEBRIS LIEN ON PROPERTY KNOWN AS 2 JONATHAN DRIVE

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Reshard & Diane Ali 2 Jonathan Drive Tinton Falls, NJ 07753	124.47	1	\$1,109.47

Re: Prop. Loc.: 2 Jonathan Drive
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 \$1,109.47 pursuant to a letter dated September 11, 2018 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 \$1,109.47 is charged to the property known as 2 Jonathan Drive and shall become part of the taxes to be assessed and levied.

R-18-277 RESOLUTION – APPROVAL OF BILLS – OCTOBER 2, 2018

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending October 2, 2018; 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	3,059,692.18
SEWER UTILITY	28,860.09
TRUST FUNDS	142,956.53
CAPITAL	34,710.00
GRANT FUND	844.65
DOG TRUST	2,576.40
ADDITIONS	7,500.00

	3,277,139.85

ADJOURNMENT

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

ROLL CALL

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

TIME: 7:42 PM

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: December 4, 2018