

**REGULAR MEETING  
MARCH 2, 2021  
BOROUGH COUNCIL**

Council President Buckley called the Regular Meeting to order at 7:30 PM. The meeting was held via remote means using the Webex Meeting Platform under rules established under NJSA 10:4-8(b) which allows meetings to be held digitally during a State of Emergency.

Open Public Meeting Statement: Call To Order – 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, posting on the Borough Website and Facebook Page and by Notification to The Asbury Park Press, The Newark Star Ledger, and The Coaster at Least 48 Hours Prior to the Meeting.

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**ROLL CALL**

PRESENT: Mrs. Clay, Mr. Manginelli, Mr. Nesci, Mr. Siebert, Ms. Buckley

ABSENT: None

ALSO PRESENT: Melissa Hesler, Borough Clerk

Kevin Starkey, Director of Law

Vito Perillo, Mayor

Thomas Fallon, Acting Borough Administrator/Director of Finance

Thomas Neff, Borough Engineer

Mark Shaffery, Director of Public Works

Dave Boehning, Deputy Coordinator, OEM

**SALUTE TO THE FLAG:** Council President Buckley invited everyone attending the remote meeting to join in saying the Pledge of Allegiance.

**Council President's Introduction**

Good Evening everyone, I am Council President Tracy Buckley. We are holding this meeting remotely utilizing the Webex platform. Joining me remotely are my fellow Councilmembers Risa Clay, John Manginelli, Mike Nesci and Brock Siebert, as well as Mayor Vito Perillo, CFO and Interim Borough Administrator Tom Fallon, Borough Clerk Melissa Hesler, Director of Law Kevin Starkey, Borough Engineer Tom Neff, Deputy OEM Coordinator Dave Boehning, Tinton Falls Dept of Public Works Director Mark Shaffery, and IT Technician Rob Leone.

I would like to give special thanks to IT Technician, Rob Leone for setting up this Webex meeting and managing the technical aspects of utilizing the Webex platform.

This is a live digital Council Meeting that we are holding under the rules established under NJSA 10:4-8(b), which allows this meeting to be held digitally during a State of Emergency. For those not familiar with the Webex platform, it allows members of the public to dial in from their computer, utilizing the Webex app, or from a regular phone utilizing a dial in number and meeting passcode. If you wish to be heard at the public comment portion of the meeting, please use the "Raise Your Hand" function on the Webex platform and we will call upon you one at a time. For those dialed in via phone only, I will open the floor up to phone comments during the public comments sections as well. To mute or unmute your phone press \*6. You will be asked to state your name and address for the record and observe a time limit of three minutes.

We would like to commend our Borough municipal employees from every department for all of their hard work in keeping the Borough functioning during this difficult time.

Moreover, we would like to commend our Tinton Falls Office of Emergency Management, Tinton Falls Police Department, Tinton Falls Emergency Medical Services, Tinton Falls Fire Companies and Tinton Falls Dept of Public Works for your work on the front lines of this ongoing pandemic and for keeping us safe.

In these challenging times, the best we can do is to be kind to one another and remember courtesy is also contagious.

**APPROVAL OF MINUTES**

*Mr. Siebert offered a motion to approve the January 5, 2021 Reorganization/Regular and Workshop Meeting Minutes seconded by Mr. Nesci.*

**ROLL CALL**

AYES: Mrs. Clay, Mr. Manginelli, Mr. Nesci, Mr. Siebert, Ms. Buckley

ABSTAIN: None

NAYS: None

ABSENT: None

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Borough Engineer – Thomas Neff**

Mr. Neff commented on the introduction of Ordinance 2021-1470 amending the storm water management ordinance which is required by DEP. It was previously introduced a few meetings ago and withdrawn after further review and discussion. Some of the discussions related to revisions and additions regarding redevelopment sites and areas. It was determined that these additions are not required by DEP and may not be in the best interest of the Borough. Mr. Neff

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stated that the ordinance is being reintroduced with modifications and without the revisions and additions to redevelopment sites which still meet DEP requirements. The ordinance will go back to the Planning Board for consistency review and back to the Council for a public hearing and adoption.

**Director of Finance/ Acting Borough Administrator- Thomas Fallon**

Mr. Fallon reported on Resolution 2021-056 the certification list for length of service awards program "LOSAP". He commended and thanked all the medical emergency volunteers for their qualification and continued appreciation of all EMS volunteers. Mr. Fallon stated that he is also looking forward to introducing the budget at the next council meeting.

**Mayor's Report – Mayor Vito Perillo**

Mayor Perillo had no report.

**Director of Law- Kevin Starkey**

Mr. Starkey had no report.

**Borough Clerk – Melissa Hesler**

Ms. Hesler had no report.

**Deputy Emergency Management Coordinator – Dave Boehning**

Mr. Boehning gave an update on the number of positive COVID-19 cases reported in the Borough with the numbers trending downward from the last report. He stated that OEM, in partnership with our local health department and the Monmouth County Regional Health Commission (MCRHC) have continued to monitor the effects of COVID-19. They monitor and contact trace positive cases and touch base with long term care facilities who are all doing well. Mr. Boehning stated that he has been working with Senator Gopal's office regarding vulnerable residents who cannot access a vaccine appointment through the internet. The NJ Department of Health has a call center number (855-568-0545) to assist residents with no online access for vaccine registration. He listed all other sites to register for vaccinations and he stated that the public health updates will be posted to the OEM and Police Department Facebook page and the Borough website.

**Council's Report**

-Mrs. Clay stated she attended the Board of Education meeting and Mrs. Kaplan is the new principal at the Tinton Falls Middle School.

-Mr. Manginelli had no report.

-Mr. Nesci reported that the next Planning Board meeting will be held March 10<sup>th</sup>. There are no applications but there is a master plan consistency review regarding Ordinance 2021-1467 Stormwater Management. With no applications on the agenda, the Board has changed the meeting time from 7:00 pm to 5:00pm.

-Mr. Siebert thanked all the teachers and schools for participating in Read Across America today.

-Ms. Buckley reported that she attended the Environmental Commission last week. The Commission discussed joining the NJ Composting Council to help educate residents on how to properly compost and also general rules on how to increase compliance on recycling.

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**ORDINANCES FOR INTRODUCTION**

Ms. Hesler read Ordinance No. 2021-1470 entitled:

**Ordinance Amending Section 40-68 of the Borough Code, Entitled "Stormwater Management Requirements"**

She stated that public hearing is scheduled for March 16, 2021.

*Mr. Siebert offered a motion to introduce Ordinance No. 2021-1470 seconded by Mr. Nesci.*

**ROLL CALL**

AYES: Mrs. Clay, Mr. Nesci, Mr. Siebert, Ms. Buckley

NAYS: None

ABSENT: None

ABSTAIN: Mr. Manginelli

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**ORDINANCE NO. 2021-1470  
ORDINANCE AMENDING SECTION 40-68 OF THE BOROUGH CODE,  
ENTITLED “STORMWATER MANAGEMENT REQUIREMENTS”**

This brief summary of the main objectives or provisions of Ordinance No. 2021-1470 is being provided in accordance with N.J.S.A. 40:49-2.1(a). Copies of the ordinance are on file for public examination and acquisition at the office of the Tinton Falls municipal clerk. The ordinance will be the subject of a public hearing and vote on second reading at the Tinton Falls Council meeting to be held on March 16, 2021 at 7:30 p.m. at the Tinton Falls municipal building.

**SUMMARY OF ORDINANCE 2021-1470**

Ordinance 2021-1467 is proposed to remove and replace Chapter 40-68 of the Borough of Tinton Falls Ordinance for Stormwater Management Requirements. The changes are proposed to comply with new NJDEP requirements for stormwater management and are based on the NJDEP model ordinance. Proposed changes include a new definition of Major Development, requirements for Green Infrastructure, drainage area limitations for BMPs, requirements for groundwater mounding analysis, and deed notice and O&M manual requirements. A section has also been added to require drainage easements around stormwater management facilities.

**ORDINANCES FOR FINAL CONSIDERATION** - None

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**PUBLIC DISCUSSION**

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

**ROLL CALL**

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

Council President Buckley explained that they would systematically recognize anyone that has dialed into this remote meeting via phone or via Webex platform to comment on any matter of their choice.

*Ellen Goldberg, 90 Glenwood Drive* – Ms. Goldberg asked if residents could register on multiple sites for a vaccine appointment. Mr. Boehning stated you can, and he has seen good response from the County site connecting people to health care sites. Ms. Goldberg wanted to know if she could register at this time even if she was not in an eligible category yet. Mr. Boehning confirmed you can register now regardless of your eligibility status. The State database will vet you out if you are not eligible at this time and send a notification when you are eligible. Not all the other agencies are setup this way but recommended signing up for all. Ms. Goldberg, representing the Tinton Falls Library, stated an article providing an update about the library will be in The Coaster coming out this week.

*Liz Perez, 2 Harvest Lane* – Ms. Perez asked what the status of the Recreation Summer Camp program is. Mr. Fallon stated there is no final status and discussions with the Ms. Eisele, Recreation Director are ongoing, and something will be decided shortly. She expressed her concern for the kids to have their town camp program available and hoping parents will hold off on signing up their kids in another camp program. Ms. Eisele joined the discussion stating information is now posted on our website offering summer camp at the Atchison School starting July 12<sup>th</sup>. The program will either be a four- or five-week program. She stated that she is still waiting on guidance from the Governor’s Office on what they can or cannot do regarding mixing groups and having vendors. Ms. Eisele stated that plans are optimistic for high summer camp attendance since there has been lots of interest. She stated that trips may be limited, due to busing issues and capacity restrictions which would affect the cost. The information on the website outlines what will be happening for camp programs and to watch for updates. Ms. Perez thanked Ms. Eisele for the good news.

Mr. Fallon, CFO stated that he spoke with the Mayor and he has no report this evening. Council President thanked Mr. Fallon for the update.

*There being no further comments, Mr. Siebert offered a motion to close the Public Discussion, seconded by Mr. Nesci.*

**ROLL CALL**

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

**PUBLIC DISCUSSION CLOSED**

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**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER**

Mr. Nesci asked for the vaccine call center phone number to be repeated and asked it if was a State or County site. Mr. Boehning replied it is a State site NJ Department of Health and provided the number.

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**RESOLUTIONS** – None

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**CONSENT AGENDA**

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

**ROLL CALL**

AYES: Mrs. Clay, Mr. Manginelli, Mr. Nesci, Mr. Siebert, Ms. Buckley

NAYS: None

ABSENT: None

ABSTAIN: None

**R-21-056 RESOLUTION APPROVING THE 2020 LOSAP CERTIFICATION LIST FOR QUALIFICATION OF TINTON FALLS EMS SQUADS NORTH AND SOUTH**

**WHEREAS**, pursuant to N.J.S.A. 40A:14-191 and N.J.A.C. 5:30-14.10(b), emergency service organizations participating in a Length of Service Awards Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year; and

**WHEREAS**, the certification shall be based on records maintained by the emergency service organization in accordance with the sponsoring agency’s adopted point system; and

**WHEREAS**, the required certification has been presented by the Tinton Falls EMS Squads North and South to the sponsoring agency, the Borough of Tinton Falls; and

**WHEREAS**, the Local Plan Administrator has reviewed the annual list, requested supporting documentation from Tinton Falls EMS Squads North and South as necessary to substantiate the information provided, and is satisfied that the list is complete and accurate;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls, that the certified lists of volunteer members of the Tinton Falls EMS Squads North and South who have qualified for credit under LOSAP for year 2020 is hereby approved; and

**BE IT FURTHER RESOLVED**, that the approved certification list shall be posted at the office of the Borough Clerk, and at the facility of the Tinton Falls EMS Squads North and South, for a period of 30 days to allow sufficient time for membership review.

**R-21-057 RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF TINTON FALLS**

**WHEREAS**, The Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

**WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

**WHEREAS**, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

**WHEREAS**, the Borough of Tinton Falls is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
  - b. Such operations will be performed in compliance with applicable Federal and State regulations, and

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- c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

**R-21-058 RESOLUTION-REFUNDING RECREATION FEES**

**WHEREAS**, during the months of January 2021 fees were collected for Winter Basketball Program.

**WHEREAS**, said money was deposited by the Borough of Tinton Falls during the month of January 2021 through our Community Pass Program

**WHEREAS**, during the month of February the Recreation Superintendent was informed by the resident, Alekandra Aliaj that her son Richard would not be participating for unknown reasons. A refund less the \$10.00 processing fee will be issued..

Alekandra Aliaj	\$96.00
<hr/>	
Total	\$96.00

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$96.00 be issued.

**R-21-59 RESOLUTION – APPROVAL OF BILLS – MARCH 2, 2021**

**WHEREAS**, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending March 2, 2021; 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**

<b>GENERAL</b>	<b>3,615,212.35</b>
<b>SEWER UTILITY</b>	<b>16,053.72</b>
<b>GENERAL CAPITAL</b>	<b>450.00</b>
<b>GRANT FUND</b>	<b>14,804.53</b>
<b>TRUST FUNDS</b>	<b>6,065.99</b>
<b>DOG TRUST FUND</b>	<b>34.00</b>
<b>ESCROW</b>	<b>5,108.50</b>
<b>ADDITIONS</b>	<b>1,357.94</b>
<b>TOTAL</b>	<b>3,659,087.03</b>

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**EXECUTIVE SESSION** - None

Council President Buckley advised that there is no executive session or workshop this evening and at this time Council would move to adjourn.

**ADJOURNMENT**

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

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:02 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

**APPROVED AT A MEETING HELD ON:**