

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
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, Dr. Dobrin, Mr. Manginelli, Mr. Nesci, Ms. Buckley

ABSENT: None

ALSO PRESENT: Melissa Hesler, Borough Clerk

Kevin Starkey, Director of Law

Thomas Fallon, Acting Borough Administrator/Director of Finance

Thomas Neff, Borough Engineer

**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 Dr. Larry Dobrin, 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, and IT Director Dan Romanov. Also joining us this evening is Monmouth County Regional Health Commission Director David Henry.

I would like to give special thanks to IT Director Dan Romanov 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.

**APPROVAL OF MINUTES-**

*Mrs. Clay offered a motion to approve the October 5, 2021, Regular & Executive Session Meeting Minutes and the October 19, 2021, Regular Session Minutes seconded by Mr. Manginelli.*

**ROLL CALL**

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

ABSTAIN: Dr. Dobrin, Mr. Nesci

NAYS: None

ABSENT: None

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

Council President Buckley stated that Mayor Perillo asked that the following proclamation be read into the record.

**Proclamation Celebrating the 102nd Birthday of Kathryn Di Giovanni**

**WHEREAS**, Kathryn Agnes Di Giovanni was born on August 22<sup>nd</sup>, 1919 after the Treaty of Versailles was signed and lived through the Jazz Age, the Great Depression, WWII, the Eisenhower years, Vietnam and many more; and

**WHEREAS**, Kathryn was lovingly married to Vincent Di Giovanni, a high school principal for more than 60 years. Kathryn has been a wonderful mother to her seven children, twelve grandchildren, and eight great grandchildren. Kathryn's recorded memories of her life are now stored in the Library of Congress; and

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

**WHEREAS**, Kathryn was an honors student in Italian and International Relations from Barringer High School in Newark, NJ; and

**WHEREAS**, Kathryn is an active member of St. Anthony's church, the Rosary Society, the Annie Society, and a stalwart of her community; and

**WHEREAS**, at 102 years of age, Kathryn is described as a loving friend, beloved neighbor to the Knollwood Drive community, a wonderful conversationalist, an avid reader, and always a positive life force for many; and

**NOW, THEREFORE, the Mayor and Council of Tinton Falls**, do hereby honor Kathryn Agnes Di Giovanni and congratulate her for 102 years full of love, memories and joy.

Janine Di Giovanni expressed her gratitude to the Council for this great honor.

Mr. Manginelli wished Mrs. Di Giovanni a "Happy Birthday" in Italian. He stated she is the best dressed lady in town.

Robert Di Giovanni thanked the Council for honoring her.

**Borough Engineer – Thomas Neff**

Mr. Neff had no report. He wished Ms. Hesler the best of luck on her retirement.

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

Mr. Fallon reported that he received correspondence from the State regarding the 2022 Budget. The March 31<sup>st</sup> deadline was extended until April 29<sup>th</sup>. Mr. Fallon expressed that it was a great pleasure working with Ms. Hesler and wished her the best on her retirement.

**Mayor Perillo**

The Mayor congratulated Kathryn Di Giovanni and wished her the best. Mayor Perillo seconded all the comments and best wishes to Ms. Hesler on her retirement. The Mayor announced that Police Chief, John Scrivanic is retiring and thanked him for his great leadership. He also announced that Michael DeLucia will be sworn in on February 1<sup>st</sup> as Police Chief.

**Director of Law- Kevin Starkey**

Mr. Starkey had no report. He wished Ms. Hesler the best of luck on her retirement and publicly thanked her for all her hard work.

**Borough Clerk – Melissa Hesler**

Ms. Hesler had no report. Ms. Hesler thanked everyone for their well wishes and stated it has been a pleasure working with everyone.

Council President Buckley welcomed, the new Borough Clerk Ms. Hutchinson. Ms. Buckley introduced David Henry, Monmouth County Regional Health Commission-Health Officer who gave a public health update. Mr. Henry stated that although the COVID numbers are high the Omicron variant outbreak is on a downward trend. This is encouraging news. The State Health Department has issued new guidance. Children ages 5 to 11 that are vaccinated are no longer required to quarantine, as long as they have been wearing their masks and social distancing. More information to follow from the CDC and the State Health Department concerning quarantine guidelines for childcare facilities. The Monmouth County Regional Health Commission is continuing their work on vacancies and vaccination clinics. Additional information regarding vaccination clinics can be found on the Monmouth County Regional Health Commission website. Mr. Henry is hopeful that in person council meetings may possibly resume in February.

**Council's Report**

-Mrs. Clay wished Mrs. Di Giovanni a happy birthday and is excited that she was recognized tonight. Mrs. Clay echoed everyone's thoughts on congratulating Ms. Hesler on her retirement.

- Dr. Dobrin thanked Ms. Hesler for making his assimilation as the newest council member into government go so smooth. Dr. Dobrin reported that he had been in contact with the library association president Rosemary Kochman and will have a report at the next meeting.

-Mr. Manginelli wished Mrs. Di Giovanni a happy birthday. Mr. Manginelli stated although he is saddened that Ms. Hesler is leaving, he wished her health and luck in her retirement.

-Mr. Nesci stated that there is no planning board report this evening. Mr. Nesci is coordinating with the Chicken Advisory Board members to establish meeting details for the board. The first meeting will hopefully be held in February. Mr. Nesci reported that the recreation department has started up basketball. The season runs through March 12<sup>th</sup>. He stated the wrestling program has had tremendous interest and is running smoothly. Special thanks were given to Coach Mike for a great season. Mr. Nesci also discussed many other upcoming parks and recreation events which

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

are all listed on the website. Mr. Nesci congratulated Ms. Hesler on her retirement and wished her the best in her new endeavors.

-Ms. Buckley reported that the next FMERA (Fort Monmouth Economic Revitalization Authority) meeting will be held tomorrow, January 19<sup>th</sup>. There is nothing related to Tinton Falls on their agenda. However, Ms. Buckley mentioned one item of interest on their agenda regarding a large piece of land termed “mega parcel”. There was a request of an offer to purchase “RFOTP” which will be rescinded and reissued at tonight’s meeting. FMERA is proposing to add the bowling alley parcel to the mega parcel. She announced that the Environmental Commission meeting will be held on Thursday, January 20<sup>th</sup> 7:30pm and that meeting will be virtual.

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**ORDINANCES FOR INTRODUCTION** – none

**ORDINANCES FOR FINAL CONSIDERATION** – none

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**PUBLIC DISCUSSION**

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

**ROLL CALL**

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

*Michele Simon, 71 Madison Court-* Ms. Simon requested an update on the host agreement. Mr. Fallon stated that there has been no additional movement on the host agreement at this time. He explained that he had contacted one of the Commissioners and is hopeful that progress will be made soon.

*Ellen Goldberg, 90 Glenwood Drive-* Ms. Goldberg congratulated Ms. Hesler on her retirement and is saddened that Tinton Falls is losing such a wonderful clerk. Ms. Goldberg announced that the library is hosting a children’s fashion show as well as a silent auction. She stated they are looking for sponsors and asked everyone to please consider donating to a wonderful cause.

*Mitch Kulberg, 21 Cedar Place-* Mr. Kulberg wished Ms. Hesler a happy retirement and stated she was wonderful to work with.

*Susan Guarino, 2 Brown Drive-* Ms. Guarino congratulated Chief Scrivanic on his retirement and thanked him for all he has done for the Borough.

Council President Buckley asked if the Clerk received any written public comments. Mrs. Hesler stated there were none.

*Mrs. Clay offered a motion to close the Public Discussion, seconded by Mr. Manginelli.*

**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 - None**

Mr. Nesci congratulated Ms. Hutchinson on her appointment as Borough Clerk and looks forward to working with her.

Mr. Manginelli congratulated the police Chief on his retirement and thanked him for a job well done.

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**RESOLUTIONS** – None

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**CONSENT AGENDA**

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

*Dr. Dobrin offered a motion to approve the Consent Agenda, seconded by Mrs. Clay.*

**ROLL CALL**

AYES: Mrs. Clay, Dr. Dobrin, Mr. Manginelli, Mr. Nesci, Ms. Buckley

NAYS: None

ABSENT: None

ABSTAIN: None

**R-22-031 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT**

**WHEREAS**, Jared Stevens has been employed by the Borough of Tinton Falls Police Department since October 4, 1984, was promoted to Sergeant on April 30, 2003, and to Lieutenant on January 1, 2011, and;

**WHEREAS**, on February 1, 2022, Jared Stevens will retire with over 37 years of dedicated service to the Borough and with the Division of Pensions and Benefits, and;

**WHEREAS**, Jared Stevens will be entitled to compensated absence benefits in accordance with the Agreement between the Borough and the Tinton Falls Superior Officers bargaining unit. The benefits are estimated to be a total of \$ 23,402.00. The breakdown of this payment includes accrued vacation time, sick time and compensatory time, and;

**WHEREAS**, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

**WHEREAS**, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Jared Stevens receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

**R-22-032 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT**

**WHEREAS**, Douglas McEntegart has been employed by the Borough of Tinton Falls Police Department since August 22, 1988, was promoted to Sergeant on January 1, 2011, and to Lieutenant on January 21, 2021, and;

**WHEREAS**, on February 1, 2022, Douglas McEntegart will retire with over 33 years of dedicated service to the Borough and the Division of Pensions and Benefits, and;

**WHEREAS**, Douglas McEntegart will be entitled to compensated absence benefits in accordance with the Agreement between the Borough and the Tinton Falls Superior Officers bargaining unit. The benefits are estimated to be a total of \$37,500.00. The breakdown of this payment includes accrued vacation time, sick time and compensatory time, and;

**WHEREAS**, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

**WHEREAS**, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Douglas McEntegart receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

**R-22-033 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT**

**WHEREAS**, David Scrivanic has been employed by the Borough of Tinton Falls Police Department since November 4, 1996, was promoted to Sergeant on August 2, 2004, to Lieutenant on January 1, 2011, and then to Captain on January 1, 2015, and;

**WHEREAS**, on February 1, 2022, David Scrivanic will retire with over 25 years of dedicated service to the Borough and the Division of Pensions and Benefits, and;

**WHEREAS**, David Scrivanic will be entitled to compensated absence benefits in accordance with the Agreement between the Borough and the Tinton Falls Superior Officers bargaining unit. The benefits are estimated to be a total of \$26,500.00. The breakdown of this payment includes accrued vacation time and compensatory time, and;

**WHEREAS**, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

**WHEREAS**, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that David Scrivanic receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

**R-22-034 RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT**

**WHEREAS**, Melissa A. Hesler has been employed by the Borough of Tinton Falls as the Borough Municipal Clerk since February 28, 2018, and;

**WHEREAS**, on February 1, 2022, Melissa A. Hesler will retire with 4 years of service to the Borough and with over 26 years with the Division of Pensions and Benefits, and;

**WHEREAS**, Melissa A. Hesler will be entitled to compensated absence benefits in accordance with Borough Ordinance #9-8.1d and 9-7.3c. The benefits are estimated to be a total of \$ 16,175.00. The payment is for accrued vacation time, compensatory time and sick time, and;

**WHEREAS**, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

**WHEREAS**, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Melissa A. Hesler receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

**R-22-035 RESOLUTION AUTHORIZING THE BOROUGH OF TINTON FALLS THROUGH THE TINTON FALLS POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE TINTON FALLS POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 program allows municipal and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

**WHEREAS**, although the property is provided through the 1033 Program at no cost to the municipal and county LEAs, these entities are responsible for the cost associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program; and

**NOW THEREFORE BE IT RESOLVED** by the Tinton Falls Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from December 31, 2021 to December 31, 2022; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Tinton Falls Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which the resolution authorizes, based on the needs of the Tinton Falls Police Department, without restriction; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that Tinton Falls Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: and

**BE IT FURTHER RESOLVED** that the Monmouth County/ Tinton Falls Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED** that the Monmouth County/Tinton Falls Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program During the period of time for which the resolution authorizes; with Program participation and all property request authorization terminating on December 31<sup>st</sup> of the current calendar year from December 31, 2021 to December 31, 2022.

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

BOROUGH OF TINTON FALLS "DEMIL B THROUGH Q" PROPERTY LIST	
Resolution R-22-035 adopted 1/18/2022	
Armored Security Vehicle	Security Vehicle
Armored Security Vehicle	Shield, Personal Protective
Automobile Sedan	Shield, Self-Protection
Automobile Wagon	Shop Equipment, Contact Maintenance
Baton, Kinetic Energy	Shop Set, Contact Maintenance, Truck Mounted (Engineer)
Body Shield	Shop Set, Contact Maintenance, Truck Mounted (ordnance)
Breach System	Sight, Thermal
Breaching Ram	Sledge Hammer
Breaching System	Tool, Breaker, Hinge
Capabilities Set NON-Lethal	Training Kit, Demolition
Car, Armored	Truck, Tractor
Car, Armored, Mine Disposal	Truck, Ambulance
Carrier, Ambulance	Truck, Armored
Carrier, Cargo	Truck, Bolster
Carrier, Command Post	Truck, Cargo
Club, Self-Protection	Truck, Carryall
Cutter Head-Hydraulic Breaching and Extracation Tool	Truck, Command Reconnaissance
Demolition Kit, Breaching System, Anti-Personnel Obstacle	Truck, Dump
Door Opener, Hydraulic Breaching and Extracation Tool	Truck, Maintenance
Drones	Truck, Palletized Loading
Faceshield, Military, Riot Control	Truck, Panel
Faceshield, Riot Control	Truck, Stake
Faceshield, Riot Control	Truck, Tank
Forced Entry AND Rescue Equipment, Aircraft Crash	Truck, Utility
Goggles, Protection, Riot Control	Truck, Van
Ground Sensor Surveillance Vehicle	Truck, Wrecker
Hatbox, Riot Crowd	Trucks and Truck Tractors, Demil C
Helmet, Police	Utility Vehicle, Off Road
Helmet Safety	
Kit, Mechanical Brea	
Kit, Riot Protection	
Light Armored Vehicle	
Non-Ballistic Body Shield	
Non-Lethal Weapons Capabilities Set	
Only Complete Combat/Assault/Tactical Wheeled Vehicles	
Protective Shield, T	
Ram, Door, Mini	

**R-22-036 RESOLUTION – REFUNDING ESCROW – 5171 ASBURY AVE, LLC**

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, Trish Sena, 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:

**5171 ASBURY AVE, LLC 5173871CU \$4,674.15**

**R-22-037 RESOLUTION - REFUNDING SEWER OVERPAYMENT**

WHEREAS, 2021 4<sup>th</sup> quarter Sewers on the following properties have been paid in the year of 2020, in an amount exceeding the amount due by the homeowner.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>TOTAL</u>
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Borough of Tinton Falls  
556 Tinton Avenue  
Tinton Falls, NJ 07724

(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

and,

WHEREAS, said payments have resulted in overpayments of the 2021 sewers in the amount of \$156.67, 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 \$156.67 is hereby approved for the aforementioned properties. Said overpayments shall be applied to 2021 sewers.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amounts of overpayments to be \$156.67.

BOROUGH OF TINTON FALLS - 2021 SEWER OVERPAYMENTS TO BE APPLIED TO 2022 SEWER						
BLOCK	LOT	NAME	ZIP	PROPERTY LOCATION		
124.16	48	GIBSON, DOUGLAS M JR. 125 MILL LANE TINTON FALLS, NJ	07753	125 MILL LANE		116.22
124.59	4	WALTON, SHANE & MICHELLE 112 ANNAPOLIS STREET TINTON FALLS, NJ	07712	112 ANNAPOLIS STREET		40.45
						156.67

**R-22-038 RESOLUTION – CANCELLING & REFUNDING TAXES DUE TO  
A TAX COURT JUDGEMENT**

WHEREAS, an overbilling and an overpayment of 2021 Taxes has been made as a result of a Tax Court Judgement for the year 2021.

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	15.01	16.04	\$ 0.91	\$3,460.51	\$3,461.42

Re: United Teletech Fed Cr. Union  
205 Hance Avenue

and,

WHEREAS, said judgement resulted in an overbilling and an overpayment of the 2021 taxes in the amount of \$3,461.42 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$0.91, be cancelled for the year 2021 and that a refund in the amount of \$3,460.51 is hereby approved for the aforementioned property. Said refund shall be applied to future taxes as specified in the Stipulation of Settlement.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$0.91 and the amount of overpayment to be \$3,460.51.

**R-22-039 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2020 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2020 to property known as.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	15.01	16.04	\$3,743.34

Re: United Teletech Fed. Cr. Union  
205 Hance Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2020 taxes by the property owner in the

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

amount of \$3,743.34 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 \$3,743.34 is hereby approved for the aforementioned property. Said refund shall be applied to future taxes as specified in the Stipulation of Settlement.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$3,743.34.

**R-22-040 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, overpayments of 2021 4<sup>th</sup> quarter Taxes have been made as a result of Veteran's deductions for the year 2021 to properties known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
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(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

and,

**WHEREAS**, said deductions have resulted in overpayments of the 2021 taxes by the property owners in the total amount of \$750.00 as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$750.00 are approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayments to be \$750.00.

BOROUGH OF TINTON FALLS - 2021 TAX OVERPAYMENTS DUE TO VETERAN'S DEDUCTIONS				TOTAL TAXES OVERPAID
BLOCK	LOT	REFUND TO:	IN REFERENCE TO:	
16	1.122	GENNUSA, MARTIN & LILLIAN 24 MAJESTIC DR, BLDG 38 TINTON FALLS, NJ 07724	GENNUSA, MARTIN & LILLIAN 24 MAJESTIC DR, BLDG 38	250.00
128.03	19.05	TF CAMPUS LLC 3000 ESSEX ROAD TINTON FALLS, NJ 07753	JAMES JOYCE 509 BEACON LANDING	250.00
128.03	19.05	TF CAMPUS LLC 3000 ESSEX ROAD TINTON FALLS, NJ 07753	SHELDON SMOLOKOFF 515 SANDY COVE	250.00
				750.00

**R-22-041 RESOLUTION - REFUNDING TAX OVERPAYMENT**

**WHEREAS**, overpayments of 2021 taxes have been made as a result of Monmouth County Board of Taxation Appeals reducing the 2021 portion of the Added Assessment assessed values for the year 2021 to properties known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
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Affordable Housing Alliance, Inc.  
3535 Route 66, Bldg 4  
Neptune, NJ 07753

(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

and,

**WHEREAS**, said duplicate payments have resulted in overpayments of the 2021 4th quarter Added Assessment Taxes by the property owners in the total amount of \$10,356.10 as certified by the Borough Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$10,356.10 are approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayments to be \$10,356.10.

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

BOROUGH OF TINTON FALLS - 2021 TAX OVERPAYMENTS DUE TO MONMOUTH COUNTY JUDGMENTS FOR 2021 ADDED ASSESSMENTS			
OWNER: AFFORDABLE HOUSING ALLIANCE, INC 3535 ROUTE 66, BLDG 4 NEPTUNE, NJ 07753			
			TOTAL TAXES
BLOCK	LOT	PROPERTY LOCATION	OVERPAID
101.17	11.01	21 BATAAN AVENUE	683.73
101.17	11.02	23 BATAAN AVENUE	618.25
101.17	11.03	25 BATAAN AVENUE	683.73
101.17	11.04	27 BATAAN AVENUE	562.39
101.17	11.05	29 BATAAN AVENUE	683.73
101.17	11.06	31 BATAAN AVENUE	683.73
101.17	11.07	33 BATAAN AVENUE	683.73
101.17	11.08	35 BATAAN AVENUE	683.73
101.17	11.09	37 BATAAN AVENUE	683.73
101.17	11.10	39 BATAAN AVENUE	683.73
101.17	12.01	41 BATAAN AVENUE	390.34
101.17	12.02	43 BATAAN AVENUE	390.34
101.17	12.03	45 BATAAN AVENUE	324.84
101.17	12.04	47 BATAAN AVENUE	342.82
101.17	12.05	49 BATAAN AVENUE	324.84
101.17	12.06	51 BATAAN AVENUE	390.34
101.17	12.07	53 BATAAN AVENUE	390.34
101.17	12.08	55 BATAAN AVENUE	371.08
101.17	12.09	57 BATAAN AVENUE	390.34
101.17	12.10	59 BATAAN AVENUE	390.34
			10,356.10

**R-22-042 RESOLUTION - REFUNDING SEWER OVERPAYMENT**

**WHEREAS**, the 2022 1<sup>st</sup> quarter Sewer bill on the following property has been paid in error by the previous Homeowner through ACH debit.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>TOTAL</u>
Margaret O'Connor 607 Beacon Landing Tinton Falls, NJ 07753	46	1	\$94.75

Re: Margaret O'Connor to J & S Monmouth Homes, LLC  
834 Sycamore Avenue

and,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$94.75 is hereby approved for the aforementioned property.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of error in payment to be \$94.75.

**R-22-043 RESOLUTION-REFUNDING RECREATION FEES**

**WHEREAS**, fees were collected for our recreational program(s).

**WHEREAS**, said money was deposited by the Borough of Tinton Falls.

**WHEREAS**, the Recreation Superintendent was informed the following registered player(s) were unable to participate in our recreational program(s). A refund in the amount listed shall be issued to each participant.

Program	Deposit Date	Payee	Amount Paid	Processing Fee Applied	Refund Amount
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**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

Basketball - Winter	11/13/2021	Francesca Caruso	\$110.00	\$10.00	\$100.00
Basketball - Winter	11/13/2021	Angelica McConnel	\$110.00	\$10.00	\$100.00
Basketball - Winter	11/13/2021	Adrienne & Nick Ciabrone	\$110.00	\$10.00	\$100.00
Basketball - Winter	11/14/2021	Michele Boyd	\$55.00	\$10.00	\$45.00
Basketball - Winter	11/30/2021	Megan Blackman	\$55.00	\$10.00	\$45.00
Basketball - Winter	11/13/2021	Doreen Lovrin	\$80.00	\$10.00	\$70.00
Basketball - Winter	11/13/2021	Lora Smith Staines	\$110.00	\$10.00	\$100.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the multiple refunds in the amount listed in the "Refund Amount" column be issued.

**R-21-044 RESOLUTION – APPROVAL OF BILLS – January 18, 2022**

**WHEREAS**, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending January 18, 2022; 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>6,712,918.23</b>
<b>SEWER UTILITY</b>	<b>6,249.27</b>
<b>GENERAL CAPITAL</b>	<b>423,651.59</b>
<b>GRANT FUND</b>	<b>8,102.70</b>
<b>TRUST FUNDS</b>	<b>16,871.02</b>
<b>DOG TRUST FUND</b>	<b>2,575.00</b>
<b>ESCROW</b>	<b>3,357.00</b>
<b>ADDITIONS</b>	<b>1,627,497.43</b>
<b>TOTAL</b>	<b>8,801,222.24</b>

CERTIFICATION OF FUNDS:  
/S/Thomas P. Fallon, Chief Financial Officer

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**ADJOURNMENT TO WORKSHOP**

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

**ROLL CALL**

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

Council President Buckley called the Workshop Meeting to order at 8:08 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, Dr. Dobrin, Mr. Manginelli, Mr. Nesci, Ms. Buckley  
ABSENT: None  
ALSO PRESENT: Melissa Hesler, Borough Clerk  
Kevin Starkey, Director of Law  
Thomas Fallon, Acting Borough Administrator/Director of Finance  
Thomas Neff, Borough Engineer

**WORKSHOP MEETING**

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 Dr. Larry Dobrin, as well as Mayor Vito Perillo, CFO and Interim Borough Administrator Tom Fallon, Borough Clerk Melissa Hesler, Director of Law Kevin Starkey and Borough Engineer Tom Neff, and IT Director Dan Romanov.

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

This is a live digital Council Workshop 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.

This workshop is being held to discuss the Sustainable Jersey Program Renewal as well as the Cannabis Application Guidelines for Licensing. No formal action will be taken. We'll aim to keep this to an hour, and as a general note, if we need to continue discussion, we can always carry to a future workshop meeting.

If time allows, we'll have public comment at the end. If you wish to be heard during 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.

**UNFINISHED BUSINESS** -None

**NEW BUSINESS**

***-Discussion Sustainable Jersey Program Renewal***

Council President Buckley explained that this is a nonprofit organization that provides tools, training, financial incentives, and grants. It was established in 2009 and 80% of New Jersey towns participate. There is no cost to the Borough to participate in this program. There is an annual application, which would commence in the spring. There are various action categories. Each level of certification is reached by attaining points. There are many ways to attain points. Most towns are at the bronze level. Ms. Buckley explained that the first step is to create a green team, which will aide in documenting projects and submitting the application. The Borough of Tinton Falls joined the program in 2010, but no further formal action was taken. However, there were actions taken that could have earned points towards certification. Examples of those actions are as follows: community gardens, farmers market, energy efficient buildings, smoke free and tobacco free public places, solar program for leasing roof tops, and drug safety and disposal in the Police Department. Ms. Buckley stated to move forward, the resolution from 2010 must be renewed and a green team created. There is no maximum number of people that can be appointed. She stated if fellow councilmembers are aligned, we would move forward with the resolution and appointment of members.

Councilman Nesci supports this program and thanked the Council President for her presentation. Mr. Nesci stated he sees no reason why we can't surpass the bronze level.

Councilwoman Clay is very excited that we will be participating in this program. She sat in the New Jersey League of Municipalities presentation a few years ago. Ms. Clay stated there are a variety of programs we can explore and add to the things we have already done. Feels this is an exciting project and would be great for our town.

Councilman Manginelli gave his support.

Councilman Dr. Dobrin, agreed, it's a beautiful program. He questioned how we would let the community know? Council President Buckley replied that she has a list of people already interested in participating. This meeting is meant to expand interest further. Ms. Buckley stated that Sustainable Jersey also makes grant opportunities known.

***-Cannabis Discussion – Application Guidelines for Licensing***

Council President Buckley explained that the Cannabis Regulatory Commission published a large document containing guidelines and requirements. She has attempted to schedule a meeting with the Cannabis Regulatory Commission to get clarification regarding some of the requirements. Ms. Buckley stated that the Borough Engineer has put together a draft application process for review.

Borough Engineer, Mr. Neff gave a brief overview of last year's ordinance allowing cannabis use in the Borough and made note that regulations aren't final at this time. Mr. Neff stated that the Borough had an idea of how it would work however, there are now further guidelines. The Cannabis Regulatory Commission has started accepting applications for licenses. There has been an outreach of applicants and interest who have contacted the Borough. Municipalities must first adopt a resolution in support of an application. The support resolution would then be sent by the applicant to the State with their application. If approved by the Cannabis Regulatory Commission, it would then come back to the Borough for further review and approval. The Borough's draft application is called a "cannabis request for endorsement application". This is a very in-depth process to evaluate. There are many steps, and nothing has been finalized at this time. Mr. Neff went on to explain some of the details of the process. He stated the resolution of support is not a final approval, there is a significant package that must be submitted to the state.

Council President Buckley stated that her understanding is that if an applicant applies to the state first, without the support of the municipality, the Cannabis Regulatory Commission will let the applicant know that a step is missing. Councilman Manginelli requested clarification on application process and the number of licenses approved by the Borough versus the State. Mr. Manginelli stated he understood that there is some controversy over homegrown cannabis. Mr. Neff stated that he doesn't believe that the Borough addresses the homegrown issue for licensing. Mr. Manginelli also stated that licenses would first be issued to qualified municipalities meeting certain criteria.

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

Councilwoman Clay thanked Mr. Neff for the thoroughness of the application and expressed her appreciation for his hard work.

*Council President asked for a motion to open the discussion to the public.*

**PUBLIC DISCUSSION – WORKSHOP MEETING:  
PUBLIC DISCUSSION OPEN**

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*Ms. Clay offered a motion to open the Public Discussion, seconded by Mr. Manginelli.*

**ROLL CALL**

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

Council President explained the procedure for making a comment using the “Raise Your Hand” function on the Webex platform and for those dialing in via phone. You will be asked to state your name and address for the record. To mute or unmute your phone press \*6.

*Brian Nesci, 14 Riverview Drive* – Expressed his interest in joining the green team. Mr. Nesci gave an overview of the Cannabis Regulatory Commission licensing application process which he has experienced. Women and minority owned businesses are considered a priority application and would be reviewed first. Each application is judged on its own merit. The thirty-seven licenses that were mentioned are just for cultivator licenses. All other licenses are unlimited at this time and will be assessed as they go forward to see if a cap is needed. Mr. Nesci requested clarification as to whether the Borough will issue more endorsements as there are number of licenses? Mr. Neff stated the thought is we will accept multiple applications and resolutions of support. If we support four applications and the State approves four, the Borough would then need to vet out which two of the licenses would be chosen.

Councilmember Manginelli requested clarification on the number of resolutions per license. Mr. Neff stated there are still some questions that are left unanswered as this only the first step in the process.

Council President Buckley explained that the purpose of this workshop was to initiate the application process.

Council thanked Mr. Neff for his work on the application.

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

**ROLL CALL**

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

**PUBLIC DISCUSSION CLOSED**

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**EXECUTIVE SESSION**

Council President Buckley advised that at this time Council would adjourn the workshop meeting and move into Executive Session.

*Mrs. Clay offered a motion to move into executive session, seconded by Dr. Dobrin.*

**ROLL CALL**

AYES: All in favor.  
NAYS: None  
ABSENT: None  
ABSTAIN: None

Council President asked that the Clerk read the Open Public Meetings Statement.

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.

**ROLL CALL (Executive Session)**

PRESENT: Mrs. Clay, Dr. Dobrin, Mr. Manginelli, Mr. Nesci, Ms. Buckley  
ABSENT: None

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**EXECUTIVE SESSION**

**REGULAR AND WORKSHOP MEETING  
JANUARY 18, 2022  
BOROUGH COUNCIL**

Council President Buckley asked Mr. Starkey to read the following Executive Session Resolution:  
**R-22-045-RESOLUTION TO ENTER EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

**WHEREAS**, it is recommended by the Director of Law that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Tinton Falls that the Council shall go into executive session to discuss the following items:

1) **Potential Property Acquisitions or Sales** – N.J.S.A. 10:4-12(b)(5)

None

2) **Personnel Matters** – N.J.S.A. 10:4-12(b)(8)

Discussion - Borough Administrator position

3) **Contract Negotiations** – N.J.S.A. 10:4-12(b)(4) or (b)(7)

None

4) **Litigation/Potential Litigation** – N.J.S.A. 10:4-12(b)(7)

None

*Mr. Manginelli offered a motion to approve Resolution R-22-045, seconded by Mr. Nesci.*

**ROLL CALL**

AYES: Mrs. Clay, Dr. Dobrin, Mr. Manginelli, Nesci, Ms. Buckley

ABSTAIN: None

NAYS: None

ABSENT: None

Council President Buckley advised that at this time Council would move into Executive Session.

**RETURN FROM EXECUTIVE**

Council President advised it is 9:37 pm.

**ROLL CALL**

PRESENT: Mrs. Clay, Dr. Dobrin, Mr. Manginelli, Mr. Nesci, Ms. Buckley

ABSENT: None

ALSO PRESENT: Melissa Hesler, Borough Clerk  
Kevin Starkey, Director of Law

Council President asked the Director of Law to summarize the executive session.

Kevin Starkey, Director of Law stated that there was only one matter discussed during executive session pertaining to the Borough Administrator Position, which falls under personnel matters.

**ADJOURNMENT (Regular Meeting)**

*Dr. Dobrin offered a motion to adjourn the regular meeting, seconded by Mr. Nesci.*

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 9:38 pm

Respectfully Submitted,

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

\_\_\_\_\_  
Tracy Buckley, Council President

APPROVED AT A MEETING HELD ON: March 1, 2022