

**REGULAR MEETING
JULY 9, 2024
BOROUGH COUNCIL**

Council Deputy President Dobrin called the Regular Meeting to order at 7:30 PM.

The Borough Clerk read the following statement: "Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on December 19, 2023."

ROLL CALL (Regular Meeting)

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

ABSENT: Mrs. Clay

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Charles Terefenko, Business Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Mr. Nesci offered a motion to approve the May 21, 2024, Regular Meeting Minutes seconded by Mr. Manginelli.

ROLL CALL

AYES: Mr. Manginelli, Dr. Dobrin

NAYS: None

ABSENT: Mrs. Clay

ABSTAIN: Ms. Buckley, Mr. Nesci

Police Department Oaths of Office

Mr. Terefenko announced the promotional oaths of office for Officers Max A. Lorenzo and Nicholas Krimin and introduced Chief DeLucia who thanked the Mayor and Council for ongoing support of the Police Department Chief DeLucia announced both officers to take the oath with their rank of Patrolman Max A. Lorenzo and Patrolman Nicholas Krimin.

Certificate of Recognition

Dr. Dobrin read the certificate of recognition for Michele Chonko as her family accepted the posthumous honor.



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REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Engineer – Mr. Neff

Mr. Neff reported on Resolution R-24-150 and provided an overview of the Wardell Road culvert project and the NJDEP permitting requirements needed to complete the project necessitating bid proposals for an engineering firm. Softball fields are nearing completion. The 2024 Road Program is to be kicked off in a couple of weeks. The Wardell restroom project is also kicking off starting this summer.

Director of Finance – Mr. Fallon

Mr. Fallon had no report.

Administrator – Mr. Terefenko

Mr. Terefenko reported the summer camp program is well underway with approximately 250 participants. Community Day advertising has started and plan to attend on October 5th with a rain date of October 6th at Sycamore Park.

Director of Law – Mr. Starkey

Mr. Starkey reported on Ordinance 2024-1514 on the agenda for adoption stating it is just a name change. Due to State requirements the name of the Certificate of Continued Occupancy “CCO” has been changed to Resale Rental Certificates of Occupancy “RRCO”. Also, Ordinance 2024-1415 on the agenda for introduction provides easement and right-of-way for Neptune Township to install a sanitary sewage line and requires a small piece of area from Tinton Falls to complete their project.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

Council’s Reports

-Ms. Buckley reported the next Environmental Commission hybrid meeting will be held July 25th in Crawford House. They won a \$20,000 grant from Sustainable NJ for the Natural Resource Inventory Project.

-Mr. Manginelli had no report.

-Mr. Nesci reported the Planning Board meeting has been postponed.

-Dr. Dobrin reported on the library project is moving along with a new Director offered a contract and new auxiliary assistants added. The fundraiser Music Festival is August 17th from 5:00pm to 9:00pm. Also, the 75th Anniversary of the Borough will take place in October 2025 with Mr. Nesci and Dr. Dobrin co-chairing the event.

ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **2024-1515 An Ordinance Authorizing an Easement and Right-of-Way to Neptune Township for the Installation and Maintenance of a Sanitary Sewer Project Along Hovchild Boulevard**

Ms. Hutchinson stated that public hearing would be scheduled for Tuesday, August 13, 2024.

Ms. Buckley offered a motion to introduce Ordinance No. 2024-1515 seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: Mrs. Clay

ABSTAIN: None

ORDINANCE NO. 2024-1515

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**AN ORDINANCE AUTHORIZING AN EASEMENT AND RIGHT-OF-WAY TO NEPTUNE TOWNSHIP
FOR THE INSTALLATION AND MAINTENANCE OF A SANITARY SEWER PROJECT ALONG
HOVCHILD BOULEVARD**

WHEREAS, the Borough of Tinton Falls owns a portion of property along Hovchild Boulevard, at the border between the Borough and the Township of Neptune; and

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WHEREAS, Neptune desires to undertake a sanitary sewer project that requires a portion of the Borough property along Hovchild Boulevard, located adjacent to Block 4101, Lots 12-14, and so has proposed a Deed of Easement and Right-of-Way to authorize the installation and maintenance of the project; and

WHEREAS, under the terms of the proposed Deed of Easement and Right-of-Way, Neptune shall have the right to construct, install, maintain, repair and replace the sanitary sewer line; and

WHEREAS, the Director of Law and Borough Engineer have determined the proposed agreement to be in proper form and recommend its approval to the Borough Council; and

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Tinton Falls that:

1. The Deed of Easement and Right-of-Way between the Borough of Tinton Falls and the Township of Neptune for the use of a portion of Borough property along Hovchild Boulevard, located adjacent to Block 4101, Lots 12-14, for purposes of a sanitary sewer project, be and is hereby authorized.
2. The Mayor is authorized to execute, and the Borough Clerk to attest, the Deed of Easement and Right-of-Way on file with the Borough Clerk.
3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.
4. This Ordinance shall take effect upon its passage and publication according to law.

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **2024-1514 An Ordinance Amending Chapter 11 Of The Borough Code, Entitled “Building And Housing” To Add References To “Resale Rental Certificates Of Occupancy” In Order To Comply With State Law**

Ms. Buckley offered a motion to open the Public Hearing on Ordinance No. 2024-1514, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mrs. Clay

PUBLIC HEARING OPEN

There being no comments, Ms. Buckley offered a motion to close the Public Hearing on Ordinance No. 2024-1514, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mrs. Clay

PUBLIC HEARING CLOSED

Ms. Buckley offered a motion to adopt Ordinance No. 2024-1514, seconded by Mr. Manginelli.

ROLL CALL

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

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PUBLIC DISCUSSION

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

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mrs. Clay

Dr. Dobin asked the Clerk if there were any public comments submitted and Ms. Hutchinson stated there were none.

There being no comments, Ms. Buckley offered a motion to close the Public Discussion, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mrs. Clay

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS - None

CONSENT AGENDA

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

ROLL CALL

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

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-145

**RESOLUTION - RENEWAL OF A CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE
FOR THE YEAR 2024/2025**

WHEREAS, the holder of a certain plenary retail distribution license set forth below has applied for renewal of the respective license and which application for renewal has been found to be complete in all aspects; and

WHEREAS, the applicant for renewal has been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations; and

WHEREAS, the Governing Body is satisfied that the applicant should have the license renewed,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the following plenary retail distribution license be renewed for the year commencing July 1, 2024 and expiring June 30, 2025.

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Worldwide Wines, LLC	1336-44-004-015	\$2,500.00	Pocket

**BOROUGH OF TINTON FALLS
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R-24-146

RESOLUTION ESTABLISHING 75th ANNIVERSARY COMMITTEE

WHEREAS, the Borough of Tinton Falls will be celebrating its 75th Anniversary later this year; and

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WHEREAS, the Mayor and Borough Council desire to establish a 75th Anniversary Committee to plan for the celebration; and

WHEREAS, the Borough Council desires to appoint Councilman Dobrin and Councilman Nesci to lead the Committee, with additional members to be appointed soon.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that we do hereby establish a 75th Anniversary Committee that shall be responsible for planning for the anniversary celebration and which shall make recommendations to the Mayor and Borough Council for such celebration, and which shall consist of Councilmembers Dr. Lawrence Dobrin and Michael Nesci, with additional members to be appointed soon.

**BOROUGH OF TINTON FALLS
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R-24-147

RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT

WHEREAS, Scott Trocchia has been employed by the Borough of Tinton Falls Police Department since August 4, 1997; was promoted to Sergeant on January 1, 2011; was promoted to Lieutenant on January 1, 2015, and was promoted to Captain on March 21, 2022, and;

WHEREAS, on August 1, 2024, Scott Trocchia will retire with 27 years of dedicated service to the Borough and with the Division of Pensions and Benefits, and;

WHEREAS, Scott Trocchia 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 \$53,138.59. 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, Scott Trocchia receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

**BOROUGH OF TINTON FALLS
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R-24-148

**RESOLUTION AUTHORIZING THE EXECUTION OF A STORMWATER DRAINAGE EASEMENT
AGREEMENT BETWEEN THE BOROUGH AND SHARK RIVER ROAD OWNER LLC**

WHEREAS, the Planning Board approved a development project on property designated as Block 136, Lot 7.01, now known as 49 Shark River Road, which required the owner of the property, Shark River Road Owner LLC, to dedicate a drainage easement to the Borough; and

WHEREAS, the owner has prepared a Stormwater Drainage Easement Agreement (“Easement Agreement”) that allows the Borough to access and repair the stormwater drainage easement on the property in the event of an emergency; and

WHEREAS, the Easement Agreement further provides that, if the Borough is required to make repairs to the stormwater drainage system on the property due to an emergency, then the costs of such repairs shall be the responsibility of the property owner; and

WHEREAS, the Borough’s Director of Law and Borough Engineer have reviewed the proposed Easement Agreement and have determined it to be in proper form and recommend its adoption to the Borough; and

WHEREAS, the Borough Council desires to act upon the recommendations of the Director of Law and Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Tinton Falls that the Mayor is authorized to execute the Stormwater Drainage Easement Agreement between the Borough of Tinton Falls and Shark River Road Owner LLC for property designated as Block 136, Lot 7.01 and known as 49 Shark River Road.

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R-24-149

**RESOLUTION AUTHORIZING
PROCUREMENT CARD POLICY AND PROCEDURES**

WHEREAS, as per Local Finance Notice 2018-13, “The governing body of a local unit seeking to utilize Procurement Cards to acquire goods and services must adopt a resolution or ordinance, as appropriate, setting out policies and procedures that govern their use as well as ensuring sound fiscal and managerial controls”.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Tinton Falls, that the attached Procurement Card Policy and Procedures is hereby approved; and

BE IT FURTHER RESOLVED, that the signed acknowledgment forms be included in the personnel files of the authorized employees who have been issued procurement cards.

**BOROUGH OF TINTON FALLS
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R-24-150

**RESOLUTION AUTHORIZING CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES – SUBURBAN CONSULTING ENGINEERS, INC. WARDELL
ROAD CULVERT REPLACEMENT**

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Wardell Road Culvert Replacement Project; and

WHEREAS, Suburban Consulting Engineers, Inc. is one of the Engineering Firms that was approved by Resolution #R-23-197 and adopted on December 19, 2023; and

WHEREAS, these services will include surveys, preparation of plans and specifications for bid documents as described in the proposal attached dated June 28, 2024; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$84,875.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Suburban Consulting Engineers, Inc. 96 U.S. Highway 206, Ste. 101, Flanders, NJ 07836, is hereby authorized to provide professional engineering services as described in the proposal dated June 28, 2024, for an amount not to exceed \$84,875.00; and

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

I hereby certify funds are available from: Ordinance #23-1502

**BOROUGH OF TINTON FALLS
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R-24-151

RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Tinton Falls Department of Public Works is in need of one (1) 2024 Ford F250 Pickup Truck; and

WHEREAS, Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034 has a valid NJ State Contract #A88726, T210 for one (1) 2024 Ford F250 Pickup Truck for a total purchase price in the amount of \$64,519; and

WHEREAS, this purchase is permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid 2024 NJ State Contract:

- (1) One 2024 Ford F250 Pickup Truck

I hereby certify funds are available from: Acquisition of DPW and Borough Trucks

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R-24-152

**RESOLUTION - DENYING RELEASE OF MAINTENANCE GUARANTEE FOR
CAPELLI SPORTS COMPLEX – PHASES 1 & 6
BLOCK 113.01 LOTS 16.01, 17-29 & 31 (NEW LOT 16.02)**

WHEREAS, the developer has requested the release of Maintenance Guarantee for Capelli Sports Complex— Phases 1 & 6, Block 113.01 Lots 16.01, 17-29 & 31 (New Lot 16.02) and

WHEREAS, by letter dated June 27, 2024 (said copy hereby attached and made part of this resolution), the Borough Engineer, has supplied the developer with a letter outlining items which need to be addressed prior to the release of Maintenance Guarantee.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that based on the facts as set forth in Mr. Neff’s letter of June 27, 2024, that the developer’s request for a release of the Maintenance Guarantee be and hereby is denied.

**BOROUGH OF TINTON FALLS
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R-24-153

RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #23-03316 was issued to the Borough of Tinton Falls for sewer charges on Block 26 Lot 76 (14 Sun Beau Court), assessed to Kyle & James Kirms, at a tax sale held on December 13, 2023 and

WHEREAS, CTA Title Services, LLC, paid the full amount of the certificate’s delinquency.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to endorse Certificate of Sale #23-03316 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #23-03316 was redeemed on June 11, 2024.

**BOROUGH OF TINTON FALLS
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R-24-154

RESOLUTION - AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #23-03348 was issued to the Borough of Tinton Falls for sewer charges on Block 124.60 Lot 39 (53 Cheyenne Street), assessed to Louis & Rafaela Cunha Russo, at a tax sale held on December 13, 2023 and

WHEREAS, CoreLogic Tax Service, on behalf of Shellpoint Mortgage, paid the full amount of the certificate’s delinquency.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to endorse Certificate of Sale #23-03348 for cancellation.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #23-03348 was redeemed on June 20, 2024.

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R-24-155

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
Summer Camp	5/29/2024	Fredericks	1,021.50	\$0	\$1,021.50

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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.

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R-24-156

RESOLUTION – APPROVAL OF BILLS – July 9, 2024

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending July 9, 2024; 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	4,045,683.79
SEWER UTILITY	47,100.02
GENERAL CAPITAL	566,367.77
GRANT FUND	16,530.00
TRUST FUNDS	258,774.68
DOG TRUST FUND	2,797.00
ESCROW	107,779.01
ADDITIONS	1,403,514.90
TOTAL	6,448,547.17

CERTIFICATION OF FUNDS:

EXECUTIVE SESSION

ADJOURNMENT

Ms. Buckley offered a motion to adjourn, seconded by Mr. Manginelli.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mrs. Clay

TIME: 7:53pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Dr. Dobrin, Deputy Council President

APPROVED AT A MEETING HELD ON: