

**REGULAR MEETING
AUGUST 10, 2021
BOROUGH COUNCIL**

Council President Buckley 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.”

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

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Mr. Nesci offered a motion to approve the April 20, 2021, Regular Meeting Minutes seconded by Mr. Manginelli.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Ms. Buckley invited Luke Taylor Oakley to come forward to receive a Proclamation in recognition of his achievement to the rank of Eagle Scout. Ms. Buckley read the proclamation on behalf of Mayor Perillo who was not in attendance.

Proclamation Honoring Luke Taylor Oakley for the Achievement of Eagle Scout

WHEREAS, Luke Taylor Oakley, has been involved in scouting for seven years and obtained the rank of Eagle Scout on July 7, 2020. As a member of Boy Scout Troop #67 he obtained the highest rank in scouting, an honor which is only bestowed upon 4% of all boys who join the ranks of Scouting; and

WHEREAS, The principles of citizenship, physical fitness, and service provide the cornerstone of scouting, those few young men who become Eagle Scouts have already demonstrated a long-term dedication to those principles while cultivating their leadership potential. These young adults are surely the kind of leaders we will need in the future; and

WHEREAS, Luke’s Eagle Scout project was for the Associated Humane Society of Tinton Falls. It consisted of building two sets of steps and a landing on the wall of the cat room for cats that need more running space. The project will also offer people hoping to adopt a cat additional space to visit and play with them; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of Tinton Falls that Luke Taylor Oakley be congratulated for receiving the rank of Eagle Scout; and

BE IT FURTHER RESOLVED, that a copy of this Proclamation be forwarded to the Boy Scouts of America, Troop 67.

Public Hearing – 2021 Monmouth County Municipal Open Space Grant Application

A Public Hearing was conducted on August 10, 2021, for the Borough’s 2021 Municipal Open Space Grant Program through Monmouth County. The hearing was conducted as part of the regularly scheduled Council meeting at 7:30 pm. The Public Hearing was advertised in the Asbury Park Press on July 30, 2021.

Borough Engineer Tom Neff gave background on the grant, the Monmouth County Municipal Open Space Grant Program is an annual grant through the County’s Recreation Department. Mr. Neff explained that the County allocates two million dollars with up to \$250,000 maximum award. A 50% matching grant is required from the Borough and is typically provided for out of the Borough Open Space Trust Fund.

Mr. Neff explained the various options the Borough could consider when applying for this grant including new open space, renovation of existing parks or development of a new park facility. He stated that last year the Borough received a grant of \$127,000 for improvements to the Liberty Park Dog Park and the award of contract is on the agenda this evening for approval.

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The year prior to that we received \$200,000 for Wardell Park for the new facilities there. Mr. Neff explained that the various parks were reviewed to determine what project would be a good option, and since most of the open space has already been purchased, it was determined that construction of restroom facilities at Wardell Park would be a good option for this grant application. Since the park opened this summer, it has been very successful and well utilized and residents have expressed interest in having restroom facilities. The total cost is still being finalized but in comparing with the new facilities at Sycamore Park, we have estimated approximately \$450,000.00 for the on-site improvements. The requested grant amount would be for half of this cost, approximately \$225,000.00. Mr. Neff explained the building would have separate men and women bathrooms and that a sanitary sewer pump station, water service out to the road and continuation of a small portion of sidewalk within the site to connect the building to existing sidewalk are proposed. Mr. Neff stated that if the Borough Council is in support of this proposal we would finalize the grant application, finalize the cost estimate and then at the first Council meeting in September a resolution of support would be on for approval. The grant application is due on September 16th and the anticipated announcement of grant award would be sometime later this year, hopefully by the end of December.

Councilman Nesci stated that he is in favor of the restroom facility and that he has been to the park on several occasions since it opened. He stated that the park has been extremely busy especially the pickleball courts. Mr. Nesci asked where the restroom facility would be located. Mr. Neff stated that it would be located near the pickleball courts on the grassy area between the courts and the driveway where there would be enough room. He stated connecting to the water and sewer from that point would prevent having to cut into the new pavement or completed improvements.

Councilman Manginelli inquired if there was a sewer line on Wardell Road. Mr. Neff stated there is not and the facility would require a pump station, a force main, it gives a little more flexibility and options where to hook in.

Council President Buckley also stated she is in favor of the proposed facility and that she is thrilled with how much the park is getting used.

Councilwoman Clay also concurred that this is an excellent idea.

Councilman Nesci asked if water fountains would be included in the structure. Mr. Neff stated that could be part of the design and suggested a water fountain with a water bottle filler.

Councilman Siebert concurred this a great idea and this would be a major improvement to the park.

Councilman Manginelli asked if any consideration would be given to food concession. Mr. Neff stated that the concessions are typically placed in larger parks with organized sports, football, baseball, etc.

OPEN PUBLIC HEARING ON THE GRANT APPLICATION:

A motion was made by Mr. Siebert, seconded by Mrs. Clay to open the meeting to the public for comments on the grant application.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Daniel Levine, Greenbriar Development- Mr. Levine inquired if there was a maximum amount that Council would spend on this project. Mr. Neff stated at the next Council Meeting we will have a better idea of the cost estimate. He explained that the maximum we could request is \$250,000 which would mean the matching cost would be the same. Council would be updated with the details before doing anything official or going out to bid. There is nothing locking the Borough into this, if the grant was awarded and the bids came back too high, the Borough could renege on the grant and give it back to the County.

Denise Catalano, 11 Alpine Trail- Ms. Catalano congratulated the Borough on the newly opened Wardell Park. She stated that she utilizes the pickleball courts very often and the courts are very busy. Ms. Catalano stated that she has had inquiries about the lights at the courts. Mr. Neff explained that Verizon had to move a utility pole and JCP&L now has to hook up their lines. It's anticipated they should be complete in about 2 weeks. Ms. Catalano stated that she doesn't think the concession is needed but there has been a lot of interest in bathroom facilities. She stated that the park is very popular.

Ellen Goldberg 90 Glenwood Drive- Ms. Goldberg also congratulated the Borough on the new park and that she thinks the bathrooms are a great idea. She inquired who would be responsible for the facilities. Mr. Neff stated that the building would be open and closed by the Department of Public Works, similar to the way the other facilities are managed. Ms. Goldberg asked if there would be additional costs incurred for necessary maintenance and manpower to lock and unlock the facility. Acting Business Administrator Tom Fallon stated it might actually reduce the annual costs because currently there is cost associated with renting 2 port-a-johns for the park.

CLOSE PUBLIC HEARING ON THE GRANT APPLICATION

There being no further comments, a motion was made by Mr. Siebert, seconded by Mr. Nesci to close the meeting to the public for comments on the grant application.

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ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Borough Engineer – Thomas Neff

Mr. Neff stated that there will be two resolutions on the agenda for consideration this evening for award of new construction contracts, the first being an award for the 2021 Various Park Improvements and the other is for the Shrewsbury Avenue Pump Station Project. In addition, there is a change order for Wardell Park and project closeout, this reflects a reduction of approximately \$9,000 in the overall project. Mr. Neff stated that the Hope Road truck restriction ordinance has been approved by the State, and Eatontown has adopted their corresponding ordinance for their portion of the road. The Police and DPW will get more signs up and the restrictions will be enforced. He gave a quick update on the Reclamation Center on the Phase 4 expansion; it is still under review and DEP has asked for additional information, so nothing has been approved to date.

Director of Finance/ Acting Borough Administrator- Thomas Fallon

Mr. Fallon reported on Ordinance 2021-1478 which provides a supplemental appropriation of \$400,000 to the ordinance passed last year for development and improvement to various parks. This supplemental appropriation is necessary as there are two items that were not known when preparing the capital improvement and open space trust budget. Those items were the acquisition of 97 Shark River Road, and the field lighting at Hockhockson fields due to storm damage. Mr. Fallon stated this ordinance will have no impact on municipal taxes and will be ultimately funded by the Open Space Fund.

Mayor’s Report – Mayor Vito Perillo

Mayor Perillo was absent

Director of Law- Kevin Starkey

Mr. Starkey gave a follow up of the status of the acquisition of 97 Shark River Road, the closing will be held this week and this acquisition was approved by ordinance. The additional property will give great access to the Walz property which was purchased a few years ago.

Borough Clerk – Melissa Hesler

Ms. Hesler had no report.

Council’s Reports

-Mrs. Clay reported that she attended the Board of Education meeting on July 26th and that the extended school year program is well under way. At the meeting there was a presentation by the Director of Curriculum who explained that the school district was working on enrichment ideas as well as coaching ideas for the fall to assist staff in helping students close the gap, which resulted for many kids as the school was closed and switched to virtual learning. Mrs. Clay extended her congratulations to Luke and his family for accomplishing Eagle Scout which is a huge honor. She stated that she is looking forward to attending tomorrow’s first Cannabis subcommittee meeting.

-Mr. Manginelli reported that there will be two great events coming up, the first is to help save the library and the other event is a Taste of Tinton Falls sponsored by the Historic Preservation Committee on August 28th at the Crawford House.

-Mr. Nesci reported that the next Planning Board meeting will be August 11th and there were a few applications involving signs. He stated that he is happy to report that he has been chosen to be the “resident barber” at Soldier On Veteran’s Residence. Mr. Nesci stated he is looking forward to attending the Taste of Tinton Falls event and extended his apologies that he cannot be in attendance for the library fundraiser.

-Mr. Siebert reported on the upcoming library fundraiser, which is a music festival, all the details are on the library website and also the borough website. He stated there will be great music, activities, food, and beverages. Mr. Siebert stated that he was happy to see that the truck ban on Hope Road was approved and this will hopefully extend the life of the recently paved roadway and ultimately save taxpayer dollars.

-Ms. Buckley reported the Environmental Commission meeting will be held on Thursday August 26th, it is yet to be decided whether it will be virtual or hybrid. She extended her thanks to the IT Department for updating the wi-fi in the Crawford House which will allow for video meetings, hybrid meetings and presentations without issues. Ms. Buckley stated she will be attending both the library fundraiser and the Taste of Tinton Falls and is looking forward to both. She stated she is happy to have these community events and reminded everyone that Community Day is scheduled for October 10th

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ORDINANCES FOR INTRODUCTION

Mrs. Hesler read the title of Ordinance 2021-1478: Bond Ordinance of the Borough of Tinton Falls, in the County of Monmouth, New Jersey Providing for a Supplemental Appropriation of \$400,000 for Park Development and Improvements and Providing for the Issuance of an Additional \$400,000 of Bonds and Notes to Finance a Portion of the Costs Thereof

Mrs. Hesler stated that public hearing would be scheduled for Thursday September 9, 2021.

Mr. Siebert offered a motion to introduce Ordinance No. 2021-1478 seconded by Mr. Manginelli.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

**BOND ORDINANCE NO. 2021-1478
NOTICE OF PENDING BOND ORDINANCE**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Tinton Falls, in the County of Monmouth, New Jersey (the "Borough"), held on August 10, 2021. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Courtroom, 556 Tinton Avenue, Tinton Falls, New Jersey, on Thursday, September 9, 2021, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Borough during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Tinton Falls, in the County of Monmouth, New Jersey. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE OF THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$400,000 FOR PARK DEVELOPMENT AND IMPROVEMENTS AND PROVIDING FOR THE ISSUANCE OF AN ADDITIONAL \$400,000 OF BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF.

Purpose(s): Providing for park development and improvements.

Supplemental Appropriation: \$400,000

Supplemental Bonds/Notes Authorized: \$400,000

Section 20 Costs: \$400,000

Grant: \$200,000 Monmouth County Municipal Open Space Grant Program

Other Funds: \$1,208,000 Open Space Trust

Useful Life: 15 Years

ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

Mitchell Kulberg, 21 Cedar Place – Mr. Kulberg reminded everyone of the upcoming Library Music Festival event and provided details of the event. He suggested the policy of not allowing non-emergency information to be disseminated by the Borough's alert notification system, known as Hyper-Reach, be reviewed. It would not cost anything since the Borough pays a flat fee for the service. He listed a few community events that he believed would have benefitted from using the notification system to make residents aware of the events. Mr. Fallon commented he has consulted with Office of Emergency Management who handles the emergency alert notification system and Director of Law, and their opinion is to only utilize this system for public safety, emergency management and traffic notifications. He commented he would look into the possibility of creating an additional alert system within the existing Hyper-Reach software. This would provide community alerts whereby residents can sign up for all local event information.

Ellen Goldberg, 90 Glenwood Drive – Ms. Goldberg announced the Taste of Tinton Falls fundraiser is sold out. She thanked Mr. Neff for quickly responding to her questions and the very easily understood answers.

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Frank Matula, 43 Lennox Drive – Mr. Matula inquired if there were appropriations for road improvements. Lennox Drive needs some repair and maintenance. Mr. Fallon stated there is appropriations for minor repairs and repaving such as potholes. If the street meets these criteria, we can look into the matter.

Jeffrey Lisk, 2031 Wayside Road – Mr. Lisk stated a few years ago, he sent a letter and petition to Mayor and Council regarding changing the ordinance to allow for chickens. The neighboring town of Eatontown has already changed their ordinance to allow for chickens on residential properties. Ms. Buckley explained the Council has already completed a workshop on this topic. Council is reviewing a two-year pilot program which was discussed with professionals using the Eatontown ordinance as the sample ordinance. Mr. Nesci and Mr. Siebert are working toward a pilot program that will be acceptable for all.

Frank Matula, 43 Lennox Drive – Mr. Matula commented that the smell of asphalt is very strong and wanted to know if there were any odor complaints by the residence who live near the plant. Mr. Fallon and Mr. Neff stated they know of no odor complaints.

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS – None

CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

R-21-143 - RESOLUTION - AUTHORIZING AN INCREASE IN THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT

WHEREAS, pursuant to NJSA 40A:11-3(c), Governor Chris Christie has exercised his authority to adjust the bid and quote thresholds for awarding contracts by various contracting units; and

WHEREAS, effective July 1, 2020, municipalities that have appointed a Qualified Purchasing Agent pursuant to NJSA 40A:11-9(b) can take advantage of a higher bid threshold pursuant to NJSA 40A:11-3(a) and have the maximum bid threshold increased from \$40,000.00 to \$44,000.00 and the quote threshold increased from \$6,000.00 to \$6,600.00; and

WHEREAS, Shanon Rathyen possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with NJAC 5:34-5 et seq; and

WHEREAS, the Borough of Tinton Falls desires to take advantage of the increased bid and quote threshold;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Tinton Falls hereby increases its bid threshold from \$40,000.00 to \$44,000.00 and quote threshold from \$6,000.00 to \$6,600.00 effective July 1, 2020.

R-21-144 - RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES 2022 ROAD IMPROVEMENT PROGRAM

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the 2022 Road Improvement Program; and

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WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-21-011 adopted on January 5, 2021; and

WHEREAS, these services will include design, preparation of construction plans and specifications, bidding, contract administration and inspection as described in proposal attached dated July 2, 2021; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$136,900.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in proposal dated July 2, 2021, for an amount not to exceed \$136,900.00; 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 2021-1477

R-21-145 - RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES REMEDIAL ACTION SERVICES TINTON FALL DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Remedial Action Services – Tinton Falls Department of Public Works; and

WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-21-011 adopted on January 5, 2021; and

WHEREAS, these services will be described in proposal attached dated July 27, 2021; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$29,350; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in proposal dated July 27, 2021 for an amount not to exceed \$29,350; 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: Environmental Health Services

R-21-146 -RESOLUTION OF AWARD OF CONTRACT #21-3 2021 VARIOUS PARK IMPROVEMENTS PROJECT

WHEREAS, three (3) bids were received on Thursday, July 22, 2021 for Contract #21-3 for 2021 Various Park Improvements Project; and

WHEREAS, Shore Top Construction Corp., 23 Yellowbrook Road, Freehold, NJ 07728 submitted the lowest responsible bid in the amount of \$1,289,262.50 for the above contract; and

WHEREAS, the Director of Law has found the bid to be in order, and Thomas P. Neff, P.E., P. P., C.M.E., T&M Associates recommends award in his bid report attached dated July 27, 2021; and

NOW, THEREFORE BE IT RESOLVED that Shore Top Construction Corp., 23 Yellowbrook Road, Freehold, NJ 07728 be awarded a contract in the amount of \$1,289,262.50 for the 2021 Various Park Improvements Project;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract for the Borough of Tinton Falls as specified herein above.

I hereby certify funds are available from: Ordinance 2020-1462
Open Space Trust Fund

R-21-147 - RESOLUTION OF AWARD CONTRACT #21-2 SHREWSBURY AVENUE PUMP STATION UPGRADES

WHEREAS, six (6) bids were received on Thursday, July 29, 2021 for Contract #21-2 for the Shrewsbury Avenue Pump Station Upgrades; and

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WHEREAS, T. R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, NJ 08854 submitted the lowest responsible bid for a total amount of \$423,802 for the above contract; and

WHEREAS, the Director of Law has found the bid to be in order, and Thomas P. Neff, P.E., P.P., C.M.E., of T & M Associates, recommends award in his bid report attached dated July 30, 2021;

NOW, THEREFORE BE IT RESOLVED that T. R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, NJ be awarded a contract in the amount of \$423,802 for the Shrewsbury Avenue Pump Station Upgrades;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract for the Borough of Tinton Falls as specified herein above;

I hereby certify funds are available from: Sewer Budget– Capital Outlay

R-21-148 - RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Borough of Tinton Falls would like to purchase two (2) Kohler KG80 Generators for the Tinton Falls Senior Residence, North and South Buildings; and

WHEREAS, Warshauer Generator, LLC, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 has a valid State Contract #18-FOOD-00378 for Maintenance/Repair and Replacement Portable Commercial Mobile Generators for a total purchase price in the amount of \$93,000; and

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

WHEREAS, Thomas Neff, PE, PP, CME of T & M Associates recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes the following purchase under the valid 2021 State Contract:

Two (2) Kohler Generators Model KG80

I hereby certify funds are available from: Affordable Housing Trust Fund

R-21-149 - RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL PAYMENT DECREASING CONTRACT #20-2 IN THE AMOUNT OF \$9,132.00 TRADITIONS PARK IMPROVEMENTS

WHEREAS, Contract #20-2 for the Traditions Park Improvements was awarded to Shore Top Construction by Resolution R-20-151 in the amount of \$1,146,600.00 at a Council Meeting held on August 11, 2020; and

WHEREAS, Change Order #1 dated July 27, 2021 from T & M Associates, (annexed hereto and part hereof) reflects a decrease to the contract in the amount of \$9,132.00 and Final Payment in the amount of \$77,184.05 and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Change Order #1 decreasing Contract #20-2 in the amount of \$9,132.00 and Final Payment in the amount of \$77,184.05 for a total contract in the amount of \$1,137,468.00 is hereby authorized for the above contract awarded to Shore Top Construction.

R-21-150 - RESOLUTION APPROVING PARTICIPATION IN THE LOCAL EFFICIENCY ACHIEVEMENT PROGRAM (LEAP) IMPLEMENTATION GRANT

WHEREAS, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the (COUNTY OF MONMOUTH and Participating Local Units) propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to provide the technical benefits the County receives through our high resolution aerial imagery service (Nearmap) to all fifty-three (53) municipalities in the County, free of charge for two years, which will benefit the residents of all participating local units; and

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WHEREAS, this service will provide high resolution, high quality imagery, as well as a complete set of countywide images three times a year through a web-based interface that allows the user to view the most recent images online; and

WHEREAS, municipal governments will use this to do the following:

- Measure size and footprints of buildings
- Determine property boundaries, setbacks and buffers
- Evaluate environmental conditions and potential development impacts
- Estimate capital investments
- Post disaster damage assessment
- Hazard mitigation assessments
- Search and rescue; and

WHEREAS, the County of Monmouth has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Tinton Falls, that the Borough of Tinton Falls does hereby join with County of Monmouth in applying for a LEAP Implementation Grant in the amount of \$250,000.00 to support implementation of this shared service.

R-21-151 - RESOLUTION AMENDING THE DESIGNATED MEETINGS OF THE BOROUGH COUNCIL FOR THE YEAR 2021

WHEREAS, the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-8a, et seq.) requires the governing body of a municipality to designate and disseminate schedules, meeting dates, times and location.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following dates are hereby designated as scheduled meetings of the Borough Council for calendar year 2021.

BE IT FURTHER RESOLVED, the meetings will be held in the Court Room, 556 Tinton Avenue, Tinton Falls, NJ unless conditions exist within the Borough whereby in-person meetings are inadvisable under the State's public health guidelines specifically NJAC 5:39-1.3(a). In such event, as presently exists as of this date with the COVID-19 health crisis, the Borough Council reserves the right to conduct an electronic meeting with adequate notice being sent to the official newspapers and posted on the Municipal website at www.tintonfalls.com in the ordinary course.

BE IT FURTHER RESOLVED, that written public comments may be emailed to the Clerk at boroughclerksoffice@tintonfalls.com or via regular mail to the attention of the Borough Clerk at 556 Tinton Avenue, Tinton Falls, NJ 07724. Written public comments may not be submitted via any other form of electronic communication and must include the individual's name, full address and contact information (telephone number and/or email address). If the information is incomplete and the Borough is unable to verify the individual's identity, the written comment will not be read into the record. Written public comments must be received by the Borough Clerk by 9:00 a.m. on the day of the meeting in order to be included in the meeting. Any written comments received after 9:00 a.m. on the day of the meeting will not be read into the record or become part of the meeting record.

Meetings of Borough Council for 2021 Where Formal Action May Be Taken

Thursday	September 9, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	September 21, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	October 5, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	October 19, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	November 9, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	December 7, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	December 21, 2021	7:30 P.M. (Regular/Workshop)
Tuesday	January 4, 2022	7:30 P.M. (Reorganization/Regular/Workshop)

*Unless otherwise noticed workshop meetings will begin immediately following the regular meeting.

BE IT FURTHER RESOLVED, that as needed, all executive sessions of the Borough Council shall be held at 6:30 p.m. or immediately following the conclusion of the Regular Meeting as noticed by 4:30 p.m. the Friday before the meeting week and convene with the public reading of a Resolution onto the record prior to the Borough Council's vote to enter executive session pursuant to the OPMA. When an executive session is held, the executive session Resolution shall be re-read onto the record at the beginning of the public portion of any applicable workshop, regular or special meeting so the public will know what issues were addressed during the executive session without having to be present for the earlier public reading of the Resolution. When necessary, executive sessions may be continued upon the adjournment of the public portion of any meeting with the reading of the Resolution for entry into executive session reciting the issues to be continued for executive session deliberations.

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BE IT FURTHER RESOLVED that this Resolution shall supersede any, and all Resolutions previously adopted by the Borough specifying meetings of the Borough Council.

BE IT FURTHER RESOLVED, that the Borough Clerk shall post a copy of this Resolution in Borough Hall and that copies of this Resolution shall be forwarded by the Borough Clerk to the official newspapers, The Asbury Park Press, The Coaster and the Newark Star Ledger as previously designated by the Borough and to individuals requesting same under the New Jersey Open Public Meetings Act.

R-21-152 - RESOLUTION REFUNDING STREET OPENING BOND

WHEREAS, On 6/3/20, Fiore Paving Company, 2 Fiore Court, Oceanport, NJ 07757, posted a \$2,800.00 street opening cash repair deposit for a Driveway apron and utility installation on Puma Place Tinton Falls, NJ 07712.

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

WHEREAS, Pau Fiore Paving Company, 2 Fiore Court, Oceanport, NJ 07757, has completed the work described in Street Opening Permit 2020-06-001; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the street opening cash repair deposit in the amount of \$2,800.00 posted by Fiore Paving Company, 2 Fiore Court, Oceanport, NJ 07757 be released.

R-21-153 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of July 2021 fees were collected for our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of July via credit card through Community Pass July 9, 2021

WHEREAS, during the month of July the Recreation Superintendent was informed by the resident, Samantha Nitka that her daughters, Mia, and Ava would not be participating in the Fall Soccer Program due to unknown reasons. Amount paid was \$82.00, less a \$10.00 per child processing fee is due, total due \$62.00

Samantha Nitka	\$62.00
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Total	\$62.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$62.00 be issued.

R-21-154 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of July 2021 fees were collected for our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of July via credit card through Community Pass July 15, 2021

WHEREAS, during the month of July the Recreation Superintendent informed the resident, Kristen Indahl that due to lack of enrollment her daughter Claire has been withdrawn and a full refund in the amount of \$41.00 would be issued. The \$10.00 processing fee will not be applied.

Kristen Indahl	\$41.00
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Total	\$41.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$41.00 be issued.

R-21-155 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of July 2021 fees were collected for our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of July via credit card through Community Pass July 16, 2021.

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WHEREAS, during the month of July the Recreation Superintendent informed the resident, Jill Ryan that due to lack of enrollment her daughters, Lindsay and Peyton Ryan have been withdrawn and a full refund in the amount of \$82.00 would be issued. The \$10.00 processing fee will not be applied.

Jill Ryan	\$82.00
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Total	\$82.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$41.00 be issued.

R-21-156 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of July 2021 fees were collected for our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of July via e-check through Community Pass July 21, 2021

WHEREAS, during the month of July the Recreation Superintendent informed the resident, Marissa Scott that due to lack of enrollment her daughter Luna Walden has been withdrawn and a full refund in the amount of \$41. would be issued. The \$10.00 processing fee will not be applied.

Marissa Scott	\$41.00
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Total	\$41.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$41.00 be issued.

R-21-157 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of May 2021 fees were collected for our Summer Camp Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of May via credit card through Community Pass May 24, 2021

WHEREAS, during the month of July the Recreation Superintendent was informed by the resident, Tereza Peruti that her daughter Penelopi would not be participating in the Summer Camp Program due to scheduling conflicts. Amount paid was \$300, less a \$100 nonrefundable deposit and \$10.00 processing fee is due, total due \$190.00.

Tereza Peruti	\$190.00
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Total	\$190.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$190.00 be issued.

R-21-158 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of May 2021 fees were collected for our Summer Camp Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of May via credit card through Community Pass May 24, 2021

WHEREAS, during the month of July the Recreation Superintendent was informed by the resident, Cindy Loniewski that her son, Max would not be participating in the Summer Camp Program due to scheduling conflicts. Amount paid was \$200, less a \$100 non refundable deposit and \$10.00 processing fee is due, total due \$90.00.

Cindy Loniewski	\$90.00
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Total	\$90.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$90.00 be issued.

R-21-159 - RESOLUTION-REFUNDING RECREATION FEES

WHEREAS, during the months of May and June 2021 fees were collected for our Summer Camp Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of May and June via credit card through Community Pass May 24, 2021, and June 9, 2021

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WHEREAS, during the month of July the Recreation Superintendent informed the resident, Lisa Frulio that her son has been withdrawn from the summer Camp Recreation Program as he is age and grade in eligible. A refund in the amount of \$250.00 would be issued. The \$10.00 processing fee will not be applied.

Lisa Frulio	\$250.00
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Total	\$250.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$250.00 be issued.

R-21-160 - RESOLUTION – REFUNDING ESCROW – JLM REALTY PARTNERS

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 Planning 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:

JLM REALTY PARTNERS JLM4414CO \$1,014.64

R-21-161 - RESOLUTION – REFUNDING ESCROW – NICHOLAS & NICOLE PEROSI

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:

PEROSI PER4044CU \$41.00

R-21-162 - RESOLUTION – REFUNDING ESCROW – MATTHEW & AMANDA EICHEN

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:

EICHEN EIC4010CU \$127.00

R-21-163 – RESOLUTION – REFUNDING ESCROW – ANTHONY F. LONGEN

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.

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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:

LONGEN LON3913CU \$10.00

R-21-164 - RESOLUTION - PLACING DEBRIS LIEN ON PROPERTY KNOWN AS 169 CANNONBALL DRIVE

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Gina Albano-Kumar 169 Cannonball Drive Tinton Falls, NJ 07753	124.10	19	\$420.88

Re: Prop. Loc.: 169 Cannonball Drive

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 \$420.88 pursuant to a letter dated July 14, 2021 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 \$420.88 is charged to the property known as 169 Cannonball Drive and shall become part of the taxes to be assessed and levied.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of lien to be \$420.88.

R-21-165 - RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, the 2021 3rd 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>
Michael Taylor 900 NE 18 th Avenue, Apt. 708 Fort Lauderdale, FL 33304	129.09	37	\$94.75

Re: Michael Taylor to Endurance Capital Mgt., LLC
53 Fennec Court

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-21-166 - 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	113	5.02	\$179.55

Re: Stavola Realty Company
1829 Wayside Road

WHEREAS, said reduction has resulted in an overpayment of the 2020 taxes by the property owner in the amount of \$179.55 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 179.55 is hereby approved for the aforementioned property. Said refund shall be applied to future taxes as specified in the Stipulation of Settlement.

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I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$179.55.

R-21-167 - RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, the 2021 3rd 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>
John DeSantis 6550 Laurencia Place Round Rock, Texas 78655	124.59	6	\$94.75

Re: John DeSantis to Nikollaq & Greta Subashi
104 Annapolis Street

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-21-168 - RESOLUTION ALLOWING FOR THE EXTENSION OF THE TAX BILL INTEREST PENALTY DEADLINE

WHEREAS, certification of the tax rate was not received until July 15, 2021 and Vital Communications, Inc. printing issues caused the late receipt of the property tax bills, and

WHEREAS, the third quarter property taxes were due on August 1, 2021 with a ten (10) day grace period for interest to August 10, 2021, and

WHEREAS, the Tax Collector was not able to mail the tax bills until August 5, 2021 for reasons stated above and requests the interest penalty date be extended to August 30, 2021, the first business day after 25 days from the date of mailing.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the interest penalty for the 2021 3rd quarter property tax bills be extended to August 30, 2021.

R-21-169 - RESOLUTION – APPROVAL OF BILLS – August 10, 2021

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 10, 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

GENERAL	293,330.04
SEWER UTILITY	628,487.22
GENERAL CAPITAL	99,897.05
GRANT FUND	11,533.88
TRUST FUNDS	71,934.13
DOG TRUST FUND	3,137.50
ESCROW	44,697.72
ADDITIONS	1,248,734.38
TOTAL	2,401,751.92

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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. Manginelli.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:15 pm

Respectfully Submitted,

Melissa A. Hesler, Borough Clerk

APPROVED AT A MEETING HELD ON: October 19, 2021