

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Council President called regular meeting to order at 7:34 P.M.

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 New Coaster at least 48 hours prior to the meeting."

All present stood for Salute to Flag.

ROLL CALL

PRESENT: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer (via telecommunications),
Mr. Morrill

ABSENT: None

ALSO PRESENT: Michael Skudera, Mayor
W. Bryan Dempsey, Administrator
Brian M. Nelson, Director of Law
Karen Mount-Taylor, Borough Clerk
Stephen Pfeffer, Chief Financial Officer
Gary C. Dahms (Representative for David Marks, Borough Engineer)

Mr. Morrill and Mr. Baldwin, for the purpose of the record, agreed that they recognized Dr. Mayer's voice.

APPROVAL OF MINUTES – None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Flag Presentation – Sergeant Damon Bowles

Sergeant Damon Bowles came before Council to present them with a flag, which was officially folded by himself and flown over Camp Cropper. Sergeant Bowles stated, up until this point Compound Five Camp Cropper was a top-secret base. It recently lost its top-secret clearance due to the fact that they are getting ready to pull out.

Sergeant Bowles read the Certificate - Operation Iraqi Freedom Compound Five FOB Cropper

This is certified at the Commander of Compound Five as approved. This is the certificate of authenticity for the Township of Tinton Falls, certifying that this flag was proudly flown over Compound Five FOB Cropper during Operation Iraqi Freedom as a scripture quoting "for the lord your god is with you wherever you go" Joshua 19, date flown April 27, 2009, presented by Captain Stewart M. Malloy.

Mayor's Report

Mayor Skudera updated Council on the infrastructure meetings at Fort Monmouth.

Mayor Skudera advised that he met with the COAH planner and responded to the Borough's recent objections for the latest round.

Mayor Skudera also advised that Mr. Dempsey, Mr. Nelson and he met with the School Board President to discuss the Governor's signing of his latest bill regarding the conversion of housing from senior housing to market rate as well as the impact such bill would have on Tinton Falls.

Proclamation – STIHL Tour des Trees Day

Mayor Skudera read the following:

STIHL Tour des Trees Day

WHEREAS, without the landscape of our country, we would have no foundation to build our democracy upon. Trees provide beauty and character for the many states of our nation, distinguishing one area from another. They supply the key to our ecosystem, housing many of our nation's species of birds, small forest animals, and wildflowers; and

WHEREAS, today we commemorate the STIHL Tour des Trees, a 500-miles in five days cycling tour across the Northeast. The weeklong Tour helps to fund scientific research grants and educational scholarships administered by the Tree Research and Educational Endowment (TREE) Fund. The Tour is

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

the signature fundraising event of the TREE Fund, and America's largest fundraising event for tree research. The TREE fund is designed to identify and fund projects and programs that advance knowledge in the field of arboriculture and urban forestry to benefit people, trees, and the environment; and

WHEREAS, the TREE Fund has supported research that has led to important developments in understanding air pollution reduction and carbon sequestration by trees, quantifying the costs and benefits of urban trees, improving conditions for tree growth in difficult sites, and strategies to manage diseases and pests that afflict urban trees.

WHEREAS, Trees are critical to the development of our nation. They provide clean air for us to breathe; they act as natural sound absorbers and decrease noise in our homeland. Trees lower our air temperature and remove pollutants while hastening topsoil erosion of our country's foundation. From the Redwoods of California to the Dogwoods of Virginia, Trees are a necessity for our nation's success; and

WHEREAS, STIHL Tour des Trees Day commemorates those who are protecting our nation's foliage from competing with the development of our society. Millions of trees are needlessly extracted and replaced with steel and brick structures; and

WHEREAS, on this day we also honor the committed professionals and volunteers working every day to keep our environment safe. Laboring among deep forests, towering mountains and broad plains, in city centers, and along our rivers and seashores, these Americans deserve thanks for their contributions to current and future generations. Among these honorable Americans are the riders and supporters of the STIHL Tour des Trees.

WHEREAS, the Borough of Tinton Falls, the State of New Jersey and indeed our country, are extremely proud of the accomplishments of the STIHL Tour des Trees and the TREE Fund;

NOW, THEREFORE, I, Mayor Michael Skudera, Mayor of the Borough of Tinton Falls, do hereby proclaim July 19, 2009 to be STIHL Tour des Trees Day in the Borough of Tinton Falls.

Council's Report

Mr. Larkin stated that this past week he had the opportunity to introduce himself to the Department of Public Works as well as meet with the Director, Mr. John Bucciero to discuss some of the upcoming issues in Public Works.

Mr. Larkin thanked Mr. Cohen from the Environmental Commission for taking time out of his schedule to show him some of the historic sites around town.

Mr. Baldwin invited the public to the Planning Board meeting and advised that Chelsea Property Group is the applicant currently before the Board, requesting several changes.

Engineer's Report – Gary C. Dahms

Mr. Dahms stated that T&M had the opportunity to meet with the Administrator, Code Enforcement Official, and the Borough's former Engineer and advised that the transition process is well underway.

Chief Financial Officer's Report – Mr. Pfeffer

2008 Audit Report

The audit report was delivered and handed out to the councilmembers.

Open Space

An Open Space analysis was placed in each councilmembers mailbox for their review.

2009 Budget Amendment

The Mayor requested that the amendment be further looked into to see if costs could be reduced within the budget. It has been further reduced from the maximum CAP by another \$52,153.00.

Administrator's Report

Laurelwood Housing Issues

NOPE is having a briefing on August 3rd at the Municipal Building to discuss their issues and what progress they have made with the State Legislatures and the Federal.

State Health Benefits Program

The Borough has received notice that the health insurance benefits have increased between 16 and 20% for 2010.

Monmouth County Improvement Authority 2005 Lease Purchase Agreement Amendment

This amendment will allow the use of funds to purchase dumpsters for the residential trash collection in the condominium complexes. Collection is currently being done with rear loading vehicles with two employees per vehicle. The front loader will use only one person. The Borough has all the necessary vehicles to provide the collations, just lacks the necessary dumpsters.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Director of Law’s Report – Mr. Nelson

Mr. Nelson stated that he took the opportunity to tour the Borough with the Administrator and discussed a number of issues and challenges that the Borough is currently facing which are likely to result in legal matters. Mr. Nelson also advised that he attended a number of meetings and conversations with the former Director of Law, now Special Counsel, Jim Berube, and advised that he feels that the transition is going very smooth.

2009 Municipal Budget

Adoption of 2009 Municipal Budget

Mr. Pfeffer advised that he prepared an amendment to the 2009 budget that accomplishes many of the problems discussed at the July 7th meeting. In addition, the Mayor requested the budget be revisited to see if any additional reductions could be found. The amendment is put forward to reduce our miscellaneous revenues down to an amount that the Borough can realistically collect. The analysis shows that the Borough’s revenues have fallen off dramatically from the end of 2008 and in the beginning of 2009. Mr. Pfeffer stated that he feels the numbers projected in the 2009 budget, he no longer feels the Borough can meet. The net affect of the amendment is that it went from a zero increase to the average homeowner to an increase of \$92.00. It is projected that the overall average homeowner will pay \$110.00 less in taxes in 2009 as opposed to 2008, mainly due to reductions in both school budgets in Tinton Falls.

The major accounts reduced in the budget as far as the revenue lines go are the Municipal Court, Interest on Investments, Uniform Construction Code Revenue and Hotel Tax Revenue.

Council had a lengthy discussion on the budget regarding collective bargaining agreements, surplus and revenues.

Mrs. Mount-Taylor advised Council that the Public Hearing has been held at a previous meeting and was closed. The adoption of the budget was carried to the current date. At this time, the Mayor and Mr. Pfeffer have requested an amendment. The amendment would be placed on the floor and if Council chooses to adopt the amendment, the adoption of the 2009 Municipal Budget would be carried to August 4, 2009 where at that time, the budget would be adopted as amended.

Mayor Skudera advised Council that some items that have been implemented in order to provide costs savings to the Borough are: the prosecutor’s salary is less than the previous year, the Director of Law is not taking health benefits, and the public safety position was decreased. Mayor Skudera added that he is always looking at different ways for cost savings.

R-09-265 2009 Budget Amendment #1

Mrs. Mount-Taylor advised that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:40-9 will be published in The Coaster in the issue of July 23, 2009. That publication will contain notice of a Public Hearing on said amendment to be held at Borough Hall on August 4, 2009 at 7:30 P.M.

Mr. Larkin offered the following Resolution and moved its adoption, seconded by Ms. Fama.

**R-09-265 RESOLUTION OF THE BOROUGH OF TINTON FALLS, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, TO AMEND APPROVED BUDGET IN
ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:4-9**

WHEREAS, the local municipal budget for 2009 was approved on May 5, 2009; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, the Borough Council desires to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, County of Monmouth that the following amendments to the approved budget of 2009 be made:

CURRENT FUND

<u>REVENUES</u>	<u>From</u>	<u>To</u>
Miscellaneous Revenues – Section A:		
Fines and Costs – Municipal Court	\$ 752,000.00	\$ 602,000.00
Interest on Investment and Deposits	600,000.00	306,439.35
Total Miscellaneous Revenues - Section A	1,967,500.00	1,523,939.35
Miscellaneous Revenues – Section C:		
Uniform Construction Code Fees	400,000.00	150,000.00
Total Miscellaneous Revenues – Section C	400,000.00	150,000.00
Miscellaneous Revenues – Section F:		
Clean Communities	0.00	27,177.45
Total Miscellaneous Revenues - Section F	37,920.05	65,097.50

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Miscellaneous Revenues – Section G:		
Hotel Occupancy Tax	390,000.00	290,000.00
Reserve for Sale of Assets	359,920.00	116,100.00
Fort Monmouth Economic Revitalization Planning Authority	0.00	11,250.00
Capital Reserve:		
Historic District	0.00	65,627.86
Total Miscellaneous Revenues – Section G	3,215,970.51	2,949,028.37
Total Miscellaneous Revenues	7,495,221.18	6,561,895.84
5. Subtotal General Revenues	11,195,221.18	10,261,895.84
6. Amount to be Raised by Taxes	10,605,991.52	11,411,814.60
7. Total General Revenues	<u>\$ 21,801,212.70</u>	<u>\$ 21,673,710.44</u>

<u>APPROPRIATIONS</u>	<u>From</u>		<u>To</u>
(A) Operations - Within "CAPS"			
Municipal Clerk:			
Other Expenses	\$ 70,201.00	\$	63,201.00
Administration:			
Other Expenses	58,115.00		62,325.00

<u>APPROPRIATIONS</u> (continued)	<u>From</u>		<u>To</u>
Division of Law:			
Salaries and Wages	153,915.00		183,915.00
Other Expenses	113,000.00		80,000.00
Division of Central Maintenance:			
Salaries and Wages	419,890.00		416,890.00
Division of Streets:			
Salaries and Wages	194,920.00		165,000.00
Other Expenses	114,259.00		120,814.00
Division of Sanitation:			
Salaries and Wages	1,069,817.00		1,048,970.00
Other Expenses	32,813.00		30,883.00
Division of Buildings and Grounds:			
Salaries and Wages	412,000.00		408,645.00
Other Expenses	92,215.00		87,590.00
Maintenance of Parks:			
Salaries and Wages	340,736.00		302,500.00
Police:			
Salaries and Wages	4,498,000.00		4,491,140.00
Other Expenses	294,100.00		285,400.00
Prosecutor:			
Salaries and Wages	50,000.00		45,066.00
Finance:			
Other Expenses	26,910.00		17,725.00
Tax Collector:			
Other Expenses	22,064.00		27,064.00
Zoning:			
Other Expenses	60,095.00		48,595.00
Recreation:			
Other Expenses	194,960.00		191,210.00
Code Enforcement:			
Salaries and Wages	121,240.00		117,030.00
Fire Prevention:			
Salaries and Wages	151,510.00		150,730.00
Municipal Court:			
Salaries and Wages	526,428.00		523,336.00
Insurance:			
Group Insurance	2,082,200.00		2,040,200.00
State Uniform Construction Code:			
Salaries and Wages	309,230.00		308,450.00
Total Operations - Within "CAPS"	15,852,040.00		15,660,101.00
Detail:			
Salaries and Wages	9,926,507.00		9,840,493.00
Other Expenses	5,925,533.00		5,819,608.00
(2) Statutory Expenditures:			
Social Security	740,070.00		731,000.00
Total Deferred Charges and Statutory Expenditures – within "CAPS"	1,991,413.00		1,982,343.00
(H-1) Total General Appropriations for Municipal Purposes – Within "CAPS"	17,843,453.00		17,642,444.00
(A) Operations – Excluded from "CAPS"			
Public and Private Programs Offset by Revenues:			
Clean Communities Grant	0.00		27,177.45

<u>APPROPRIATIONS</u> (continued)	<u>From</u>		<u>To</u>
Total Public and Private Programs Offset By Revenues	46,454.05		73,631.50
Total Operations – Excluded from "CAPS"	335,512.63		362,690.08
Detail:			

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Other Expenses	335,512.63	362,690.08
(C) Capital Improvements – Excluded from “CAPS”		
Historic District – Crawford House	0.00	65,627.86
Total Capital Improvements – Excluded from “CAPS”	110,000.00	175,627.86
(E) Deferred Charges – Excluded from “CAPS”		
Improvements to Hope Road	32,594.65	0.00
Total Deferred Charges – Excluded from “CAPS”	152,594.65	120,000.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	3,098,195.28	3,158,405.94
(O) Total General Appropriations Excluded from “CAPS”	3,098,195.28	3,158,405.94
(L) Subtotal General Appropriations	20,941,648.28	20,800,849.94
(M) Reserve for Uncollected Taxes	859,564.42	872,860.50
9. Total General Appropriations	<u>\$ 21,801,212.70</u>	<u>\$ 21,673,710.44</u>

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in The Coaster in the issue of July 23, 2009 and that said publication contain notice of public hearing on said amendment to be held at the Borough Hall on August 4, 2009 at 7:30 pm.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2009 Local Municipal Budget as amended.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin
NAYS: Dr. Mayer, Mr. Morrill
ABSENT: None
ABSTAIN: None

PETITIONS – None

ORDINANCES FOR INTRODUCTION

Borough Clerk read Ordinance No. 09-1273 entitled: AMENDING CHAPTER XIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS GOVERNING FIRE PREVENTION

Mr. Baldwin offered a motion to introduce Ordinance No. 09-1273, seconded by Mr. Larkin.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Ordinance No. 09-1273 in Full/Ordinance Book No. 4

ORDINANCES FOR FINAL CONSIDERATION – None

PUBLIC DISCUSSION

Mr. Larkin offered a motion to open the Public Discussion, seconded by Dr. Mayer.

ROLL CALL

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

PUBLIC DISCUSSION OPEN

Michael Barrett, 387 Riverdale Avenue West, questioned the outcome of taxes to Borough residents due to the closing of Fort Monmouth.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Mr. Pfeffer responded that there is a feasibility report on what the closing of the Fort would do to the economy of the Borough.

There being no further comments from the public, Mr. Baldwin offered a motion to close the Public Discussion, seconded by Mr. Larkin.

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

RESOLUTIONS

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Ms. Fama.

**R-09-266 RESOLUTION - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO
AMEND THE EQUIPMENT LIST FOR THE 2005 LEASE PURCHASE
AGREEMENT WITH THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY**

WHEREAS, the Director of Public Works has determined that it is in the best interest of the Borough of Tinton Falls to acquire the following equipment including accessories (if applicable) for use by the Department of Public Works; and
Front Loading Dumpsters \$60,000

WHEREAS, the Director of Public Works has also determined that it is in the best interest of the Borough of Tinton Falls to delete the following equipment including accessories (if applicable); and
Metal Storage Building \$33,000

WHEREAS, the Borough Council of the Borough of Tinton Falls authorizes the Chief Financial Officer to utilize excess funds in the 2005 Lease Purchase account to facilitate the purchase of the front loading dumpsters.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the Chief Financial Officer is hereby authorized and directed to amend the equipment list for the 2005 Lease Purchase Agreement with the Monmouth County Improvement Authority and to execute all documents necessary to make such amendments.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Mr. Morrill.

**R-09-267 RESOLUTION - AMENDING RESOLUTION R-09-013 AUTHORIZING
COMPENSATION FOR CERTAIN MUNICIPAL EMPLOYEES IN THE
BOROUGH OF TINTON FALLS, COUNTY OF MONMOUTH**

WHEREAS, it is necessary to amend R-09-013 authorizing compensation for certain municipal employees, more specifically Director, Department of Public Safety, in the Borough of Tinton Falls for the year 2009,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Section 1A- Full Time Employees is hereby assigned the following level of compensation effective July 1, 2009

<u>A. Full Time Employees</u>	<u>Salary</u>
Director, Department of Public Safety	\$8,000.00

Mr. Morrill questioned if John Bucciero, previous Director of Public Safety, was asked if he would have kept the position as Director of Public Safety with the pay cut of \$4, 000, making the salary \$8,000.00. Mr. Morrill stated he questioned same due to Mr. Bucciero's experience in such Department and position.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Mayor Skudera replied that it was his appointment and it has already been made with the appointment of Bryan Dempsey as Director of Public Safety.

Ms. Fama advised that she felt this position should require no additional costs in salary.

ROLL CALL

AYES: Mr. Baldwin, Mr. Larkin, Mr. Morrill
NAYS: Ms. Fama, Dr. Mayer
ABSENT: None
ABSTAIN: None

Ms. Fama offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

**R-09-268 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
TINTON FALLS TO WAIVE (CCO) CONTINUED CERTIFICATE OF
OCCUPANCY FEES UNDER THE EXTENSION OF EXPIRING CONTROLS
PROGRAM AS PERMITTED BY COAH REGULATION**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the application fee for (CCO) Continued Certificate of Occupancy application, in conjunction with the COAH Extension of Expiring Controls Program, under resolution R-09-159, be and are hereby waived.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Mr. Larkin.

**R-09-269 RESOLUTION - AMENDING R-09-155 RELEASING PERFORMANCE
GUARANTEES UPON THE POSTING OF MAINTENANCE GUARANTEES -
CLAYTON BLOCK COMPANY (DBD CONCRETE PLANT & GARAGE) BLOCK
144, LOTS 5.02, 5.04 & 5.05**

WHEREAS, on May 5, 2009 Resolution R-09-155 was approved in accordance with the Engineer's letter dated April 27, 2009; and

WHEREAS, New Jersey Statutes Annotated, more specifically NJSA 40:55D-53.3, provided that a municipality shall not require that a maintenance guarantee be required pursuant to Section 41 of P.L. 1975, c.291 (C.40:55D-53) be in cash; and

WHEREAS, by letter dated July 16, 2009 (said letter hereby attached and made part of this Resolution) the Engineer (Feist Engineering) has recommended the release of the guarantees and the posting of the required maintenance guarantee in accordance with NJSA: 40:55D-53.3.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that R-09-155 is hereby amended that the posting of the maintenance guarantees is in accordance with NJSA 40:53.3 and the developer is not required to post maintenance guarantee in cash.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Ms. Fama offered the following Resolution and moved its adoption, seconded by Mr. Larkin.

R-09-270 RESOLUTION FOR A REGIONAL FEASIBILITY STUDY GRANT

WHEREAS, the Governing Body of the Township of Marlboro as Lead Municipality and the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Union Beach, and the Township of Wall, have agreed to apply for a SHARE (Sharing Available Resources Efficiently) Regional Feasibility Grant through the State of New Jersey Local SHARE Program in the amount of \$417,831.00; and,

WHEREAS, Township of Marlboro has agreed to be the lead agency in this endeavor; and

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

WHEREAS, the Governing Body of the Township of Marlboro is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Union Beach, and the Township of Wall, and

WHEREAS, the State of New Jersey has made SHARE grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of solid waste and recycling collection services that would be beneficial to all local units. This would include things such as technological advances, different methods of solid waste removal, waste flow analysis and data retrieval.

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 the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Union Beach, and the Township of Wall, in applying for a grant for the purpose of a feasibility study.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Mr. Larkin.

**R-09-271 RESOLUTION - REJECTING BID FOR CONTRACT #09-3 HEIL
SANITATION EQUIPMENT REPLACEMENT PARTS**

WHEREAS, bids were received on Thursday, June 4, 2009 at 11:00 AM for the above contract; and

WHEREAS, only one bid was received from Norcia Corporation, 451 Black Horse Lane, North Brunswick, NJ 08902 for a zero (0) discount for Heil Sanitation Equipment replacement parts, plus 10% shipping; and

WHEREAS, the Borough would like to obtain a bid for a percentage discount higher than zero, and will revise the specifications in attempt to do so, and

WHEREAS, the Borough reserves the right to reject bids according to NJSA 40A:11-13.2(d) for the purpose to "substantially revise the specifications for the goods or services" in an attempt to obtain a better discount;

NOW, THEREFORE, BE IT RESOLVED that the bid received from Norcia Corporation be rejected and this contract be rebid.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Ms. Fama offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

**R-09-272 RESOLUTION - AUTHORIZING THE MUNICIPAL CLERK TO EXECUTE A
MAJOR SUBDIVISION MAP FOR WAWA, BLOCK 120, LOTS 20.01 & 20.02**

WHEREAS, a certification for the Municipal Clerk to execute on behalf of the Borough of Tinton Falls for a major subdivision map for the WAWA, Block 120, Lots 20.01, 20.02 appears on the plat, and

WHEREAS, said certification provides that the public streets shown on the final plat conforms with Municipal requirements, and

WHEREAS, by letter dated July 2, 2009 (Hereby attached and made part of this resolution) the Engineer for the Zoning Board has certified that the plat conforms with Municipal requirements and recommends the execution of the plat, and

WHEREAS, the streets are subject to formal acceptance by the Borough Council of the Borough of Tinton Falls upon construction, completion, inspection and the adoption of an ordinance dedicating the same.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the Municipal Clerk, Karen Mount-Taylor is hereby authorized to execute said plat for filing.

BE IT FURTHER RESOLVED that upon execution of the same by the Municipal Clerk, an original copy shall be returned to the applicant for filing.

BE IT FURTHER RESOLVED that said streets shown on plat are subject to future formal acceptance by ordinance dedicating the same upon final inspection and release of required performance guarantees.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Ms. Fama.

**R-09-273 RESOLUTION - AUTHORIZING THE AWARD OF A FAIR AND OPEN
CONTRACT FOR RFP #13-09 PROFESSIONAL GENERAL BOROUGH
PLANNING SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional general planning services for the Borough as a fair and open contract pursuant to the provisions of NJSA 19:44A-20; and

WHEREAS, the Borough has, through a "fair and open" process, advertised on its website and in the Asbury Park Press on Wednesday, June 10, 2009, the solicitation for receipt of proposals for said services and proposals were received and documented on Monday, June 22, 2009; and

WHEREAS, the Borough received ten (10) proposals for Planning Services from various firms which have been reviewed, and it was determined that Heyer, Gruel & Associates, P.A., 63 Church Street, 2nd Floor, New Brunswick, NJ 08901, has satisfied the requisites contained in the request for proposals to be considered for professional general Borough planning services that may be required during the contract year July 1, 2009 through December 31, 2009; and

WHEREAS, this contract is to be awarded for the hourly rate of \$120.00 per hour, as amended, with the certification of funds being provided by the Chief Financial Officer on each voucher for such services; and

WHEREAS, the Director of Law has determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, Heyer, Gruel & Associates, P.A. acknowledged that they comply with Borough Ordinance #05 1146 and certified they have not made any political contributions that would bar them from being awarded a contract with the Borough of Tinton Falls;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls as follows:

1. The firm of Heyer, Gruel & Associates, P.A., 63 Church Street, 2nd Floor, New Brunswick, NJ 08901 is hereby retained to provide professional planning services for the Borough for the hourly rate of \$120.00 per hour, as amended, with certification of funds being provided on each voucher for such services.
2. This contract is awarded through a fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et. Seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Morrill.

Mayor Skudera placed on the record that he would like Alternate #1, Guy Buck, to move to Regular Member to fill the unexpired term of Andrew Mayer and Alternate #2, Steve Giamos, to move to Regular Member to fill the unexpired term of Darrell Wire, both terms to expire December 31, 2009.

Mr. Morrill offered a motion to nominate Andrew Mayer as Council Liaison/Regular Member to the Technical Advisory Committee to fill the unexpired term of Michael Skudera, said term to expire December 31, 2009, seconded by Mr. Baldwin.

There being no further nominations, nominations were closed.

ROLL CALL (on nomination of Andrew Mayer for the position of Council Liaison/Regular Member)

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

R-09-274 RESOLUTION – APPOINTING MEMBERS OF TECHNICAL ADVISORY COMMITTEE

BE IT RESOLVED that the appointment of the below listed persons, made by the Mayor, is hereby confirmed:

Andy Mayer	Council Liaison/ Regular Member	One-Year Term <i>To Fill the Unexpired Term of Michael Skudera</i>	Term to Expire 12/31/2009
Guy Buck	Regular Member	Two-Year Term <i>To Fill the Unexpired Term of Andrew J. Mayer</i>	Term to Expire 12/31/2009
Steve Giamos	Regular Member	Four-Year Term <i>To Fill the Unexpired Term of Darrell Wire</i>	Term to Expire 12/31/2009

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Morrill offered a motion to amend the agenda to include Resolution R-09-286, seconded by Dr. Mayer.

ROLL CALL (on amendment)

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mayor Skudera placed on the record that he would like Richard Jesmajian as Alternate Member #1, to fill the unexpired term to Guy Buck and T.J. Totland as Alternate Member #2, to fill the unexpired term of Steve Giamos, both terms to expire December 31, 2009.

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-286 RESOLUTION – APPOINTING ALTERNATE MEMBERS OF TECHNICAL ADVISORY COMMITTEE

BE IT RESOLVED that the appointment of the below listed persons, made by the Mayor, is hereby confirmed:

Richard Jesmajian	Alternate Member #1	Two-Year Term <i>To Fill the Unexpired Term of Guy Buck</i>	Term to Expire 12/31/2009
T. J. Totland	Alternate Member #2	Two-Year Term <i>To Fill the Unexpired Term of Steve Giamos</i>	Term to Expire 12/31/2009

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Dr. Mayer.

R-09-275 RESOLUTION – APPOINTING MEMBERS OF HISTORIC COMMISSION

BE IT RESOLVED that the appointment of the below listed persons made by the Mayor be and the same is hereby confirmed, said terms to be effective as listed below:

Kathy DeAngelo	Alternate #1	One-Year Term	Term to Expire: July 14, 2010
Oneda Murphy	Alternate #2	Two-Year Term	Term to Expire: February 7, 2011

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Larkin.

**R-09-276 RESOLUTION - SUPPORTING TINTON FALLS FIRE DISTRICT #1
APPLICATION FOR FIREFIGHTER AFG GRANT**

WHEREAS, the Tinton Falls Fire District #1 is seeking alternate funding for fire district projects by filing an application to FEMA for federal funding on two critical projects, and

WHEREAS, one project is to purchase replacement sets of firefighter turnout gear and the other to fund a diesel exhaust system for the Wayside and Pine Brook Fire Stations to protect the volunteers from the harmful cancer causing affects of diesel fumes from emergency apparatus, and

WHEREAS, Fire District #1 is seeking all options possible to lessen the tax burden on our community and by filing an application for federal funding would aid in lessening the tax burden and provide the maintenance for the best firefighting force possible to the Borough of Tinton Falls, and

WHEREAS, the Borough Council of the Borough of Tinton Falls along with the Mayor endorse this application for Firefighter AFG Grant #EMW-2009-FO-04689 and commends the Commissioners of Fire District #1 in seeking alternate funding to lessening the tax burden to the residents during this difficult economical period.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the application for Firefighter AFG Grant #EMW-2009-FO-04689 is hereby endorsed.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Honorable Congressman Rush Holt, Honorable Senator Frank Lautenberg, Honorable Robert Menendez and The Grant Programs Directorate of the Federal Emergency Management Agency.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Morrill.

R-09-277 RESOLUTION - WAIVING SEWER FEES FOR TINTON FALLS EMS SOUTH

WHEREAS, the EMS South squad has requested that the Borough waive fees for its first aid squad building located at 1 Volunteer Way, Tinton Falls; and

WHEREAS, after discussing this matter, the Borough Council has agreed to waive the sewer fees (\$94.75 quarterly) retroactively for the year 2008 and also for the year 2009.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the sewer fees (\$94.75 quarterly) retroactively for the year 2008 and also for the year 2009 are hereby waived for the Tinton Falls EMS South squad building located at 1 Volunteer Way, Tinton Falls.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Larkin offered the following Resolution and moved its adoption, seconded by Dr. Mayer.

**R-09-278 RESOLUTION – HONORING JAMIE CLEARY UPON HIS RETIREMENT
FROM MONMOUTH REGIONAL HIGH SCHOOL DISTRICT**

WHEREAS, Jamie Cleary retired from his position as Superintendent of Monmouth Regional High School on June 30, 2009, and

WHEREAS, Jamie Cleary began his career in education in 1975 working as a Teacher, then Principal and School Business Administrator for Farmingdale and Englishtown, and

WHEREAS, in 1992 Jamie Cleary became the Assistant Superintendent for Monmouth Regional High School, and

WHEREAS, Jamie Cleary’s dedication and devotion to the Monmouth Regional School District is a testimonial of his services over the years at Monmouth Regional, as the Assistant Superintendent and Superintendent, and

WHEREAS, Jamie Cleary has worked among the students and parents in our community and has dealt with the problems and has become a positive and effective influence in the School District, and his enthusiasm and effectiveness has made an excellent constructive contribution to our School District.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Tinton Falls that they hereby extend their sincere appreciation to Jamie Cleary for his services, outstanding leadership and dedication to the Monmouth Regional High School and extend to him sincere best wishes for a long and happy retirement and best wishes in all of his future endeavors.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

ABSTAIN: None

Mr. Baldwin offered the following Resolution and moved its adoption, seconded by Mr. Larkin.

**R-09-279 RESOLUTION – AUTHORIZING CANCELLATION OF MUNICIPAL
CERTIFICATE OF SALE**

WHEREAS, Tax Sale Certificate #2571 was issued to the Borough of Tinton Falls for delinquent sewers on Block 129.10, Lot 59 (31 Jockey Lane), assessed to James Stanton R. Jr., at a tax sale held on June 11, 2009; and,

WHEREAS, James Stanton R. Jr., has redeemed Certificate #2571 by paying the full amount of the 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 #2571 for cancellation.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

Mrs. Mount-Taylor stated that unless Council has something to offer, there are no exceptions.

Mr. Larkin offered the following Resolution and moved its adoption, seconded by Mr. Morrill.

R-09-280 RESOLUTION – APPROVAL OF BILLS – JULY 21, 2009

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending July 21, 2009; 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 Treasurer for approval and payment.

SUMMARY

GENERAL	\$ 119,660.35
TRUSTS	142,266.11
CAPITAL	2,200.00
DEVELOPER ESCROW	8,975.00
GRANT FUND	710.40
SEWER UTILITY	349,821.67
ADDITIONS	<u>1,006,717.20</u>
	\$ 1,630,350.73

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

NAYS: None

ABSENT: None

ABSTAIN: None

CONSENT AGENDA

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-281 RESOLUTION - REFUNDING RECREATION FEES

WHEREAS, during the month of May 2009 fees totaling \$23.00 were paid by a resident of Tinton Falls for a summer camp trip to the Jersey Shore Pirate Ship.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of May 2009;

WHEREAS, during the month of June 2009, the Recreation Superintendent informed the resident the this trip is filled to capacity and her child Danielle will be unable to attend and a refund in the amount of \$23.00 shall be issued. The processing fee of \$10.00 was been waived as the Recreation Department accepted payment and is unable to accommodate the child on this trip.

Betty Carlino	\$23.00
---------------	---------

Total	\$23.00
-------	---------

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$23.00 be issued.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-282 RESOLUTION - REFUNDING STREET OPENING BOND

WHEREAS, on May 26, 2009, Down to Earth Landscaping posted a \$250.00 street opening bond for a street opening on Heritage Boulevard; and

WHEREAS, said money was deposited by the Borough of Tinton Falls; and

WHEREAS, Down to Earth Landscaping has completed street opening and has requested the release of the cash bond held by the Borough; and

WHEREAS by memo dated July 7, 2009, Mark Shaffery, Public Works Foreman, has inspected the location and finds the site to be in accordance with Borough requirements and recommends the release of the cash bond in the amount of \$250.00;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the street opening bond posted by Down to Earth Landscaping for Heritage Boulevard in the amount of \$250.00 be released.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-283 RESOLUTION – REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2009 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Patock, Ruth & Frank J. Jr., Trustees 43 Gilbert Road North Tinton Falls, NJ 07724	18	10	\$49.02

WHEREAS, said error has resulted in an overpayment of the 2009 sewers in the amount of \$49.02, 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 \$49.02 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-284 RESOLUTION – REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2009 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
J&K Quality Restaurants , LLC 26 Lorelei Drive Howell, NJ 07731	15.03	1.01	\$179.74

Re: 588 Shrewsbury Avenue
McDonalds

WHEREAS, said error has resulted in an overpayment of the 2009 sewers in the amount of \$179.74, 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 \$179.74 is hereby approved for the aforementioned property.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-09-285 RESOLUTION – REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2009 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Big League Barbers 4060 Asbury Avenue Tinton Falls, NJ 07753	128.03	23.01 T08	\$236.93

WHEREAS, said error has resulted in an overpayment of the 2009 sewers in the amount of \$236.93, 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 \$236.93 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Larkin offered a motion to move to Workshop, seconded by Mr. Baldwin.

ROLL CALL

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

TIME: 9:00 P.M.

WORKSHOP MEETING

Unfinished Business

Open Space Referendum

Council had a lengthy discussion on the reduction of Open Space tax.

Mr. Nelson advised that if Council chooses, he could have a ballot question drawn up for consideration at the next Council meeting.

Council agreed to have Mr. Nelson draft a ballot question regarding the open space referendum for the August 4, 2009 Council meeting.

At this point in the meeting (9:50 P.M.) Mr. Morrill advised that he had to leave due to work obligations. Deputy Council President, Mr. Baldwin, took over the meeting.

Asbury Avenue

Mr. Baldwin updated Council on the preconstruction meeting he attended regarding Asbury Avenue.

New Business

Noise Ordinance

Mr. Nelson briefly overviewed the noise ordinance and explained the difference between a nuisance ordinance and a noise ordinance.

**REGULAR/WORKSHOP MEETING
JULY 21, 2009
BOROUGH COUNCIL**

At this point in the meeting (10:01 P.M.) Dr.Mayer advised that he had to leave the meeting due to the fact that he has attended via telecommunications and is no longer able to use the conference room as it was only scheduled until 10:00 P.M.

After Council discussed their concerns with having a nuisance/noise ordinance, Mr. Baldwin requested Mr. Nelson draft an ordinance that he feels is reasonable, bearing in mind that Council does not want to add overtime in the Police Department.

Chief Turning, Tinton Falls Police Department, advised that he read the “model” ordinance and stated that the conflict for the Police Department is when they are called to a home, depending on whatever time it may be, the current nuisance ordinance applies automatically. There is no getting past it and they must honor the wishes of the person who is filing the complaint which he stated is not fair. Chief Turning commented that he would like a curfew and a permit in place in order to be fair to all residents, whether it be the residents holding the party or the residents making the complaint.

Benefits Buyout

The topic of a benefits buyout program was briefly discussed and scheduled to be further discussed in detail at a future Council meeting.

ADJOURNMENT

Ms. Fama offered a motion to adjourn the meeting, seconded by Mr. Larkin.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Dr. Mayer, Mr. Morrill

ABSTAIN: None

TIME: 10:12 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

APPROVED AT A MEETING HELD ON: SEPTEMBER 15, 2009