

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

Council President called regular meeting to order at 6:32 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."

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Michael Skudera, Mayor (arrived at 6:50 P.M.)

Brian Nelson, Director of Law

Karen Mount-Taylor, Borough Clerk

Stephen Pfeffer, Chief Financial Officer

For the record, Mr. Morrill and Dr. Mayer advised that they recognized Mr. Baldwin's voice.

All present stood for Salute to Flag.

EXECUTIVE SESSION

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Ms. Fama.

R-10-084 RESOLUTION - TO ENTER EXECUTIVE SESSION

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

WHEREAS, it is recommended by the Director of Law that the Borough Council go into executive session on April 6, 2010 at 6:30 p.m. to discuss matters set forth hereinafter which are permissible for discussion in executive session.

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

- 1) Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)
None
- 2) Personnel Matters – N.J.S.A. 10:4-12(b)(8)
Administrator's Vacancy (ATOD April 2010)
- 3) Contract Negotiations – N.J.S.A. 10:4-12(b)(4)
Host Community Agreement (ATOD July 2010)
- 4) Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)
None

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Morrill advised that at this time Council would adjourn to Executive Session.

Mr. Morrill advised that Council was back on the record at 7:31 P.M.

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Michael Skudera, Mayor

Brian Nelson, Director of Law

Karen Mount-Taylor, Borough Clerk

Stephen Pfeffer, Chief Financial Officer

David Marks, Borough Engineer

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APPROVAL OF MINUTES

Dr. Mayer offered a motion to approve the minutes of February 2, 2010, seconded by Mr. Larkin.

ROLL CALL

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

Dr. Mayer offered a motion to approve the minutes of February 9, 2010, seconded by Mr. Morrill.

ROLL CALL

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

Dr. Mayer offered a motion to approve the minutes of March 9, 2010, seconded by Mr. Larkin.

ROLL CALL

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

REPORTS OF MAYOR/COUNCIL/ADMINISTRATION

Mayor's Report

Mayor Skudera advised Council that he plans on having his budget in their mailbox by the next Council meeting. A lot of cuts have been made in the past couple of months and in light of the Governor's cut in Tinton Falls of approximately \$400,000.00, Administration has been trying to continue making cuts. A meeting was scheduled last week with Administration to look at all angles of the budget. Mayor Skudera advised that he has also reached out to the unions to begin the negotiation process.

Mayor Skudera read the following Proclamations:

Proclamation – Silver Star Banner Day

WHEREAS, the Borough of Tinton Falls has always honored the sacrifice of the men and women in the Armed Forces; and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag; and

WHEREAS, to date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families; and

WHEREAS the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this Borough and Country with Silver Star Banners, Flags and care packages; and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember the sacrificed for this Borough, State and Nation; and

WHEREAS, the people and Mayor of Tinton Falls wish that the sacrifice of so many in our Armed forces never be forgotten;

NOW THEREFORE, I MICHAEL SKUDERA, MAYOR of the Borough of Tinton Falls, do hereby proclaim my appreciation for The Silver Star Families of America and honor their commitment to our wounded Armed Forces members. I hereby declare May 1st "SILVER STAR BANNER DAY", the permanent and official day to honor the wounded and ill soldiers of the Borough of Tinton Falls.

Proclamation – Arbor Day

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday called Arbor Day was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and world; and

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WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other products; and

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, Tinton Falls has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, MICHAEL SKUDERA, Mayor of the Borough of Tinton Falls do hereby proclaim April 30th as

ARBOR DAY

in the Borough of Tinton Falls, and I urge all citizens to support efforts to care for our trees and woodlands and to support our Borough's community forestry program, and FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

Proclamation – National Volunteer Week

WHEREAS, the foundation of a humane and just society is the people's willingness to work together for the common good; and

WHEREAS, volunteerism historically reflects the highest values of our democratic society, in that regardless of the situation, station, age, race, creed, all may volunteer and thus reap the rich rewards that come from giving aid to others, while improving one's own skills and widening one's horizons; and

WHEREAS, Americans are willing and eager to volunteer and bring people together in response to our community's critical needs; and

WHEREAS, our volunteers demonstrate that it is possible to bring people together in response to our community's critical needs; and

WHEREAS, it is the duty of every citizen and leader to honor our dedicated volunteers and celebrate the volunteer programs that contribute to the quality of life in the Borough of Tinton Falls and our surrounding communities.

NOW, THEREFORE, I, MICHAEL SKUDERA, Mayor of the Borough of Tinton Falls, do hereby proclaim the week of April 18 – 24, 2010 as NATIONAL VOLUNTEER WEEK in the Borough of Tinton Falls and urge all citizens to joint me as we celebrate this special week.

Engineer's Report – Mr. Marks

Asbury Avenue & Fox Chase Drive

The Borough supplied a number of concepts for the County and to date they have not provided any comments as to which alternative they want to move forward with nor have they established a construction schedule. Mr. Marks advised that he continues to press them for some kind of answers.

Pine Street & Essex Road

Mr. Marks advised that he spoke with the county representatives this morning and they are in the process of making plan revisions. Their engineer (the County) who did the work is no longer in business. That engineer has supplied them with all the electronic documents as well as the hard documents. The County will be finishing that project "in house" through the engineering department and trying to incorporate the Borough's comments.

Drainage problem at Sycamore Avenue & Homestead Parkway East

The County has completed their preliminary design and the survey requirements; they are currently coordinating the design with the utility company.

Traffic Signal at Sycamore and Hance Avenue

The Borough is interested in talking with the County regarding installing a traffic signal at the intersection of Sycamore Avenue and Hance Avenue. Mr. Marks advised that they will be providing some of the documents that were previously prepared such as the alignment plans.

Road Program

Mr. Marks advised he is awaiting the adoption of the Bond Ordinance so he can move forward with this project.

Street Map update

The last time the Borough's street map was updated was in 2003. Since then the Borough has had substantial development go on and Mr. Marks advised that he has updated the map and presented it to the borough with several changes along with a proposal to Mr. Bucciero and Mayor Skudera for their review.

Energy Audit

The energy audit has been transmitted to the Borough for comment. Councilman Mayer has already taken a look at it and provided feedback on the report.

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Chief Financial Officer's Report – Mr. Pfeffer

Green Grove Road

The TNSA attorney is currently reviewing the sewer agreement and Mr. Pfeffer advised that he is awaiting her comments and in the process of getting the agreement finalized and to Council for their approval.

Director of Law's Report – Mr. Nelson

Mr. Nelson informed Council on the recent Legislation updates.

Borough Clerk's Report – Mrs. Mount-Taylor

The Fire Marshall has distributed to Council the Emergency Operations Plan, which will be signed by the Mayor and transmitted to the Federal Government.

Mrs. Mount-Taylor requested Council amend the agenda to include Raffle Licenses received today by the Tinton Falls Cure Foundation and advised that everything is in order.

Council's Report

Ms. Fama:

- Asked Mr. Marks if he received any feedback regarding the library grant; Mr. Marks replied that as to date, he has not received any information
- Advised that the Library still awaits a rough diagram and costs estimates for the new edition and requested a time frame be established to forward that information to the Library; Mayor Skudera stated that he would have Mr. Bucciero contact the library this week
- Reminded Council and the public that the Tinton Falls Woman's Club dance would be held on April 17th at Gibbs Hall for anyone interested in attending

Mr. Larkin updated Council on the School Board budget.

Dr. Mayer:

- Updated Council on the Technical Advisory Committee and Environmental Commission meetings
- Updated Council on the Community Garden activities at the Crawford House

Council President's Report – Mr. Morrill

Mr. Morrill asked Mr. Marks for a shortfall report for the Liberty Park lighting improvements grant; Mr. Marks advised that he has looked into the project and has investigated in a solar panel system but is still in the process of obtaining price figures.

Mr. Morrill informed Council and Administration that the Community Activities Committee is looking to move Volunteer Day to May and was interested in holding it at the same location as last year. Mr. Morrill advised that they require a deposit and asked Mayor Skudera if those funds would be available in the budget. Mayor Skudera requested Mr. Morrill forward all information such as the deposit due date, deposit amount, etc. so Administration can further discuss options such as maybe combining Volunteer Day with Community Day for possible savings.

Mr. Baldwin advised that next Wednesday the Rose Glen conversion hearing will resume in Borough Hall.

PETITIONS – None

ORDINANCES FOR INTRODUCTION

Borough Clerk read Ordinance No. 10-1293 entitled: ORDINANCE AMENDING CHAPTER 11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS AMENDING CERTAIN FEES ASSESSED BY THE BOROUGH'S BUILDING DEPARTMENT

After questions from Dr. Mayer and Ms. Fama, Mr. Nelson advised that Mr. Costa would be the best person to explain all questions regarding this Ordinance.

Mr. Larkin offered a motion to introduce Ordinance No. 10-1293.

Mr. Morrill advised that Ordinance No. 10-1293 fails for a lack of a second.

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ORDINANCES FOR FINAL CONSIDERATION

Borough Clerk read Ordinance No. 10-1290 entitled: ORDINANCE SETTING SALARIES FOR DEPARTMENT HEADS, STATUTORY EMPLOYEES, MAYOR AND COUNCIL

Mrs. Mount-Taylor advised that Council conducted the Public Hearing, closed the Public Hearing and carried the adoption to this evening.

Mr. Larkin offered a motion to adopt Ordinance No. 10-1290, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Borough Clerk read Ordinance No. 10-1292 entitled: BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,162,900 FOR 2010 ROAD IMPROVEMENT PROGRAM FOR AND BY THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,819,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

Dr. Mayer offered a motion to open the Public Hearing on Ordinance No. 10-1292, seconded by Ms. Fama.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING OPEN

Paul Ford, 7 Helena Street, encouraged Council to vote against Ordinance No. 10-1292.

Nicole Mayer, 46 Sam Drive, questioned if adopted, when this bond would be anticipated to be paid off. Mr. Pfeffer replied that he anticipates that it will have a ten year life. Ms. Mayer voiced her opposition on adopting Ordinance No. 10-1292.

Peter Maclearie, 58 Glenwood Drive, stated that last year, as Mayor, there was a proposed zero percent increase budget and at which time, Council opposed bonding for a road program. Mr. Maclearie questioned why Mayor Skudera would propose a Bond Ordinance for a road program this year when he wouldn't vote for the program last year. Mayor Skudera replied that if the Borough were to have bonded money last year, it would have impacted this year's budget. Between the Governor's cuts, the approximate million dollar budget gap the Borough would have had, plus the increase in salaries and wages for 2010, the Borough would have been looking at approximately 1.5 to 2 million dollars.

Mr. Maclearie questioned how many miles of roads were included in this Ordinance; Mr. Marks replied that this Ordinance includes approximately three miles of road.

Ronald Battista, 40 Riveredge Road, stated that he lives on one of the roads that are included in this Bond Ordinance and feels even though it is a lot of money to be bonded; it is an item that needs to be done.

Leo Christofili, 328 Riveredge Road, requested the Ordinance be carried in order for the Governing Body to have time to consider alternatives.

Charles Lomangino, 3 Helena Street, requested Council not pass the Bond Ordinance and find an alternate way to put the roads in the Borough's budget.

Robert Phillips, 61 Crawford Street, informed Council that outside of New Jersey there are towns which require truck drivers to purchase permits for that particular town before being allowed to travel their roadways. Mr. Phillips suggested, since Tinton Falls receives the most truck traffic in Monmouth County, that the Council look into the contracts Tinton Falls has with businesses in town which pickups

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or deliveries are made and mandate those truckers purchase a permit before being allowed to travel the roadways in Tinton Falls. This proposed option would generate revenue to be used for the repairing of wear and tear to the Borough roads.

Dr. Mayer requested Administration look into this idea. Mr. Nelson advised that it is illegal under the interstate commerce clause and has been upheld by the courts on numerous occasions.

Gary Schecher, 7 Duke Court, stated that he is not in favor of bonding for the roads. Mr. Schecher requested there be a referendum to stop the Open Space Tax and instead have a fund for a Road Program.

Barbara Carol, 225 Riveredge Road, stated that she is not in favor of bonding but feels that Council has to do something to solve the road issues in Tinton Falls.

Linda Kelty, 225 Hockhockson Road, questioned what will be done about sidewalks; Mr. Marks advised that there are a few areas along Hockhockson Road where they are looking into installing sidewalks.

There being no further comments from the public, Dr. Mayer made a motion to close the Public Hearing, seconded by Ms. Fama.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING CLOSED

Mayor Skudera addressed Council regarding the budget last year and advised that his reasoning for not voting for the road program was due to the inflated income side. The income side was approximately \$800,000 off. It would have been a zero percent increase budget however, that \$800,000 would have been carried forward as a negative amount for 2010 along with the \$400,000 the Government took away along with over \$400,000 in mandatory contract increases. Mayor Skudera stated that the Administration has been working very hard to make cuts however, if they had to make up for that much money in one year, there would be numerous police, public works and central service layoffs.

Mayor Skudera also advised that there is nowhere in the budget to put an additional two million dollars in expenditures; doing so would only result in layoffs, which is not where he wants to end up.

Mayor Skudera added that Council has the option of approving the Ordinance as is, amending it to a lesser amount, removing roads, adding roads, etc. but stated that the roads in town have to begin being worked on as they will only continue to get worse.

Mr. Larkin offered a motion to adopt Ordinance No. 10-1292, seconded by Mr. Baldwin.

Ms. Fama questioned why the amount of debt service was not provided in the Ordinance and questioned what outstanding bonds the Borough currently has. Mr. Pfeffer advised that debt service is a line item in the budget and is referred to as principle and interest on bonds. In the Borough's annual audit report, which is on the Borough's website, there is a schedule within the audit report which provides all the bonds and all the principle payments by year.

Council had a lengthy discussion as to different possible ways of accomplishing a road program, questioned debt services if bonded and voiced their opinions and concerns.

Ms. Fama questioned if it would be possible to carry the Ordinance until Council has received and reviewed the Mayor's budget. Mr. Nelson replied that right now there is a motion for the vote on the floor to adopt but should it fail, Council can proceed with whatever option they choose. Mr. Nelson also advised that since there is not a meeting until May, and it would require another meeting to make those changes, the Borough would not be able to complete much of the program this year due to only being able to pave during certain months of the year.

Mr. Morrill asked if anyone wished to rescind their motion and stated if not, Council should proceed with their vote.

Council President called for a vote.

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ROLL CALL

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

Ordinance No. 10-1292 not adopted.

PUBLIC DISCUSSION

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

PUBLIC DISCUSSION OPEN

Beth Hessek, 36 Frontier Way, Chairperson for the Community Activities Committee, advised that the date for Volunteer Appreciation Day was scheduled for May 22 and the place was booked however, she was not sure how long they would hold the spot without receiving a deposit and therefore, requested the Mayor issue the deposit as soon as possible. Ms. Hessek also stated that she did not agree with the idea of combining Volunteer Appreciation Day with Community Day.

Mayor Skudera replied that everyone appreciates the volunteers and nothing was official, however, Administration is looking at all possible ways to save costs.

Ms. Hessek advised that a majority of the monies used for Community Day is raised; the only cost to the town is having the Public Works Department there to clean up.

Nicole Mayer, 46 Sam Drive, stated that the volunteers work 365 days a year without compensation and feels that one day a year to be recognized and appreciated is not too much to ask for.

Michael Stanton, 9 Bowles Lane, commented on the Road Program and the costs of providing for same.

Christina Emrich, 21 Thors Road, commented on the Borough's Volunteer Appreciation Day and requested that this day not be taken away from the volunteers.

Leo Christofili, 328 Riveredge Road

- o Spoke regarding a table of aggregates of taxable and exempt properties in Tinton Falls that he provided to each member of Council; Mayor Skudera informed Mr. Christofili that a majority of the tax exempt properties belong to Tinton Falls such as the schools, borough property, etc.
- o Requested Mr. Pfeffer provide the amount of interest to be paid for all outstanding bonds over the next ten years at the next meeting

Gina Gundel, 629 Green Grove Road

- o Informed Council that she had an issue with her garbage collection pickup and questioned what the procedure was; Mayor Skudera advised that he would forward this to John Bucciero
- o Stated that the new garbage cans are of less quality and questioned if there was a big savings for the poor quality of same; Mayor Skudera suggested Ms. Gundel send Mr. Bucciero an email outlining her questions
- o Requested Council create an Ordinance requesting all cats in Tinton Falls be licensed. Mr. Pfeffer explained the costs incurred to the Borough for this process.

Peter Maclearie, 58 Glenwood Drive, commented on the Mayor's delay in presenting his budget and eliminating Volunteer Appreciation Day. Mayor Skudera replied that he never stated he was considering eliminating Volunteer Day.

Charles Lomangino, 3 Helena Street, requested the Council President have the Engineer and Chief Financial Officer report, at the next meeting, what other municipalities do for their road program.

John Cahill, 10 Williamsburg Drive, stated that there are a lot of faded signs throughout the Borough that Public Works might want to take a look at. Mr. Cahill also advised that people are bringing their dogs onto the Football field and not cleaning up after them and requested a sign be placed there asking the residents to keep their dogs confined to the dog park and off the fields.

Leo Lomangino, 93 Colonial Drive, questioned the procedure for coming up with amounts for the Salary Ordinance. Mr. Nelson explained the Ordinance to Mr. Lomangino.

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Joe Fama, 36 Gallant Fox Road

- o Questioned where the Mayor stands with selecting a new Borough Administrator; Mr. Nelson stated that there is an anticipated appointment date of May 4, 2010
- o Requested the Council discuss with the Administration some sort of requirement to have all the Department Heads attend the meetings

Gerald Turning, 32 Periwinkle Circle, reported that K-9 Shane, who was a member of the Tinton Falls Police Department with his handler, Patrolman Tom Dennehy, was taken out of service in January and the reasons were evident. Shane had to be euthanized and put to rest three days ago as he was suffering from terminal cancer. Mr. Turning thanked Canine Shane and his handler for the job he did for this Borough for eight years.

Mr. Turning stated that having worked for the Borough for thirty years and having worked with Mayor McNamara, Mayor Maclearie and presently Mayor Skudera along with numerous different council members over the years, they always supported the Tinton Falls Police Department. Mr. Turning, on behalf of the Police Department, thanked Mayor and Council for everything they contributed to the Tinton Falls Police Department during his thirty years of service.

Mr. Morrill thanked Mr. Turning for all his years of dedicated service.

There being no further comments from the public, Dr. Mayer 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

Mr. Larkin advised Ms. Gundell that the SPCA has a farrow cat program and suggested she contact them.

Mr. Larkin informed the public that he was very distressed at the way some of the residents spoke to the professionals and stated that the professionals spend many hours working hard for the residents of this town and they deserve a lot more respect than what they receive.

Dr. Mayer questioned where the Borough stood with the Solar and Wind Ordinance. Mayor Skudera advised that is he is awaiting comments back from the Environmental Commission.

Council Recessed at: 9:43 P.M.

Council Reconvened at: 9:49 P.M.

RESOLUTIONS

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

R-10-085 RESOLUTION – 2010 EMERGENCY TEMPORARY APPROPRIATIONS #2

WHEREAS, due to the expected delay of the adoption of the 2010 municipal budget and contractual obligations and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

| | |
|------------------------------|-----------------|
| CURRENT FUND APPROPRIATIONS: | \$ 5,972,471.00 |
| MUNICIPAL SEWER UTILITY: | \$ 1,762,830.00 |
| | ----- |
| | \$ 7,735,301.00 |
| | ===== |

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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-10-105 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-15 TINTON FALLS C.U.R.E., INC. – CASINO NIGHT

WHEREAS, Tinton Falls C.U.R.E., Inc. has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-15; and

WHEREAS, said license has been forwarded to the Tinton Falls Police Department for their review and no objection was received; and

WHEREAS, the appropriate fees have been received and filed by the Borough Clerk's Office.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License No. RA# 10-15 be and the same is hereby approved as follows:

NAME: TINTON FALLS C.U.R.E., INC.
IDENTIFICATION NO.: 122-4-34402
LOCATION: TINTON FALLS HOLIDAY INN, 700 HOPE ROAD, TINTON FALLS, NJ
DATE: MAY 21, 2010 - 7:00 PM AND 12:00 PM

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 Ms. Fama.

R-10-086 RESOLUTION - AUTHORIZING SALE OF PERSONAL PROPERTY BY PUBLIC ONLINE AUCTION COMMENCING MAY 1, 2010

WHEREAS, the Borough of Tinton Falls and other surrounding municipalities will join together to bring surplus vehicles and miscellaneous equipment to one location for a Public ON-LINE auction starting May 1, 2010 at 9:00 AM EST and closing on Wednesday, May 5, 2009 at 7:00 PM EST; and

WHEREAS, Stephan J. Miranti, Auction Liquidation Services, P.O. Box 1216, Eatontown, NJ 07724 will conduct the on-line auction at a commission rate of 5.5% of the gross selling price; and

WHEREAS, Local Public Contracts Law NJSA 40A:11-36 requires authorization of sale of said property via the adoption of a Resolution; and

WHEREAS, the estimated fair market value of the property to be sold does exceed 15% of the bid threshold; and

WHEREAS, the list of vehicles and items for sale will be published in the Asbury Park Press no earlier than 14 days nor later than 7 days prior to said auction;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Borough be authorized to dispose of Police impound vehicles, Department of Public Works equipment, and any other miscellaneous items received prior to, through the process of a Public ON-LINE auction starting on May 1, 2010 as described above; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract of Stephan J. Miranti Liquidation Services for the Borough of Tinton Falls as specified herein above.

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-10-087 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-09 PTSA MONMOUTH REGIONAL HIGH SCHOOL – ON PREMISES RAFFLE

WHEREAS, The PTSA Monmouth Regional High School has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-09; and

WHEREAS, said license has been forwarded to the Tinton Falls Police Department for their review and no objection was received; and

WHEREAS, the appropriate fees have been received and filed by the Borough Clerk's Office.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License No. RA# 10-09 be and the same is hereby approved as follows:

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NAME: PTSA MONMOUTH REGIONAL HIGH SCHOOL
IDENTIFICATION NO.: 343-5-35212
LOCATION: ONE NORMAN J. FIELD WAY, TINTON FALLS, NJ 07724
DATE: NOVEMBER 11, 2010 TO BE DRAWN AT 7:30 PM

ROLL CALL

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

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

**R-10-088 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-10 PTSA
MONMOUTH REGIONAL HIGH SCHOOL – ON PREMISES RAFFLE**

WHEREAS, The PTSA Monmouth Regional High School has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-10; and
WHEREAS, said license has been forwarded to the Tinton Falls Police Department for their review and no objection was received; and
WHEREAS, the appropriate fees have been received and filed by the Borough Clerk's Office.
NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License No. RA# 10-10 be and the same is hereby approved as follows:

NAME: PTSA MONMOUTH REGIONAL HIGH SCHOOL
IDENTIFICATION NO.: 343-5-35212
LOCATION: ONE NORMAN J. FIELD WAY, TINTON FALLS, NJ 07724
DATE: MAY 7, 2010 TO BE DRAWN BETWEEN 6:30 PM AND 10:00 PM

ROLL CALL

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

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

**R-10-089 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-11 PTSA
MONMOUTH REGIONAL HIGH SCHOOL – ON PREMISES 50-50**

WHEREAS, The PTSA Monmouth Regional High School has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-11; and
WHEREAS, said license has been forwarded to the Tinton Falls Police Department for their review and no objection was received; and
WHEREAS, the appropriate fees have been received and filed by the Borough Clerk's Office.
NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License No. RA# 10-11 be and the same is hereby approved as follows:

NAME: PTSA MONMOUTH REGIONAL HIGH SCHOOL
IDENTIFICATION NO.: 343-5-35212
LOCATION: ONE NORMAN J. FIELD WAY, TINTON FALLS, NJ 07724
DATE: OCTOBER 16, 2010 TO BE DRAWN AT 1:00 pm

ROLL CALL

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

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

**R-10-090 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-12 PTSA
MONMOUTH REGIONAL HIGH SCHOOL – ON PREMISES 50-50**

WHEREAS, The PTSA Monmouth Regional High School has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-12; and
WHEREAS, said license has been forwarded to the Tinton Falls Police Department for their review and no objection was received; and
WHEREAS, the appropriate fees have been received and filed by the Borough Clerk's Office.
NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License No. RA# 10-12 be and the same is hereby approved as follows:

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

NAME: PTSA MONMOUTH REGIONAL HIGH SCHOOL
IDENTIFICATION NO.: 343-5-35212
LOCATION: ONE NORMAN J. FIELD WAY, TINTON FALLS, NJ 07724
DATE: OCTOBER 16, 2010 TO BE DRAWN AT 1:00 pm

ROLL CALL

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

Mr. Nelson advised that he spoke with Counsel for Willowbrook this afternoon and requested this Resolution be carried.

Mr. Morrill offered a motion to carry Resolution R-10-091 to May 4, 2010, seconded by Dr. Mayer.

**R-10-091 RESOLUTION - DENYING RELEASE OF MAINTENANCE GUARANTEES
WILLOWBROOK ESTATES AT SWIMMING RIVER PHASE V, RECREATION FIELD
BLOCK 62, LOT 1.01 AND BLOCK 64, LOT 2**

WHEREAS, the developer has requested the release of Maintenance Guarantees for Willowbrook Estates at Swimming River Phase V, Recreation Field, Block 62, Lot 1.01, and Block 64, Lot 2, and

WHEREAS, BY LETTER DATED March 10, 2010 (said copy herby attached and made part of this resolution), Engineer, (Leon S. Avakian, Inc.) has supplied the developer with a punch list outlining items which need to be addressed prior to the release of maintenance guarantees,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that based on the facts as set forth in Leon S. Avakian, Inc.'s letter of March 10, 2010, that the developer's request for a release of the Maintenance Guarantees be and hereby is denied.

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. Morrill.

**R-10-092 RESOLUTION – RELEASING PERFORMANCE GUARANTEES UPON THE
POSTING OF MAINTENANCE GUARANTEES – PALUMBO/ATTVAL II - BLOCK 123
LOT 51.03**

WHEREAS, the developer has requested the release of Performance Guarantees posted for Palumbo/ATTVAL II, Block 123 Lot 51.03

WHEREAS, by letter dated March 15, 2010, the Borough Engineer (T&M Associates) has recommended the release of the guarantees as the developer has completed all of the improvements subject to the posting of the required maintenance guarantees as set forth in said letter (said letter hereby attached and made part of this Resolution) and the payment of any and all outstanding engineering and inspection fees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Performance Guarantees be released subject to the posting of the required maintenance guarantees and the payment of any and all outstanding engineering and inspection fees.

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 Ms. Fama.

**R-10-093 RESOLUTION – RELEASING PERFORMANCE GUARANTEES UPON THE
POSTING OF MAINTENANCE GUARANTEES – DELISA DEMOLITION BLOCK 144,
LOT 5.03**

WHEREAS, the developer has requested the release of Performance Guarantees posted for DeLisa Demolition, Block 144, Lot 5.03; and

WHEREAS, by letter dated March 18, 2010, the Engineer (Birdsall Engineering) has recommended the release of the guarantees as the developer has completed all of the improvements subject to the posting of the required maintenance guarantees as set forth in said letter (said letter hereby attached and made part of this Resolution) and the payment of any and all outstanding engineering and inspection fees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Performance Guarantees be released subject to the posting of the required maintenance guarantees and the payment of any and all outstanding engineering and inspection fees.

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
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. Morrill.

Ms. Fama offered the following Amendments to resolution R-10-094, seconded by Dr. Mayer.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the Borough is supportive of Senate Bill 917 and its Assembly companion providing that the following amendments are secured in the bill:

(B) (2) Any action to enter into designated redeveloper agreement with the New Jersey Economic Development Authority ("NJEDA").

BE IT FURTHER RESOLVED, that the Borough of Tinton Falls is satisfied with the role of the NJEDA as the designated redeveloper of the site as the loss of 20,000 jobs as a result of the Fort's closure will have a catastrophic impact upon the region, and the NJEDA's experience as a project manager and facilitator of economic growth in New Jersey is the required expertise and experience for a project of this magnitude.

ROLL CALL (on amendment)

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

R-10-094 RESOLUTION - SUPPORTING SENATE BILL 917 AND ASSEMBLY BILL 597, WITH PROPOSED AMENDMENTS, ESTABLISHING FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY (AS AMENDED)

WHEREAS, Senate Bill 917 and Assembly Bill 597 seek to create the local redevelopment authority to implement the redevelopment of Fort Monmouth after its closure in 2011 to be known as the "Fort Monmouth Economic Revitalization Authority"; and

WHEREAS, on November 23, 2009, the Mayor drafted a letter addressing numerous concerns in relation to sections of the former Monmouth Economic Revitalization Authority Act legislation and recommended amendments to the same; and

WHEREAS, on December 3, 2009, many of these suggested amendments were directly addressed by the Senate Economic Growth Committee and carried forward under Senate Bill 917 and Assembly Bill 597; and

WHEREAS, the Borough of Tinton Falls has expressed continued concerns over the input and charge of the host municipalities, namely the inability of the host municipalities to: (a) direct decision making over density changes; and (b) direct decision making authority over any changes to the Fort Monmouth Reuse and Redevelopment Plan; and

WHEREAS, the Mayor and Council of the Borough of Tinton Falls has expressed these fundamental concerns to the primary sponsors of the legislation, Senators Jennifer Beck and Raymond Lesniak, and Assemblymembers Caroline Casagrande and Declan O'Scanlon.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the Borough is supportive of Senate Bill 917 and its Assembly companion providing that the following amendments are secured in the bill:

- (a) The host municipalities maintain control over any density increases from what is currently called for within the Fort Monmouth Reuse and Redevelopment Plan.
- (b) The affirmative vote of seven (7) out of nine (9) members of the Authority be required to undertake the following decisions:
 - 1. Any action to adopt or revise the plan or to adopt or revise the development and design guidelines or land use regulations adopted by the Authority.
 - 2. Any action to enter into designated redeveloper agreement with the New Jersey Economic Development Authority ("NJEDA").
 - 3. Any action to grant variances outside of density variance requests.
 - 4. Any use of Eminent Domain within the project area.
 - 5. Any action to approve the budget of the Authority.

BE IT FURTHER RESOLVED that the Borough of Tinton Falls is satisfied with the role of the NJEDA as the designated redeveloper of the site as the loss of 20,000 jobs as a result of the Fort's closure will have a catastrophic impact upon the region, and the NJEDA's experience as a project manager and facilitator of economic growth in New Jersey is the required expertise and experience for a project of this magnitude.

BE IT FURTHER RESOLVED that the Borough of Tinton Falls is grateful for the support and willingness of Senators Jennifer Beck and Raymond Lesniak along with Assemblymembers Declan O'Scanlon and Caroline Casagrande to advocate for the Borough's concerns under this legislation.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a copy of this Resolution to each of the sponsors of this legislation, the Mayors and Councils of the Boroughs of Oceanport and Eatontown, the Monmouth County Board of Chosen Freeholders, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, and the Governor of the State of New Jersey.

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

ROLL CALL (on R-10-094 as amended)

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

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

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

R-10-095 RESOLUTION – APPROVAL OF BILLS – APRIL 6, 2010

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending April 6, 2010; 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 | \$ 2,563,566.47 |
| TRUSTS | 8,206.12 |
| CAPITAL | 32,019.00 |
| DEVELOPER ESCROW | 2,811.50 |
| DOG FUND | 2,508.80 |
| GRANT FUND | 6,936.65 |
| SEWER UTILITY | 14,547.72 |
| ADDITIONS | <u>\$ 1,572,983.50</u> |
| | \$ 4,203,579.76 |

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 Ms. Fama.

R-10-096 RESOLUTION – REFUND OF ESCROWS TO VARIOUS HOMEOWNERS

WHEREAS, the attached list of applicants have posted escrow monies in conjunction with filing a Land Use application in accordance with the Borough of Tinton Falls Land Use Ordinance; and

WHEREAS, the Zoning Board of Adjustment Assistant, Doug Gotfredsen, has certified the following listed applications are deemed closed and no additional funds for said applications will be required; and

WHEREAS, the Director of the Department of Audit, Accounts & Control has certified said funds are available for release,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the escrow monies are hereby authorized to be released to attached list of applicants.

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 Ms. Fama.

R-10-097 RESOLUTION – REFUNDING RAFFLE LICENSE APPLICATION FEES

WHEREAS, Raffle Application fees in the amount of \$40.00 were received by Margaret Jill McDonald on behalf of the Tinton Falls Woman's Club on March 2, 2010; and

WHEREAS, said Raffle Application fees were deposited in accordance N.J.S.A. 40A:5 et seq.; and

WHEREAS, after the deposit of said checks, it was found that the Raffles were to be held in Eatontown, New Jersey rather than Tinton Falls, New Jersey and therefore, the amount of application fees for both applications were to be refunded to the applicant.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Raffle License Application fees in the amount of \$40.00 be and hereby are refunded to Margaret Jill McDonald.

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Attorney and by the Mortgage Company;

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Taff & Davies 143 Route 70 Toms River, NJ 08755 | 129.09 | 64 | \$895.09 |

Re: Hopler from Muller
4 Fennec Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$895.09 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 \$895.09 be and hereby is 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 Ms. Fama.

R-10-098 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Attorney and by the Mortgage Company;

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Taff & Davies 143 Route 70 Toms River, NJ 08755 | 129.09 | 64 | \$895.09 |

Re: Hopler from Muller
4 Fennec Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$895.09 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 \$895.09 be and hereby is approved for the aforementioned

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 Ms. Fama.

R-10-099 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Attorney and by the Mortgage Company;

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| John J. & Christine Wittmann 158 Silverside Avenue Little Silver, NJ 07739 | 124.15 | 64 | \$867.32 |

Re: Stice/Mendoza from Wittmann
15 Frontier Way

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$867.32 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 \$867.32 be and hereby is approved for the aforementioned property.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

Dr. Mayer offered the following Resolution and moved its adoption, seconded by Ms. Fama.

R-10-100 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Attorney and by the Mortgage Company;

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Charles E. Heck, Jr. 506 Thompson Road Middletown, NJ 07748 | 26.01 | 219 | \$1,146.15 |

Re: Heck to Roszowski
5 Secretariat Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$1,146.15 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 \$1,146.15 be and hereby is 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 Ms. Fama.

R-10-101 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Title Company and by the Mortgage Company;

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Elite Title Group, LLC 22 Ridge Road Lyndhurst, NJ 07071 | 90 | 1.04 | \$2,294.34 |

Re: John Paragano
14 Valencia Drive

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$2,294.34 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 \$2,294.34 be and hereby is 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 Ms. Fama.

R-10-102 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2010 1st quarter taxes on the following property has been paid in error creating an overpayment by the Title Company and by the Mortgage Company;

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Property Transfer Service, Inc. 1013 Route 88 - Suite 2 Point Pleasant, NJ 08742 | 55 | 3.07 | \$3,672.65 |

Re: Kim Dahabsu/Sue Dahabsu
10 Bermet Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$3,672.65 as certified by the Borough Tax Collector.

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$3,672.65 be and hereby is 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 a motion to move into Workshop, seconded by Ms. Fama.

ROLL CALL

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

TIME: 10:04 P.M.

WORKSHOP MEETING

Unfinished Business

Non-Partisan Municipal Elections Discussion

Council discussed moving the Municipal Elections to November in an effort to accomplish costs savings to the Borough as well as a potential larger voter turnout.

Mr. Nelson advised that should Council wish to move forward, he would confirm the effective date being January 1, 2011 and begin preparing an Ordinance for introduction to be placed on the May 4th agenda. Mr. Nelson emphasized to Council that although the Municipal Elections would be moved to November, it would not change the Borough's Faulkner form of Government and the Municipal Election would still remain a non-partisan election. All present councilmembers along with the Mayor would have an extended term of six months and would reorganize in January, rather than in July.

Mrs. Mount-Taylor referred to a memo that she had prepared for Council outlining the Municipal Election expenses incurred to the Borough in 2009, which was last Municipal Election held and advised that, if Council chose to move forward with this, it would average a cost savings to the Borough of approximately \$100,000.00 over a ten year period.

Council agreed that they were in favor of moving forward with holding the Municipal Election in November, together with the General Elections and advised Mr. Nelson to move forward with creating an Ordinance.

New Business

Executive Order No. 2010-02 – Health Benefits Waiver Ordinance

Mayor Skudera advised that the State has opposed their numbers regarding health benefits waivers which affects the Borough's previously adopted Ordinance and therefore, Council would need to amend Ordinance No. 10-1291 to reflect the State's changes.

Mr. Nelson informed Council that the Executive Order was intended to cover the gap period between the effective dates.

Council agreed to create an amended Ordinance and advised Mr. Nelson to move forward with preparing the Ordinance.

NJ Clean Energy

Dr. Mayer informed Council that New Jersey Clean Energy has a Partners Program which allows Environmental Commissions to recover monies based upon various programs that may be offered such as "Project Porch Light". Dr. Mayer stated that he would find out how the Borough would go about participating and report back to Council on the information he receives.

ADJOURNMENT

Dr. Mayer offered a motion to adjourn the meeting, seconded by Ms. Fama.

**REGULAR/WORKSHOP MEETING
APRIL 6, 2010
BOROUGH COUNCIL**

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 10:17 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

APPROVED AT A MEETING HELD ON: MAY 18, 2010