

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

Council President called regular meeting to order at 7:30 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, Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill

ABSENT: None

ALSO PRESENT: Michael Skudera, Mayor  
Brian M. Nelson, Director of Law  
Karen Mount-Taylor, Borough Clerk  
David Marks, Borough Engineer

All present stood for Salute to Flag.

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**APPROVAL OF MINUTES**

Mr. Baldwin offered a motion to approve the minutes of January 5, 2010, seconded by Dr. Mayer.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Morrill

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**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**Mayor's Report**

*Snow Storm*

Mayor Skudera reminded the residents to listen to the radio and view the Borough's website for more information on what the town will be doing with regards to the upcoming snow storm(s). A reverse 911 will also be sent out to all residents who registered.

Mayor Skudera briefly informed the Public of the Public Works routine: around the first two inches of snowfall is when the salt trucks come out and; after two inches the plowing begins. Mayor Skudera also reminded Council and the public that the Public Works Department is down several guys and the guys work long hours.

*PARIS Grant*

The Borough has sent a letter of intent. Someone from the County will be placed in the Clerk's Office for a period of three weeks and help out with the scanning of archives. They will start with the year 2009 and work backwards.

*Monmouth/Ocean Education Services Commission*

Mayor Skudera advised that he received a letter from the Monmouth/Ocean Education Services Commission advising that on November 7, 2009 the Monmouth/Ocean Education Services hosted the Monmouth County Health Department's H1N1 vaccine clinic. It was an enormous undertake as it involved agencies on both the Local and County level. There was an anticipated gathering of over 1,500 people, including children. The clinic was extremely successful and Chief Turning and Cary Costa played a great role in giving direction as well as several of the members of the Police Department.

**Engineer's Report – Mr. Marks**

Mr. Marks advised that he had no report for tonight as there have not been any significant changes in any of the programs.

**Director of Law's Report – Mr. Nelson**

*Sale of Property*

Mr. Nelson advised that he has scheduled a few dates with the Borough Clerk for the sale of the Double A and Forgotson properties to be held on March 9<sup>th</sup> at 10:00 A.M. and will be advertised

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

in the Asbury Park Press on February 22<sup>nd</sup> and March 1<sup>st</sup>. The inspections of properties will be held on March 5<sup>th</sup>. This will be a no minimum bid auction however, Council will have to formally accept any bids that are submitted and has the right to reject any and all bids.

*Executive Order*

The Governor issued an Executive Order which freezes all of COAH's current operations.

*Pension & Benefits Legislation*

Mr. Nelson advised if passed the pension and benefits legislation could have a large impact on the Borough with respect to healthcare contributions and capping sick and vacation day payouts to \$15,000.00.

*Resolution R-10-055*

Mr. Nelson advised that on the agenda is a Resolution to appoint a Municipal Housing Liaison however, the Borough cannot appoint a Liaison while the COAH operations are currently suspended. Mr. Nelson requested Council remove the resolution from the agenda as we do not currently have any borough employees who qualify under the COAH rules that were currently suspended. The Mayor is going to work with the Acting Administrator to find an appropriate employee who can serve in this capacity and carry out the duties of this position.

Administrator's Report

Mayor Skudera advised that John Bucciero was unable to make tonight's Council meeting as he is preparing for the snow storm.

Borough Clerk's Report – Mrs. Mount-Taylor

Mrs. Mount-Taylor reminded Council that on Friday morning she will be leaving the Country and has left contact information with the Director of Law and the Administrator.

Council's Report

Ms. Fama informed Council and the Public that the Library is holding a program called "Pennies for Peace" which will be going on from February 1<sup>st</sup> – March 31, 2010.

Mr. Larkin updated Council on the Tinton Falls Board of Education meetings and upcoming events

Dr. Mayer updated Council on the Technical Advisory Committee meetings.

Mr. Baldwin advised that he had no report for tonight.

Council President's Report – Mr. Morrill

Mr. Morrill updated Council on the Open Space Committee meetings.

The applications for sponsors for Little League are on the Borough's website. If anyone is interested, all the appropriate information can be found on the website; they are looking for team sponsors as well as businesses to sponsors signs.

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**PETITIONS** - None

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**ORDINANCES FOR INTRODUCTION**

Borough Clerk read Ordinance No. 10-1291 entitled: AN ORDINANCE PROVIDING INCENTIVE FOR WAIVER OF HEALTH BENEFITS BY ELIGIBLE EMPLOYEES

Dr. Mayer offered a motion to introduce Ordinance No. 10-1291, seconded by Ms. Fama.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Public Hearing for Ordinance No. 10-1291 to be set at the convenience of the Borough Clerk

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

*Ordinance No. 10-1291 in Full/Ordinance Book No. 4*

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**ORDINANCES FOR FINAL CONSIDERATION** - None

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**PUBLIC DISCUSSION**

Dr. Mayer offered a motion to open the Public Discussion, seconded by Ms. Fama.

**ROLL CALL**

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

**PUBLIC DISCUSSION OPEN**

Leo Christofili, 328 Riveredge Road

- o Questioned if it was decided whether or not R-10-046 should be filed/passed as a Resolution or an Ordinance; Mr. Nelson advised that it was passed as a Resolution at the last Council meeting.
- o Discussed an article regarding the Somer's Property and questioned if the Borough has authorized the sale of that property. Mr. Nelson advised that there is no new information regarding this property.
- o Discussed a February 4, 2010 article from the Hub regarding State Aid
- o Discussed an article in the Gannett Press regarding letters from Frank DeVito, Vice-Chairperson of Open Space Committee, relating to Tinton Falls and State Open Space funds

Denise Catalano, 11 Alpine Trail

- o Complimented the Public Works Department regarding the job they did in cleaning the roads in Tinton Falls
- o Questioned where the Borough stood with regards to the budget process; Mayor Skudera advised that he is still currently finalizing the budget with Mr. Pfeffer and there are a few items still being worked on before it is handed over to Council

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 OPEN**

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**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER** - None

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**RESOLUTIONS**

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

**R-10-045 RESOLUTION – SUPPORTING S762/A2014 REQUIRING STATE TREASURER TO CONDUCT COST-BENEFIT ANALYSIS OF MILITARY-TO-CIVILIAN HOUSING CONVERSION AT NAVAL WEAPONS STATION EARLE AND PLACING MORATORIUM ON ISSUANCE OF CERTAIN STATE PERMITS AND APPROVALS**

WHEREAS, the U.S. Navy no longer requires housing at the Naval Weapons Station Earle (“Earle”);  
and

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

WHEREAS, Laurelwood Homes LLC owns and operates a 300-unit housing development located at Earle, and such development was designed, constructed and operated pursuant to the U.S. Department of Defense's Section 801 military housing program; and

WHEREAS, there have been few military residents occupying the housing in recent years; and

WHEREAS, the Borough of Tinton Falls ("the Borough") is gravely concerned that the U.S. Navy is obligated, under an existing long-term lease with Laurelwood Homes LLC, to permit the company to rent the housing to members of the general public after April 30, 2010; and

WHEREAS, efforts to pass legislation sponsored by Senators Jen Beck and Joe Kyrillos and Assemblymembers Declan O'Scanlon and Caroline Casagrande requiring the State Treasurer to prepare a cost-benefit analysis on the local impact of the military-to-civilian housing conversation and placing a moratorium on certain permits and approvals was tabled from securing final consideration by the State Senate at the close of the last legislative session; and

WHEREAS, this legislation has been reintroduced by its sponsors at the beginning of the new legislative session as Senate Bill No. 762 and Assembly Bill No. 2014; and

WHEREAS, the citizens of New Jersey and the Borough already pay some of the highest property taxes in the country, and these taxes are identified as the top concern among residents; and

WHEREAS, the Borough cannot afford the disproportional educational and other infrastructure improvements required as a result of a sudden influx of new school children without a significant and devastating increase in property taxes; and

WHEREAS, the housing is located within a high security military installation, and the lease of the housing to members of the general public would pose an increased security risk in our community; and

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:

1. The Borough of Tinton Falls urgently requests the Legislature's consideration and passage of Senate Bill No. 762 and Assembly Bill No. 2014 for the Governor's enactment, which would save our residents millions of dollars in property taxes and educational infrastructure costs as well as address a potential significant security risk in our community.
2. That the Borough Clerk transmit a certified copy of this Resolution to Governor Chris Christie, Senator Jennifer Beck, Senator Joe Kyrillos, Assemblywoman Caroline Casagrande, Assemblyman Declan O'Scanlon, United States Representative Rush Holt, the County of Monmouth, and the Mayor and Township Committee of the Township of Colts Neck.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-10-051 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-06  
PTA TINTON FALLS SCHOOLS – ON PREMISES 50-50**

WHEREAS, The PTA Tinton Falls Schools has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-06; 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# 10-06 be and the same is hereby approved as follows:

NAME: PTA TINTON FALLS SCHOOLS  
IDENTIFICATION NO.: 343-5-26489  
LOCATION: HOLIDAY INN, 700 HOPE ROAD, TINTON FALLS, NJ 07724  
DATE: MARCH 12, 2010 TO BE DRAWN BETWEEN 7:00 PM – 12:00AM

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Larkin

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

**R-10-052 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-07  
PTA TINTON FALLS SCHOOLS – ON PREMISES RAFFLE**

WHEREAS, The PTA Tinton Falls Schools has filed an application which has been found to be complete for a Raffle License which has been assigned number RA# 10-07; 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# 10-07 be and the same is hereby approved as follows:

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

NAME: PTA TINTON FALLS SCHOOLS  
IDENTIFICATION NO.: 343-5-26489  
LOCATION: HOLIDAY INN, 700 HOPE ROAD, TINTON FALLS, NJ 07724  
DATE: MARCH 12, 2010 TO BE DRAWN BETWEEN 7:00 PM – 12:00AM

ROLL CALL

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

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

**R-10-053 RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR  
WARDELL ROAD MINOR SUBDIVISION, BLOCK 129.14, LOT 29**

WHEREAS, the developer has requested the release of Maintenance Guarantees for Wardell Road Minor Subdivision, Block 129.14, Lot 29, and

WHEREAS, by letter dated January 19, 2010 (said letter attached and hereby made part of this Resolution), the Engineer (Birdsall Engineering) has certified that all bonded site work is in good condition and recommends the release of the guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Maintenance Guarantees for Wardell Road Minor Subdivision, be released upon the payment of all outstanding inspection fees.

ROLL CALL

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

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

**R-10-054 RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR  
WOODCLIFF ESTATES - COLDER SUBDIVISION, BLOCK 97, LOT 11**

WHEREAS, the developer has requested the release of Maintenance Guarantees for Woodcliff Estates – Colder Subdivision, Block 97, Lot 11, and

WHEREAS, by letter dated January 27, 2010 (said letter attached and hereby made part of this Resolution), the Engineer (Leon S. Avakian, Inc.) has certified that all bonded site work is in good condition and recommends the release of the guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Maintenance Guarantees for Woodcliff Estates – Colder Subdivision, be released upon the payment of all outstanding inspection fees.

ROLL CALL

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

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Dr. Mayer offered a motion to table Resolution R-10-055, seconded by Mr. Morrill.

**R-10-055 RESOLUTION - APPOINTING A MUNICIPAL HOUSING LIAISON**

ROLL CALL (to table)

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

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

**R-10-056 RESOLUTION - AUTHORIZING PURCHASE UNDER STATE CONTRACT**

WHEREAS, the Tinton Falls Police Department is in need of four (4) new police pursuit vehicles; and  
WHEREAS, Chas. S. Winner, Inc., d/b/a Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034-3409 has valid State Contract #A72467 for 2010 Ford Crown Victoria police pursuit vehicles in the

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

amount of \$21,738.00 each as described on attached list for a total amount not to exceed \$86,952.00 for four (4) 2010 Ford Crown Victoria police pursuit vehicles; and

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

WHEREAS, Chief Gerald Turning, Sr., recommends this purchase;

NOW, THEREFORE BE IT HEREBY RESOLVED that the Borough Council authorizes the following purchase under the valid 2010 State Contract:

Four (4) 2010 Ford Crown Victoria  
Police pursuit vehicles @ \$21,738.00 each TOTAL \$86,952.00

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-10-057 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:

Stacey Slowinski	Four-Year Term	Said Term to Expire: February 7, 2014
Linda Zuccaro	Four-Year Term	Said Term to Expire: February 7, 2014

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

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Mr. Morrill offered a motion to nominate Maureen Forsman as Alternate Member No. 2 of the Open Space Committee, seconded by Dr. Mayer.

There being no further nominations, nominations were closed.

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

**R-10-058 RESOLUTION – APPOINTING ALTERNATE MEMBER #2 OF OPEN SPACE COMMITTEE**

BE IT RESOLVED, that the appointment of the below listed person is hereby made by the Borough Council of the Borough of Tinton Falls.

Maureen Forsman	Alternate Member #2	Two-Year Term	Said Term to Expire: 6/12/2010
<i>(To Fill the Unexpired Term of Cindy Anderson)</i>			

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

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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-10-059 RESOLUTION – APPROVAL OF BILLS – FEBRUARY 9, 2010**

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending February 9, 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.

**REGULAR/WORKSHOP MEETING  
FEBRUARY 9, 2010  
BOROUGH COUNCIL**

SUMMARY

GENERAL	\$ 32,404.74
TRUSTS	4,225.00
DEVELOPER ESCROW	9,633.96
GRANT FUND	25,452.72
SEWER UTILITY	1,581.50
ADDITIONS	<u>\$ 968,391.99</u>
	\$ 1,041,689.91

ROLL CALL

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

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Dr. Mayer offered a motion to move into Workshop, seconded by Mr. Baldwin.

ROLL CALL

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

TIME: 8:10 P.M.

WORKSHOP MEETING

There were no items of discussion.

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ADJOURNMENT

Mr. Morrill offered a motion to adjourn the meeting, seconded by Dr. Mayer.

ROLL CALL

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

TIME: 8:11 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

**APPROVED AT A MEETING HELD ON: APRIL 6, 2010**