

**REGULAR/WORKSHOP MEETING  
JANUARY 19, 2010  
BOROUGH COUNCIL**

Council President called regular meeting to order at 6:37 P.M.

**EXECUTIVE SESSION**

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

**R-10-020 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 January 19, 2010 at 6:30pm 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)  
None
- 3) Contract Negotiations – N.J.S.A. 10:4-12(b)(4)  
Non-Union Salaries & Wages (ATOD February 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

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Mrs. Mount-Taylor requested that, for the purpose of the record, she read the opening statement before Council enters Executive Session.

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: Mayor Skudera

ALSO PRESENT: John Bucciero, Interim Administrator  
Pasquale Menna, Esq. (Representative for Brian Nelson, Director of Law)  
Karen Mount-Taylor, Borough Clerk  
Stephen Pfeffer, Chief Financial Officer

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

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Mr. Morrill advised that Council was back on the record at 7:30 P.M.

All present stood for Salute to Flag.

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**APPROVAL OF MINUTES** - None

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**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

R-10-021 – Congratulating Monmouth Falcons Pop Warner Junior Midgets Cheer Dance Team  
for the 2009 National Championship

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

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**R-10-021 RESOLUTION – CONGRATULATING THE MONMOUTH FALCONS POP  
WARNER JUNIOR MIDGET CHEER DANCE TEAM FOR THE 2009 NATIONAL  
CHAMPIONSHIP**

WHEREAS, the Monmouth Falcons Pop Warner Junior Midget Cheer Dance Team recently competed in Orlando, Florida for the 2009 Cheer/Dance National Championship, and

WHEREAS, the Monmouth Falcons Pop Warner Junior Midget Cheer Dance Team finished in first place, attaining the National Championship Trophy, and

WHEREAS, the Mayor and Borough Council of the Borough of Tinton Falls is desirous of recording their sentiments of Congratulations on the achievements of the Squad and their coaches;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Tinton Falls, congratulations are hereby extended to the Monmouth Falcons Pop Warner Junior Midget Cheer Dance Team and we send our thanks for the fine manner in which you represent our community.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

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R-10-022 – Congratulating the 10U Tinton Falls Terminators on their USABL National Division  
South Championship

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

**R-10-022 RESOLUTION – CONGRATULATING THE 10U TINTON FALLS  
TERMINATOR TEAM ON WINNING THE USABL NATIONAL DIVISION SOUTH  
CHAMPIONSHIP**

WHEREAS, the sport of baseball, which has expressed the heart and character of America for many years, has been properly recognized as our nation's pastime; and

WHEREAS, the 10U Tinton Falls Terminator Team played a 9 game season, finishing with a 7-2 record, and

WHEREAS, the Team played a superb season together with each member of the team contributing to winning the Division, and

WHEREAS, the Mayor and Borough Council of the Borough of Tinton Falls wishes to congratulate the 10U Tinton Falls Terminator Team on their accomplishment of winning USABL National Division South Championship on November 15, 2009.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Morrill read both Resolutions for the purpose of the record and presented each of the members of the teams with a Proclamation congratulating them on their achievement.

Mr. Morrill advised that unfortunately, Mayor Skudera was unable to attend tonight's meeting however; he wanted to extend his congratulations to the Monmouth Falcons Pop Warner Junior Midgets Cheer Dance Team and 10U Tinton Falls Terminators for their victories.

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Administrator's Report – Mr. Bucciero, Interim

Mr. Bucciero stated that as Acting Administrator, he is still trying to catch up with some of the items that were left behind. They are being worked on, on a daily basis.

The Engineer expects that the engineering webpage will be up and running by next week and that the energy audit is almost complete. Mr. Marks is acquiring some of the bills now; a draft will be prepared and given to Council very shortly.

Mr. Morrill asked Mr. Bucciero to follow-up on a deal that Mr. Dempsey was previously working on with the County to get the Borough land management rights of the Allaire property. The Borough had a one-year agreement; Mr. Dempsey was working on a full-time agreement.

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Chief Financial Officer's Report – Mr. Pfeffer

*2010 Budget Deadline*

The calendar 2010 budget deadlines have been extended by the State. The introduction and adoption dates of the budgets have changed, which has been emailed to Council and posted on the Borough's website. Under the Mayor-Council Faulkner Act, the statutory date of budget transmission from the Mayor to the Council was changed from January 15 to March 19; municipal introduction and approval of budget was changed from February 10 to March 31; municipal adoption was changed from March 20 to May 11.

*Canceling Capital Ordinances*

There is a Resolution on tonight's agenda canceling Capital Ordinances. This cancels balances that are left in Ordinances that have been completed.

*Future Workshop Items*

Mr. Pfeffer stated that he would like to future workshop a Capital Ordinance; Council needs to discuss and create a Resolution regarding Wardell Road.

Mr. Pfeffer further stated that he would like to workshop the Ordinance to Exceed the CAP and establish a CAP Bank.

Report on Issuance of Bond Anticipation Notes

Mr. Pfeffer informed Council that he sold the bond anticipation note on January 14, 2010. It included seven Ordinances. The total of the note was \$2,260,685.00. There were a total of eight bidders and the winning bid was Beneficial Bank at a net interest rate of .7823%.

Director of Law's Report – Mr. Menna (Representative for Mr. Nelson)

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

Borough Clerk's Report – Mrs. Mount-Taylor

Mrs. Mount-Taylor reminded Council of the change in the dates of the February and March meetings. The meetings dates will be February 2, February 9, March 9 and March 16; the March 16<sup>th</sup> meeting will be held at Seabrook Village.

Lastly, Mrs. Mount-Taylor advised that she corrected the language in Resolution R-10-026 as it read "made by the Mayor" and should have read "made by the Borough Council".

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Mrs. Mount-Taylor requested Council amend the agenda to include a petty cash voucher, R-10-042.

Dr. Mayer offered a motion to amend the agenda to include Resolution R-10-042, seconded by Mr. Morrill.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

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Council's Report

Ms. Fama:

- o Advised she received an email regarding the Annual Tinton Falls PTA Dinner Dance, which is schedule for Friday, March 12<sup>th</sup>
- o Updated Council on the Library Committee meetings and stated that the Library used \$20,000.00 from a State Grant which had been issued under the Local Library Aid Fund to add a baby changing station, a curb-side book drop, and new shelving for the children's room

Mr. Larkin stated he had an opportunity to meet informally with Sean Gulden who was recently selected as the new Monmouth County Sheriff and advised that Mr. Gulden was acutely aware of many of the issues facing Tinton Falls as he takes over, specifically those related to Fort Monmouth

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Dr. Mayer:

- o Updated Council on the Technical Advisory Committee, Community Gardens and Environmental Commission meetings
- o Informed Council that Mr. Baldwin and he attended a presentation discussing the different types of liability insurance and training that the Borough could implement to help reduce liability for different cases

Mr. Baldwin:

- o Commented on the liability presentation he attended with Dr. Mayer
- o Updated Council on the Planning Board meetings and advised that due to lack of applicants they have been “cleaning up” administrative procedures

Council’s President’s Report

Mr. Morrill advised that once the weather warms up, the Open Space Committee will be begin the trails at the Crawford House.

Mr. Morrill also advised Council that he met with the representatives of the recreation little league and was advised that they are currently revamping the whole system. A few items they are currently working on involve trying to work with the schools to redo the fields behind the Swimming River School and working with the Activities Committee to try and get sponsors for each team, which would cut down the costs of running the leagues.

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**PETITIONS** – None

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**ORDINANCES FOR INTRODUCTION** - None

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**ORDINANCES FOR FINAL CONSIDERATION**

Borough Clerk read Ordinance No. 10-1287 entitled: AN ORDINANCE AUTHORIZING RENEWAL OF AN INTERLOCAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF RED BANK AND THE BOROUGH OF TINTON FALLS FOR STORAGE OF IMPOUNDED OR SEIZED MOTOR VEHICLES

8:06 P.M. Mr. Menna recused himself from the dais on this Ordinance as it involves an adjacent municipality.

Dr. Mayer offered a motion to open the Public Hearing on Ordinance No. 10-1287, seconded by Mr. Larkin.

**ROLL CALL**

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

**PUBLIC HEARING OPEN**

There being no comments from the public, Mr. Baldwin offered a motion to close the Public Hearing on Ordinance No. 10-1287, seconded by Dr. Mayer.

**ROLL CALL**

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

**PUBLIC HEARING CLOSED**

Dr. Mayer offered a motion to adopt Ordinance No. 10-1287, seconded by Mr. Larkin.

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ROLL CALL

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

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8:07 P.M. At this time Mr. Menna returned to the dais.

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Borough Clerk read Ordinance No. 10-1288 entitled: AN ORDINANCE IMPLEMENTING THE CITIZEN SERVICE ACT

Dr. Mayer offered a motion to open the Public Hearing on Ordinance No. 10-1288, seconded by Mr. Baldwin.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments from the public, Mr. Morrill offered a motion to close the Public Hearing on Ordinance No. 10-1288, seconded by Dr. Mayer.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Larkin offered a motion to adopt Ordinance No. 10-1288, seconded by Mr. Baldwin.

ROLL CALL

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

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Borough Clerk read Ordinance No. 10-1289 entitled: AN ORDINANCE REDUCING OPEN SPACE TAX FROM THREE CENTS (\$.03) TO TWO AND ONE QUARTER CENTS (\$.0225) PER \$100.00 OF ASSESSED VALUE OF REAL PROPERTY PURSUANT TO CERTIFIED RESULTS OF PUBLIC REFERENDUM HELD ON NOVEMBER 3, 2009

Mr. Baldwin offered a motion to open the Public Hearing on Ordinance No. 10-1289, seconded by Dr. Mayer.

ROLL CALL

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

PUBLIC HEARING OPEN

Leo Christofili, 328 Riveredge Road, commented on an article in the newspaper which stated that there was a confusion amongst Tinton Falls voters on the ballot referendums on the State and Borough Open Space questions and clarified that within those ballot referendums of Tinton Falls and the State Open Space tax, there was no confusion as to the question(s) being asked.

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Mr. Christofili questioned if for any future increases in the Open Space dedicated tax of Tinton Falls, is there any legal means whereby Council may cause that any increase in such Open Space arise only from a Council vote and never from a borough-wide assessed reevaluation.

Mr. Menna stated that the reevaluation is ordered on municipalities by the County Board of Taxation; municipalities can challenge it but it is a very cumbersome process to do so.

There being no further comments from the public, Mr. Morrill offered a motion to close the Public Hearing on Ordinance No. 10-1289, seconded by Dr. Mayer.

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC HEARING CLOSED**

Mr. Baldwin offered a motion to adopt Ordinance No. 10-1289, seconded by Ms. Fama.

**ROLL CALL**

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

NAYS: Dr. Mayer, Mr. Morrill

ABSENT: None

ABSTAIN: None

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**PUBLIC DISCUSSION**

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

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC DISCUSSION OPEN**

Denise Catalano, 11 Alpine Trail:

- o Commented on Council's vote on Ordinance No. 10-1289
- o Questioned the January 15<sup>th</sup> Mayor's budget presentation and if Mayor Skudera's presentation took place; Mr. Pfeffer replied that the State pushed back the deadline; the deadline was pushed from January 15<sup>th</sup> to March 19<sup>th</sup>.

Leo Lomangino, 93 Colonial Drive

- o Discussed and inquired upon an issue that the Monmouth County Committee has been requesting of the Borough regarding Tinton Falls drafting an Ordinance implementing the recycling laws; Mr. Bucciero advised Mr. Lomangino that the Borough has considerable Ordinances in place that meet many of the criteria for the Ordinances requested. Currently the Borough is working on the Ordinances which are not currently in place, which is very few. Once compiled, the draft will be forwarded to the Borough Attorney, then to Council for introduction.

Charles Lomangino, 3Helena Street:

- o Requested a CECOM update; Mr. Bucciero replied that there is still ongoing litigation between the developer and contractor. The Borough is also involved in this matter through our previous attorney, Special Counsel, Mr. Berube.
- o Requested the Borough take a look at Heritage Boulevard; Mr. Bucciero advised that he would have someone take a look at Heritage Boulevard and further stated that there is grant money available which is going to be applied to Heritage Boulevard; the Borough Engineer is currently working on it.

Gary Schecher, 7 Duke Court:

- o Commented on the paving on Rutgers Drive and the potholes at the corner of Rutgers Drive and Water Street

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- Asked how much the Borough currently has in the Open Space Fund; Mr. Pfeffer stated that his estimate is approximately 1.4 million dollars that the Borough has in the Open Space Trust Account, which includes a \$500,000.00 payment on an outstanding Bond Anticipation Note related to the acquisition of the Somer's Property the Borough paid out of the Open Space Trust Account.
- Suggested the Borough invest some of the Open Space money into the current Open Space such as beautifying it (maintaining it, cleaning it up, planting new trees, grass, etc.)

Leo Christofili, 328 Riveredge Road, commented on Council's vote relating to Ordinance No. 10-1289.

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

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**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER**

Mr. Larkin commented on Mr. Christofili's statements and explained Council's choice to opt to include the Open Space referendum on the ballot.

Dr. Mayer requested at Council's next meeting Mr. Marks provide an update on the Road Program.

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**RESOLUTIONS**

Mr. Menna requested Council entertain a motion to remove Resolution R-10-005 from the agenda.

Mr. Baldwin offered a motion to remove Resolution R-10-005 from the agenda, seconded by Dr. Mayer.

**R-10-005 RESOLUTION - AUTHORIZING COMPENSATION FOR CERTAIN MUNICIPAL EMPLOYEES IN THE BOROUGH OF TINTON FALLS, COUNTY OF MONMOUTH**

ROLL CALL (to remove from agenda)

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

NAYS: None

ABSENT: None

ABSTAIN: None

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**R-10-023 RESOLUTION – APPOINTING MEMBERS OF ENVIRONMENTAL COMMISSION**

Mrs. Mount-Taylor read the Mayor's appointments into the record.

After a lengthy discussion, Council agreed to carry these Resolutions since they are the Mayor's appointments.

Mr. Menna advised that unless the Borough has an Ordinance that states otherwise, any expired term continues until a successor is qualified or appointed by Council or the Mayor.

Mr. Baldwin offered a motion to carry Resolution R-10-023 to February 2, 2010, seconded by Dr. Mayer.

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ROLL CALL (to carry to 2/2/2010)

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 carry Resolution R-10-024 to February 2, 2010, seconded by Mr. Larkin.

**R-10-024 RESOLUTION – APPOINTING MEMBERS OF TECHNICAL ADVISORY COMMITTEE**

ROLL CALL (to carry to 2/2/2010)

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

NAYS: None

ABSENT: None

ABSTAIN: None

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Ms. Fama offered a motion to carry Resolution R-10-025 to February 2, 2010, seconded by Dr. Mayer.

**R-10-025 RESOLUTION – APPOINTING MEMBERS OF COMMUNITY ACTIVITIES COMMITTEE**

ROLL CALL (to carry to 2/2/2010)

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

NAYS: None

ABSENT: None

ABSTAIN: None

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Mr. Baldwin offered a motion to carry Resolution R-10-026 to February 2, 2010, seconded by Dr. Mayer.

**R-10-026 RESOLUTION – APPOINTING MEMBERS OF OPEN SPACE COMMITTEE**

ROLL CALL (to carry to 2/2/2010)

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-10-027 RESOLUTION – RELEASING PERFORMANCE GUARANTEES UPON THE POSTING OF MAINTENANCE GUARANTEES – AVALON BAY BLOCK 155, LOT 1.01**

WHEREAS, the developer has requested the release of Performance Guarantees posted for Avalon Bay, Block 155, Lot 1.01; and

WHEREAS, by letter dated December 14, 2009, 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.

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.

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**R-10-028 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-04  
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# 10-04; 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# 10-04 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: FEBRUARY 18, 2010 TO BE DRAWN AT 9:00 PM

**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 Mr. Morrill.

**R-10-029 RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA# 10-05  
PTSA MONMOUTH REGIONAL HIGH SCHOOL – OFF 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# 10-05; 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# 10-05 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: March 6, 2010 TO BE DRAWN AT 7:00 PM

**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-10-030 RESOLUTION - CANCELING UNEXPENDED BALANCES OF THE  
GENERAL CAPITAL FUND**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus and unused debt authorizations may be canceled;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following unexpended and dedicated balances of the General Capital appropriations be canceled:

| <u>ORDINANCE<br/>NUMBER</u> | <u>PROJECT<br/>DESCRIPTION</u>     | <u>AMOUNTS TO BE<br/>CANCELED</u> |                 |
|-----------------------------|------------------------------------|-----------------------------------|-----------------|
|                             |                                    | <u>FUNDED</u>                     | <u>UNFUNDED</u> |
| 01-1053                     | Acquisition of Property (Campbell) |                                   | \$ 73,832.35    |
| 06-1179                     | Improvements to Parks              |                                   | \$ 89,960.34    |
| 06-1186                     | Improvements to Hope Road          |                                   | \$ 25,355.35    |
| 04-1132                     | Various Improvements (Parks)       | \$ 3,000.00                       |                 |
|                             | Total                              | \$ 3,000.00                       | \$ 189,148.04   |

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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 Mr. Larkin.

**R-10-031 RESOLUTION CANCELING 2009 BUDGET APPROPRIATIONS CURRENT  
BUDGET AND SEWER UTILITY BUDGET EFFECTIVE DECEMBER 31, 2009**

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus:

|                                      |            |
|--------------------------------------|------------|
| Current Fund: See Attached Sheets    | 300,033.81 |
| Sewer Operating: See Attached Sheets | 216,005.00 |

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the unexpended balances listed below be canceled for the year ended December 31, 2009 against the appropriate fund.

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 Ms. Fama.

**R-10-032 RESOLUTION AMENDING RESOLUTION R-09-433 AUTHORIZING  
PURCHASES THROUGH MONMOUTH COUNTY CO-OP FOR COMMODITIES  
IN 2009**

WHEREAS, the Borough of Tinton Falls adopted Resolution R-09-433 on December 15, 2009 wherein a list of vendors were approved for purchases through the Monmouth County Cooperative Purchasing program for 2009; and

WHEREAS, there are other vendors who were omitted from that list for purchases made in 2009 and should to be added; and

WHEREAS, the additional vendors are listed below;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Borough Council of the Borough of Tinton Falls authorizes purchasing through the Monmouth County Cooperative Purchasing Program under the valid contracts listed below.

| <u>ITEM</u>               | <u>VENDOR</u>               | <u>CONTRACT #</u> |
|---------------------------|-----------------------------|-------------------|
| Sodium Chloride Rock Salt | International Salt Co., LLC | F-46-2009         |
| Janitorial Supplies       | Calico Industries           | F-94-2009         |

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.

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

**R-10-033 RESOLUTION – APPROVAL OF BILLS – JANUARY 19, 2010**

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending January 19, 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.

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SUMMARY

|                  |  |               |
|------------------|--|---------------|
| GENERAL          |  | \$ 133,418.65 |
| TRUSTS           |  | 8,425.00      |
| CAPITAL          |  | 38,305.01     |
| DEVELOPER ESCROW |  | 3,114.00      |
| GRANT FUND       |  | 488.50        |
| SEWER UTILITY    |  | 472.62        |
| ADDITIONS        |  | _____         |
|                  |  | \$ 184,223.78 |

ROLL CALL

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

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CONSENT AGENDA

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

**R-10-034 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2009 to property known as:

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Rite Aid c/o Bruce J. Stavisky, Esq.<br>Stavitsky & Associates, LLC<br>341 Broad Street<br>Clifton, NJ 07013 | 15.03        | 16.06      | \$3,938.23    |

Re: T.F. Associates  
 596 Shrewsbury Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$3,938.23 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 \$3,938.23 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

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

**R-10-035 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2007 taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2007 to property known as:

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Archer & Greiner, P.C. as Trustee for<br>Stavola Leasing, LLC<br>700 Alexander Park - Suite 102<br>Princeton, NJ 08540 | 76.01        | 2          | \$15,002.69   |

Re: Stavola Leasing, LLC  
 620 Tinton Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2007 taxes by the property owner in the amount of \$15,002.69 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 \$15,002.69 is hereby approved for the aforementioned property.

**REGULAR/WORKSHOP MEETING  
JANUARY 19, 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. Baldwin.

**R-10-036 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2008 taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2008 to property known as:

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Archer & Greiner, P.C. as Trustee for<br>Stavola Leasing, LLC<br>700 Alexander Park - Suite 102<br>Princeton, NJ 08540 | 76.01        | 2          | \$18,391.80   |

Re: Stavola Leasing, LLC  
620 Tinton Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2008 taxes by the property owner in the amount of \$18,391.80 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 \$18,391.80 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-10-037 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2009 to property known as:

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Archer & Greiner, P.C. as Trustee for<br>Stavola Leasing, LLC<br>700 Alexander Park - Suite 102<br>Princeton, NJ 08540 | 76.01        | 2          | \$26,609.13   |

Re: Stavola Leasing, LLC  
620 Tinton Avenue

and,

WHEREAS, said reduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$26,609.13 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 \$26,609.13 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-10-038 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Senior Citizens Deduction for the year 2009 to property known as:

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Unice, Richard C. & Joan B.<br>10 Farmedge Lane<br>Tinton Falls, NJ 07724 | 40.02        | 45         | \$250.00      |

and,

**REGULAR/WORKSHOP MEETING  
JANUARY 19, 2010  
BOROUGH COUNCIL**

WHEREAS, said deduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$250.00, 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 \$250.00 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 Mr. Baldwin.

**R-10-039 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Senior Citizens deduction for the year 2009 to property known as:

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Morris, Eugene R. Jr. & Bonnie<br>57 Wardell Road<br>Tinton Falls, NJ 07753 | 129          | 1.01       | \$250.00      |

and,

WHEREAS, said deduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$250.00, 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 \$250.00 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 Mr. Baldwin.

**R-10-040 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Senior Citizens deduction for the year 2009 to property known as:

| <u>Name</u>  | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Slocum, Hiram E. & Nicole J.<br>75 Deer Path Court<br>Tinton Falls, NJ 07724 | 56.02        | 40         | \$250.00      |

and,

WHEREAS, said deduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$250.00, 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 \$250.00 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 Mr. Baldwin.

**R-10-041 RESOLUTION - REFUNDING TAX OVERPAYMENT**

WHEREAS, an overpayment of 2009 taxes has been made as a result of a Senior Citizens deduction for the year 2009 to property known as:

| <u>Name</u>   | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Scordo, Frank & Patricia<br>76 Leland Terrace<br>Tinton Falls, NJ 07724 | 58.01        | 23         | \$250.00      |

and,

**REGULAR/WORKSHOP MEETING  
JANUARY 19, 2010  
BOROUGH COUNCIL**

WHEREAS, said deduction has resulted in an overpayment of the 2009 taxes by the property owner in the amount of \$250.00, 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 \$250.00 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 Mr. Baldwin.

**R-10-042 RESOLUTION – AUTHORIZING PETTY CASH FUNDS**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that petty cash funds be the same are hereby established for the following Departments in the amounts specified:

|  |          |
|--|----------|
| Department of Administration   | \$500.00 |
| Department of Audit, Accounts & Control<br>(Administered by Tax Collector) | \$250.00 |

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 Mr. Larkin.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 8:53 P.M.

WORKSHOP MEETING

New Business

*Purchasing Police Cars (4) under State Contract*

Ms. Fama stated that she spoke with Mr. Pfeffer regarding the purchase of the police cars and was advised that \$100,000.00 is allotted in the budget every year for this purchase. Ms. Fama requested the number of vehicles currently in the Borough's fleet.

Chief Turning advised Council that every year he submits a budget to the Borough to operate the Police Department. In that line item, there is a line item 50/50 which calls for the purchase of four police cars. The Police Department currently has 18 police cars in the patrol fleet. They are the vehicles used to respond to calls. Approximately 14 years ago the Borough faced a problem because they were not replacing police cars which required the purchase of a significant amount of new police cars at one given time. These police cars are required to be purchased before the budget is passed in order to get them in a timely manner as it takes approximately four to five months. Chief Turning stated that if he waits until Council passes the budget, usually sometime in August, he will not receive these cars before November. After a Police Car hits about 100,000 miles, because of the extreme wear and tear on the engine as well as the actual car itself, they have to be rotated.

Chief Turning further explained that as established numerous years ago, they have established a system of replacing four new police vehicles each year to avoid budgetary problems and stated that this line item has not increased in the past sixteen years.

*Maintenance of Open Space*

Ms. Fama advised that she was in agreement with Mr. Schecher's request and asked Mr. Pfeffer if the Borough has a dedicated line in the budget for beautification in the town. Mr. Pfeffer replied that there is a line item in the Open Space budget for maintenance of Open Space property.

**REGULAR/WORKSHOP MEETING  
JANUARY 19, 2010  
BOROUGH COUNCIL**

Mr. Morrill asked Mrs. Carney to come up with beautification ideas within development areas for the Borough's current Open Space. Mrs. Carney explained the commission's process to Mr. Morrill and advised that the Shade Tree Commission has no money available in their budget; they can come up with ideas but have no funds to follow through with it.

Council discussed possible ways to move forward with maintaining and beautifying the Borough's Open Space.

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**ADJOURNMENT**

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

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 9:05 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

**APPROVED AT A MEETING HELD ON: MARCH 16, 2010**