

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

Council President Baldwin 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: Ms. Fama, Mr. Larkin, Dr. Mayer, Mr. Morrill, Mr. Baldwin

ABSENT: None

ALSO PRESENT: Michael Skudera, Mayor  
Gerald Turning, Sr., Administrator  
Michael Supko, Esq. (Representative for Brian Nelson, Director of Law)  
Karen Mount-Taylor, Borough Clerk  
Maureen Murphy, Secretary to the Borough Clerk  
Stephen Pfeffer, Chief Financial Officer  
David Marks, Borough Engineer

\*\*\*\*\*

**EXECUTIVE SESSION - NONE**

\*\*\*\*\*

All present stood for Salute to Flag.

\*\*\*\*\*

**APPROVAL OF MINUTES**

Dr. Mayer offered a motion to approve the minutes of July 6, 2010, seconded by Mr. Morrill.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

Dr. Mayer offered a motion to approve the minutes of July 20, 2010, seconded by Mr. Morrill.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

Dr. Mayer offered a motion to approve the minutes of August 3, 2010, seconded by Mr. Morrill.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

**REPORT OF MAYOR/COUNCIL/ADMINISTRATION**

**2010 MUNICIPAL BUDGET**

R-10-234 2010 Budget Amendment #1 – PUBLIC HEARING

Mr. Baldwin said that tonight they will be holding the Public Hearing on the Municipal Budget Amendment. He asked Mr. Pfeffer to give a report on the budget amendment. They will be discussing only the budget amendment this evening.

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

Mr. Pfeffer said that we went through various appropriations within the budget with all the department heads at the recommendation of Council President. A list of reductions in the budget line items and the intent of the amendment was to come up with seed money for a road program in the future to help offset bonding. This was a recommendation that came from Councilwoman Fama. We have come up with approximately \$50,000 taken from many line items within the borough’s budget. Misc adjustments: small state grant and a technical amendment required by Division of Local Government Services. None of the adjustments affected amount to be raised by taxations or any other revenue line item.

Dr. Mayer offered a motion to open public hearing on the Budget Amendment, seconded by Mr. Morrill.

ROLL CALL

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

PUBLIC HEARING OPENED

QUESTIONS – None

There being no further comments from the public, Mr. Morrill offered a motion to close the Public Hearing, seconded by Dr. Mayer.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Morrill offered a motion to adopt The 2010 Municipal budget as amended, seconded by Ms. Fama.

ROLL CALL

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

\*\*\*\*\*

Mayor Skudera said that they will start next year’s budget tomorrow.

- Reports that there is a decrease in water, and money being spent on it, at the public library. Public works installed a new water service line and it was accomplished at a fraction of what it would have cost if an outside vendor had done it. The library is happy and money is being saved since we’re not wasting water.
- At the Four Park Facilities, there will now be full bathrooms (rather than temporary) starting in August. Public Works also looked over the lighting safety checks and will post emergency numbers to make things better at the parks.
- At Heritage and Wayside, there is a lot of traffic. Plans were made to fix all of this when the whole complex was finished, but there have been a lot of calls about lighting and traffic, so there will be temporary measures for lighting and walking lanes to make the intersection safer for pedestrians. We are starting the ball early to improve safety at that location.

Mr. Marks had a few comments on the many capital projects that he is working on with the county.

- He has sent out requests for updates on the intersection improvements at Fox Chase and Cannonball and Asbury Avenue and Pine Street and Essex Roads, but he has not received them yet. He will notify the council as soon as he hears something.
- With the Sycamore Avenue project, there is a ponding problem at Homestead Parkway East. Working with the utilities company to have utilities relocated. He told them that this must be done prior to bad weather. There is an auxiliary plan to remove water with vacuum trucks but he stressed to utilities that it is imperative to be done before winter weather. The plan is to install a new drainage pipe to capture water and convey it away from the gutter.
- Shafto Road resurfacing – Monmouth County engineer’s office has put together plans to resurface Shafto Road from Hope Road south along Shafto Road to Wandell Road. This will be done over three nights starting on the evening of October 4th and continuing on the fifth and sixth. He will put updates on website and will also change the website should these dates change.
- The Green Grove Road Sewer Laterals preconstruction meeting will be held this Friday September 10th. The meeting was awarded at last council meeting in August. The project should start shortly

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

**231**

because it will have a relatively short construction duration (about a week). He will report to the council when he has definitive dates and schedule after the preconstruction meeting.

- He met today with NJ Clean Communities regarding the EECBG (Energy Efficiency Conservation Block Grant) and their direct install programs. If the Borough chooses to participate, it will get \$50,000 in free money to get mechanical equipment upgrades for energy efficiency. For example, the money will be used to change out boilers, furnaces, etc. in the library and other municipal buildings. The company does a quick audit and you can get upgrades. This program is parallel with the local government energy audit but they are two separate programs. The LGE audit is a longer process, and although there is duplicative effort with the EECBG, the borough will get \$50,000. He will work with Mr. Turning to get the application done. It is a guaranteed funding source.
- Nothing was heard back from the County about Pine Street, but he will email the council with news within the next few days.

Mayor Skudera: At Liberty Park II, the Borough is putting safety lighting in parking light. This project should be finished September 21st. He will let the council know if any dates changes.

Mr. Baldwin gives his many thanks to Gary Gable and his department for everyone's hard work.

Dr. Mayer: When would we be going out for bid for energy audit?

Mr. Marks: We already went out for bid and received them. Just recently got authorization from NJ Clean Communities to award and he will have that on the next agenda for the next meeting on Sept 21st. The audit report is exhaustive because they will go through every building, so we should get the report back within 4-6 months.

Mr. Turning has no report.

Mr. Pfeffer said that he has two items:

- We received the best practices worksheet form the State and we are in the process of completing it. How we score will determine how much state aid is received. Our final state aid is scheduled as \$70,986 and worksheet due back on 10/1. We need to score 80% or better to receive 100% of the aid. The questions cover many areas of government operations.
- We talked about the 2002 bonds at the last meeting and how we had not refunded them yet because, at the time we sold them, the interest rates were that good. The next day I was notified that we will now be able to refund those bonds. The savings appears to be 200,000 - 300,000 over 20 years. We would be issuing 6.845 million to refund 6.2 million. More information for the council as he gets the information from the financial advisor and the bond council but we are planning on moving ahead to capture those savings as soon as we can. There will be resolutions for the council (we already did the ordinance) but we are just now beginning that process.

Mr. Supko is replacing Mr. Nelson who is still on vacation. Mr. Supko has no report.

Mrs. Taylor: She will ask council to amend resolution R-10-251 to include the Mayor's name and her name and Stacey Slowinski's name.

Mr. Baldwin announces that, during the past two weeks, we have interviewed many people and we are delighted to announce that the offer was made to Ms. Maureen Murphy and we are delighted to announce that she has accepted. Applause!

Councilwoman Fama has a few comments:

- She attended a library committee meeting. On October 7 at 7:00 pm at Borough Hall there will be a presentation on e-books. An expert will speak about different e-readers, pros and cons of the technology.
- She attended the WaWa Store opening with members of council. It is a nice addition despite the traffic problems that need to be worked out.
- Women's Club Meeting on September 9. Contact Ms. Fama if you want to attend at [nancyfama@verizon.net](mailto:nancyfama@verizon.net).
- Question to Mr. Turning about lights at Liberty Park. Mr. Turning responded that Public Works has purchased lights for the parking light. They anticipate them to be installed and operational by the September 21st.

Councilman Larkin:

- On August 23rd, he attended the Tinton Falls Board of Education meeting with the Mayor. At the meeting, the board approved a bond proposal for renovations to the middle school, Atchinson school,

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

Swimming River school and administration building. Renovations include reconstruction of access road to Swimming River, repairs to roof, hvac repairs, electrical, mechanical, and building improvements, as well as acquisition of equipment and site work. The total cost 10 ½ million dollars funded by 3 different revenue streams: 1.7 million in available reserve, 4.1 million from grants from the State of New Jersey and 4.7 million from a bond. The bond must be approved by the voters by special election scheduled for September 28. Polls will be open from 3pm – 9pm. There is additional information on the projects on the school district website. If you have questions, email [slarkin@tintonfalls.com](mailto:slarkin@tintonfalls.com) or contact business office at the Tinton Falls Board of Education office.

Councilman Mayer:

- He had a meeting of the technical advisory committee last week. Thank you for getting him in touch with Rich Kelly, telephone and internet provider. They discussed a number of topics including cheap ways of doing email retention (the State might be requiring us to do). Rich will listen to ideas and see how feasible they are. Hopefully there is a cheap way to do it without buying too much software. There also might be an opportunity to support the public and educational government channel that you will hear a presentation on in the next council meeting. This same internet connection can be used as a backup for our Reywood connection. So if something happened to our T1s, we could fail over to the fios internet connection which would provide us with continuous phone and internet service.
- The Environmental Commission had a meeting. Thanks to public works for their support. The pesticide free zone resolution and integrated pest management resolution will hopefully be on the agenda for the next meeting. The Environmental Commission is looking forward to some results. This will hopefully make a policy of some of the great things they are already doing. On September 23, the Environmental Commission will have their meeting at the landfill at 7:30 with a tour of the landfill at 7:00 pm. John would like you to send an email to the Environmental Commission to let them know if you are coming. All of the residents are invited.
- Community Gardens will be giving their presentation at this meeting and hopefully the council will listen to all they have to say. This is a great group of volunteers who have really improved the gardens.

Councilman Merrill:

- Many thanks for everyone’s prayers while he was in the hospital.
- Saturday, September 25 is Tinton Falls Community Day. There are a load of sponsors. The film Willy Wonka will be shown at 7:30 pm. There is a dunk tank and all of the council members should sign up. It’s all free: free admission, free parking. There is a bunch of jumpy rides for the kids, an extrication display by the fire department, a K-9 display by the police department, a mock up smoke house, and music by 107 the Breeze. Thanks to all the sponsors who have made this possible. The rain date will be September 26. It will be located by the soccer fields.

Mr. Baldwin reminds everyone that this day costs the Borough nothing so many thanks to all of the hard-working volunteers, vendors, and sponsors. Now, he will open the floor to Mrs. Catalano who will propose a community garden on Riverdale West.

Denise Catalano has worked as part of the Tinton Falls Community Gardens planning Committee, chairperson for 2009 and 2010 Community Day Table and the lead for the Riverdale West Garden. Mr. Tony Sloan is the farm engineer. At this time, a powerpoint presentation on the proposed second Community Gardens is shown by Ms. Catalano.

Mr. Baldwin said that the Community Garden topic will be brought up again at a future meeting after administrative people can weigh in. The project is promising but the public needs a chance to respond as to potential problems with fencing, traffic impact, and parking. Discussion will be held by the Council.

The clerk will get back to them soon about when the issue will be brought up again. Mr. Supko comments on the Green Acres property.

\*\*\*\*\*

**PETITIONS** – None

\*\*\*\*\*

**ORDINANCES FOR INTRODUCTION**

Borough Clerk asks for amendment to the agenda. Ms. Fama offered a motion to amend the agenda to include Ordinance No. 10-1307, seconded by Mr. Baldwin.

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

ROLL CALL TO AMEND THE AGENDA TO INCLUDE ORDINANCE NO 10-1307

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

Borough Clerk read Ordinance No. 10-1307 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, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,819,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Previously Known as Ordinance No. 10-1292 which was defeated and not adopted.

The Borough Clerk states for the record that a supplementary debt statement is on file. Mr. Pfeffer explains the supplemental debt statement. Mr. Larkin requested that the Clerk read the Ordinance again for the record.

Borough Clerk re-reads the Ordinance No. 10-1307.

Mr. Larkin offers a motion to introduce Ordinance No. 10-1307, seconded by Mr. Morrill.

ROLL CALL

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

Public hearing to be set at the convenience of the Borough Clerk.

Ordinance No. 10-1307 in full/Ordinance Book No. 4.

\*\*\*\*\*

Dr. Mayer offered a motion to introduce Ordinance No. 10-1305, seconded by Ms. Fama.

Borough Clerk read Ordinance No. 10- 1305 entitled: REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH OF TINTON FALLS, NEW JERSEY, APPROPRIATING \$450,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

ROLL CALL

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

Public Hearing to be set at the convenience of the Borough Clerk.

Ordinance No. 10-1305 in full/Ordinance Book No. 4.

\*\*\*\*\*

Dr. Mayer offered a motion to introduce Ordinance No. 10-1306, seconded by Mr. Larkin.

Borough Clerk read Ordinance No. 10- 1306 entitled: AN ORDINANCE READOPTING ORDINANCE NO. 08-1240 – AMENDING LAND USE ORDINANCE – SECTION 40-68 (STORMWATER RUNOFF) OF THE BOROUGH OF TINTON FALLS, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

ROLL CALL

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

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

Public Hearing to be set at the convenience of the Borough Clerk

Ordinance No. 10-1306 in full/Ordinance Book No. 4.

\*\*\*\*\*

ORDINANCES FOR FINAL CONSIDERATION

Dr. Mayer offered a motion to open the Public Hearing on Ordinance No. 10-1303, seconded by Mr. Morrill.

Borough Clerk read Ordinance No. 10-1303 entitled ORDINANCE AMENDING CHAPTER 10 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS GOVERNING PARK RULES AND REGULATIONS

ROLL CALL

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

PUBLIC HEARING OPEN

Dr. Mayer offers a motion to close the public hearing, seconded by Mr. Baldwin.

ROLL CALL

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

PUBLIC HEARING CLOSED

Discussion amongst Council Members as to the smoking regulation and if they are still included. There was discussion to remove it but it is still included in 16 of 10-5. Ms. Fama said that it didn't seem to be in conflict since the other ordinance further defined what a designated area was, but if legal counsel thinks it is in conflict, then they should amend it.

Council will check with legal counsel, Mr. Nelson, to check the intent of the writing.

Ms. Fama offers a motion to carry Ordinance No. 10-1303 to the September 21, 2010 meeting. Seconded by Mr. Morrill.

ROLL CALL

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

\*\*\*\*\*

Mr. Morrill offered a motion to open the Public Hearing on Ordinance No. 10-1304, seconded by Dr. Mayer.

Borough Clerk read Ordinance No. 10-1304 entitled BOND ORDINANCE AMENDING AN ORDINANCE NUMBER 05-1167 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF TINTON FALLS, NEW JERSEY ON DECEMBER 27, 2005

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, seconded by Dr. Mayer.

ROLL CALL

AYES: All in Favor  
NAYS: None

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

ABSENT: None  
ABSTAIN: None

PUBLIC HEARING CLOSED

Mr. Larkin offered a motion to adopt Ordinance No. 10-1304, seconded by Ms. Fama.

ROLL CALL

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

\*\*\*\*\*

PUBLIC DISCUSSION

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

ROLL CALL

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

PUBLIC DISCUSSION OPEN

John Tallerico, PBA President of Local 251:

- Thanks Mayor and Council for establishing ordinance for position of chief
- Here on behalf of PBA, he would like to know how the vacancy will be filled and when they can expect information. They support the Mayor and Council in this matter and hope to hear about the decision soon.

Mr. Baldwin asks the Mayor if he ready to talk about this since this is the Mayor's direct appointment.

Mr. Skudera stated that he wanted to wait until after the Council approved the budget before he proceeded with this. Any announcements he makes will be at the appropriate time.

Mr. Baldwin says that rest-assured, the Mayor will make an announcement. It is the Mayor's direct appointment. Mr. Baldwin comments on the letters received.

Tom Dennehy, State delegate representative for Local 251 and has been a Tinton Falls police officer for 14 years: his opinion is that they do need a leader. It's been 6 months without a clearly defined leader. He congratulated Ms. Mount-Taylor for retirement and congratulated Ms. Murphy for her new appointment. He doesn't understand why there can be such a smooth transition here but not with the police department. He knows that the councilmen have a tough job but the police department has many well defined people who are qualified and well deserving for the job so he doesn't understand why the only response that the police department gets concerning police chief is "when the time is right." The department needs an appointment soon and the police department hopes that the council moves swiftly.

Dr. Mayer comments on the Council's clear message as to the Police Chief Position.

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

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

\*\*\*\*\*

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

Dr. Mayer received an email from a leader from EMS south, Bob Harvey, asking about the budget money they are supposed to receive for 2011 and where it is in the process. Steve Pfeffer said that Mr. Harvey is in the process of getting what him what he needs. Now that the budget is adopted all of the money will be getting to all of the organizations. It is in progress and will happen as soon as Mr. Pfeffer gets all the documentation he needs.

Mr. Turning requested a copy of the PBA letters because he said that he did not receive them. He also asked that they be sent to the Director of Public Safety. Mr. Baldwin will give what he has to the clerk and then she will distribute them. Dr. Mayer comments on the Mayor receiving the letters.

\*\*\*\*\*

**RESOLUTIONS**

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

**R-10-251 AUTHORIZING THE MAYOR TO EXECUTE APPLICANT ASSURANCES FOR NJ HISTORIC TRUST GRANT FOR THE CRAWFORD HOUSE**

BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Mayor Michael Skudera, *Karen Mount-Taylor, Borough Clerk, and Stacey Slowinski, Chair, Historic Preservation Commission*, is hereby authorized to execute the Applicant Assurances Form for the New Jersey Historic Trust Grant for matching funds in the amount of \$125,000.00 for the Crawford House.

At this time, Mr. Morrill offered a motion to amend R-10-251 adding Ms. Slowinski and Ms. Mount-Taylor’s names, seconded by Dr. Mayer.

**ROLL CALL ON AMENDMENT**

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

Mr. Morrill offered Resolution R-10-251 and moved its adoption as amended, seconded by Dr. Mayer.

**ROLL CALL ON RESOLUTION AS AMENDED**

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

\*\*\*\*\*

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

**R-10-246 RESOLUTION – AUTHORIZING THE LOCAL UNIT’S PARTICIPATION IN THE BOND FINANCING PROGRAM OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND AUTHORIZING APPLICATION TO LOCAL FINANCE BOARD FOR ITS CONSENT TO ISSUE REFUNDING BONDS**

WHEREAS, the Borough of Tinton Falls, in the County of Monmouth, State of New Jersey (the “Local Unit”), has previously authored the issuance of bonds or notes to finance the costs of various capital improvements (the “Local Unit Projects”); and

WHEREAS, the Local Unit desires to issue bonds to refund the bonds that were issued to permanently finance the Local Unit Projects; and

WHEREAS, the Local Unit has reviewed the Bond Financing Program proposed by The Monmouth County Improvement Authority (the “MCIA”), whereby the Local Unit would issue Refunding Bonds (collectively, the “Local Unit Bonds”) through the Bond Financing Program of the MCIA; and

WHEREAS, the Local Unit believes that participation in the MCIA’s Bond Financing Program will benefit the Local Unit due to reduced interest costs as a result of a guaranty by the County of Monmouth, State of New Jersey (the “County Guaranty”) on the debt service of the MCIA Bond Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of economic crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Bonds through the Bond Financing Program of the MCIA; and

WHEREAS, such Local Unit Bonds shall be issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-51 et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF TINTON FALLS THAT:

Section 1. The Local Unit hereby authorizes the Local Unit’s participation in the MCIA Bond Financing Program.

Section 2. The Local Unit consents to the MCIA’s application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the “Local Finance Board”) in connection with the Bond Financing Program.

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

Section 3. The Local Unit authorizes the filing of an application to the Local Finance Board for its consent to issue its Local Unit Bonds.

Section 4. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the MCIA and is further authorized to execute one or more bond purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with counsel to the Local Unit.

Section 4. This resolution shall take effect immediately.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-247 RESOLUTION – AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING**

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2010; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Tinton Falls execute a project agreement with Monmouth County to undertake a project known as Crawford House ADA Accessibility Improvements ; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Tinton Falls sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Tinton Falls has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Tinton Falls has met the conditions of receiving a FY 2010 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Tinton Falls is hereby authorized to sign the attached certifications which will become part of the FY 2010 Project Agreement.

Mr. Pfeffer said that these are proformer resolutions from community development block grant. The certification prohibiting the use of excessive force is already on file with the community development block grant from previous applications. That's why it's not attached. On an initial application, you would send it in but they already have it on file.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-248 RESOLUTION – AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 2010 COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Urban-Rural Recovery Act of 1983, as amended; and

WHEREAS, the County of Monmouth expects to receive funds for FY 2010 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for FY 2010 to the U.S. Department of Housing and Urban, which included a project hereinafter referred to as Crawford House ADA Accessibility Improvements with a grant allocation of \$80,037.00; and

WHEREAS, the Borough of Tinton Falls has hereby met all the requirements for the release of funds to begin incurring costs for this project; and

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

WHEREAS, the Borough of Tinton Falls has filed with the Monmouth County Community Development Program an acceptable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE OF GRANT FUNDS," which is included as Appendix I of the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to execute with the County of Monmouth the attached Project Agreement.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-249 RESOLUTION – AUTHORIZING OFFICIAL SIGNATORIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CRAWFORD HOUSE)**

BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Borough Business Administrator and the Chief Financial Officer are hereby authorized to be the official signatories for the Community Development Block Grant (Crawford House)

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-250 RESOLUTION – CANCELING UNEXPENDED BALANCES OF THE GENERAL CAPITAL FUND & D.O.T. GRANT RECEIVABLE SYCAMORE AVENUE SIDEWALKS**

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

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be cancelled due to a D.O.T. Grant Receivable – Sycamore Avenue Sidewalks being canceled;

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

**AMOUNTS TO BE CANCELED**

<b>ORDINANCE NUMBER</b>	<b>PROJECT DESCRIPTION</b>	<b>D.O.T. GRANT RECEIVABLE</b>
07-1215	Road & Recreational Trail Program	\$42,129.49

Ms. Fama asked for clarification. Mr. Pfeffer explained that this is the sidewalk project and the program came in under budget and there was \$42,000 left in the grant that was cancelled out that won't be utilized since it was under-budget. The money stays at the State.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-252 RESOLUTION – AWARD OF CONTRACT #10-4 96 GALLON PLASTIC AUTOMATED / SEMI-AUTOMATED RECYCLING CONTAINERS**

WHEREAS, five (5) bids were received on Thursday, August 12, 2010 for Contract #09-4 for 96 Gallon Plastic Automated/Semi-Automated Containers; and

WHEREAS, Schaefer Systems International, Inc. 10021 Westlake Drive, Charlotte, NC 28210 submitted the lowest responsible bid in the amount of \$39.73 each or \$47,676.00 for 1,200 containers; and

WHEREAS, Schaefer Systems International, Inc. has agreed to extend their bid price two (2) years; and

WHEREAS, the Purchasing Agent has found the bid to be in order and Gary Gebele, Director of Public Works, recommends the award;

NOW, THEREFORE BE IT RESOLVED that Schaefer Systems International, Inc., 10021 Westlake Drive, Charlotte, NC 28210 be awarded a contract in the amount of \$39.73 for each container or \$47,676.00 for 1,200 containers to be ordered throughout the term of the contract.

SEPTEMBER 7, 2010
BOROUGH COUNCIL

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

I hereby certify funds are available contingent upon adoption of the 2010 Municipal Budget from:

Capital Improvement Outside Cap – Automated Containers Account
and Capital Ordinance #09-1286 \$47,696.00

Ms. Fama has a question. The additional 1200 containers – was this in the additional ordinance when we went to single stream or are these from additional monies? Gary Gable said that additional cans and replacement cans were needed but the cost was coming in as considerably lower than anticipated.

ROLL CALL

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

\*\*\*\*\*

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

R-10-253 RESOLUTION – APPROVAL OF BILLS - \$3,878,703.53

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending September 7, 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 Chief Financial Officer for approval and payment.

SUMMARY

Table with 2 columns: Category (GENERAL, TRUSTS, DEVELOPER ESCROW, GRANT, SEWER UTILITY) and Amount (\$ 3,769,746.09, 78,077.08, 18,434.11, 1,397.18, 11,049.07). Total: \$3,878,703.53

ROLL CALL

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

\*\*\*\*\*

CONSENT AGENDA

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

R-10-254 RESOLUTION – REFUNDING ESCROW FEES – WAWA INC. \$1,412.32

WHEREAS, the following listed applicant has posted escrow monies in conjunction with its 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 that the following listed account is deemed closed and no additional funds for said application 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 for the following applicant:

Table with 3 columns: Name (Wawa, Inc.), ID (1350-5254), and Amount (\$1,412.32)

ROLL CALL

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

\*\*\*\*\*

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

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

**R-10-255 RESOLUTION – REFUNDING RECREATION FEES – DENTON \$67.00**

WHEREAS, during the month of June 2010 fees totaling \$77.00 were paid by a resident of Tinton Falls for their child’s participation in our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2010;

WHEREAS, during the month of August 2010, the resident informed the Recreation Superintendent that the child will be unable to participate in the program due to scheduling conflicts and a refund in the amount of \$67.00 shall be issued deducting the \$10.00 processing fee per participant.

Kerri Denton	\$67.00
<hr/>	
Total	\$67.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$80.00 be issued.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-256 RESOLUTION – REFUNDING RECREATION FEES – MATULA \$80.00**

WHEREAS, during the month of June 2010 fees totaling \$90.00 were paid by a resident of Tinton Falls for their child’s participation in our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of June 2010;

WHEREAS, during the month of August 2010, the resident informed the Recreation Superintendent that the child will be unable to participate in the program due to scheduling conflicts and a refund in the amount of \$80.00 shall be issued deducting the \$10.00 processing fee per participant.

Sabina Matula	\$80.00
<hr/>	
Total	\$80.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$80.00 be issued.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-257 RESOLUTION – REFUNDING RECREATION FEES – SODER \$80.00**

WHEREAS, during the month of August 2010 fees totaling \$90.00 were paid by a resident of Tinton Falls for their child’s participation in our Fall Soccer Program.

WHEREAS, said money was deposited by the Borough of Tinton Falls during the month of August 2010;

WHEREAS, during the month of August 2010, the resident informed the Recreation Superintendent that the child will be unable to participate in the program due to scheduling conflicts with an alternate sport and a refund in the amount of \$80.00 shall be issued deducting the \$10.00 processing fee per participant.

Greg and Kim Soder	\$80.00
<hr/>	
Total	\$80.00

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refund in the amount of \$80.00 be issued.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

\*\*\*\*\*

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

**R-10-258 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 16 LOT 1.125 - \$1,964.10**

WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Wells Fargo Real Est. Tax Services, LLC 1 Home Campus MAC #X2302-04 D Des Moines, IA 50328	16	1.125	\$1,964.10

Re: Stein, Sidney & Kamenetsky, Diana  
18 Majestic Drive

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$1,964.10, 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 \$1,964.10 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,964.10.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-259 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 32.01 LOT 94 - \$1,972.53**

WHEREAS, an overpayment of 2009 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Paul C. Toliver 216 Riveredge Road Tinton Falls, NJ 07724	32.01	94	\$1,972.53

and,

WHEREAS, said error has resulted in a overpayment of 2009 3<sup>rd</sup> quarter taxes paid in the amount of \$1,972.53 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 \$1,972.53 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,972.53.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-260 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 33 LOT 25 - \$4,322.02**

WHEREAS, an overpayment of 2010 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner paying twice.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Korin Lam c/o Joosten Kale Realty	33	25	\$4,322.02

REGULAR/WORKSHOP MEETING
SEPTEMBER 7, 2010
BOROUGH COUNCIL

151 Newman Springs Road E.
Shrewsbury, NJ 07702

Re: K. & S. Lam
44 Green Meadow Drive

and,

WHEREAS, said error has resulted in a overpayment of 2010 2nd quarter taxes paid in the amount of \$4,322.02 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$4,322.02 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$4,322.02.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

R-10-261 RESOLUTION - REFUNDING TAX OVERPAYMENT - BLOCK 48.02 LOT 15 - \$1,564.15

WHEREAS, an overpayment of 2010 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

Table with 4 columns: Name, Block, Lot, Amount. Row 1: A.M. Title Agency, Inc., 48.02, 15, \$1,564.15. Address: 6121 Kennedy Blvd. - 1st Floor, North Bergen, NJ 07047.

Re: David M. Kibler & Maritza Seda Kibler
31 Cloverdale Circle

and,

WHEREAS, said error has resulted in a overpayment of 2010 3rd quarter taxes paid in the amount of \$1,564.15 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 \$1,564.15 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,564.15.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

R-10-262 RESOLUTION - REFUNDING TAX OVERPAYMENT - BLOCK 65.01 LOT 6 - \$2,141.95

WHEREAS, an overpayment of 2010 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

Table with 4 columns: Name, Block, Lot, Amount. Row 1: Assured Closing Services, LLC, 65.01, 6, \$2,141.95. Address: 920 Matsonford Road - Ste 250, W. Conshohocken, PA 19428.

Re: Lana Roach
17 Wellington Drive

and,

WHEREAS, said error has resulted in a overpayment of 2010 3rd quarter taxes paid in the amount of \$2,141.95 as certified by the Borough Tax Collector.

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 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 \$2,141.95 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$2,141.95.

ROLL CALL

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

\*\*\*\*\*

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

**R-10-263 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 64.02 LOT 3 - \$4,028.96**

WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Attorney.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Dominic & Tamara Sequeira c/o David Haber, Esq. 621 Shrewsbury Avenue Shrewsbury, NJ 07702	64.02	3	\$4,028.96

Re: 10 Whirlaway Drive

and,

WHEREAS, said error has resulted in a overpayment of 2009 3<sup>rd</sup> quarter taxes paid in the amount of \$4,028.96 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 \$4,028.96 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$4,028.96.

ROLL CALL

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

\*\*\*\*\*

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

**R-10-264 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 79.02 LOT 7 - \$2,083.00**

WHEREAS, an overpayment of 2010 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
BAC Tax Services Corp. Mail Stop, CA6-913-LB-01 P.O. Box 10211 Van Nuys, CA 91499-6089	79.02	7	\$2,083.00

Re: John & Kathleen Hildin  
4 Penn Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 2<sup>nd</sup> quarter taxes paid in the amount of \$2,083.00 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 \$2,083.00 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$2,083.00.

ROLL CALL

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

REGULAR/WORKSHOP MEETING
SEPTEMBER 7, 2010
BOROUGH COUNCIL

ABSENT: None
ABSTAIN: None

\*\*\*\*\*

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

R-10-265 RESOLUTION - REFUNDING TAX OVERPAYMENT - BLOCK 102 LOT 5 - \$2,224.69

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

Table with 4 columns: Name, Block, Lot, Amount. Row 1: Wilko Eschebach & Wendy Lichtig, 330 Hope Road, Tinton Falls, NJ 07724, 102, 5, \$2,224.69

and,

WHEREAS, said error has resulted in a overpayment of 2010 1st quarter taxes paid in the amount of \$2,224.69 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 \$2,224.69 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$2,224.69.

ROLL CALL

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

\*\*\*\*\*

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

R-10-266 RESOLUTION - REFUNDING TAX OVERPAYMENT - BLOCK 124.15 LOT 49 - \$943.42

WHEREAS, a payment of 2010 3rd quarter taxes on the following property has been made in error by the previous homeowner.

Table with 4 columns: Name, Block, Lot, Amount. Row 1: Linda L. Monti, 46 Steeplechase Court, Oceanport, NJ 07757, 124.15, 49, \$943.42

Re: Monti to Rott
24 Frontier Way

and,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$943.42 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of error in payment to be \$943.42.

ROLL CALL

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

\*\*\*\*\*

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

R-10-267 RESOLUTION - REFUNDING TAX OVERPAYMENT - BLOCK 124.50 LOT 243 - \$1,148.50

WHEREAS, an overpayment of 2010 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

Table with 4 columns: Name, Block, Lot, Amount. Row 1: GMAC, c/o Core Logic, 124.50, 243, \$1,148.50

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

Refund Unit DFW 1-3  
1 Core Logic Drive  
West Lake, TX 76262

Re: McNally, Mary  
5 Des Moines Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$1,148.50 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 \$1,148.50 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,148.50.

**ROLL CALL**

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

\*\*\*\*\*

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

**R-10-268 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 124.51 LOT 243 - \$987.80  
(1<sup>ST</sup> QTR)**

WHEREAS, an overpayment of 2010 1<sup>st</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Citi Mortgage P. O. Box 23689 Rochester, NY 14692	124.51	243	\$987.80

Re: Marvin & Myra Imber  
11 Boise Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 1<sup>st</sup> quarter taxes paid in the amount of \$987.80 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 \$987.80 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$987.80.

**ROLL CALL**

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

\*\*\*\*\*

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

**R-10-269 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 124.51 LOT 243 - \$987.80  
(2<sup>ND</sup> QTR)**

WHEREAS, an overpayment of 2010 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Citi Mortgage P. O. Box 23689 Rochester, NY 14692	124.51	243	\$987.80

Re: Marvin & Myra Imber  
11 Boise Court

and,

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

WHEREAS, said error has resulted in a overpayment of 2010 2<sup>nd</sup> quarter taxes paid in the amount of \$987.80 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 \$987.80 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$987.80.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-270 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 124.51 LOT 243 - \$1,058.32 (3RD QTR)**

WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Citi Mortgage P. O. Box 23689 Rochester, NY 14692	124.51	243	\$1,058.32

Re: Marvin & Myrna Imber  
11 Boise Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$1,058.32 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 \$1,058.32 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,058.32.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-271 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 129.09 LOT 81 - \$927.40**

WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Louis S. & Christine E. Yaccarino 21 Fennec Court Tinton Falls, NJ 07753	129.09	81	\$927.40

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$927.40 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 \$927.40 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$927.40.

ROLL CALL

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

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

\*\*\*\*\*

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

**R-10-272 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 129.10 LOT 126 - \$386.80**  
WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Chase Home Financial c/o Core Logic Refunds Unit - DFW 1-3 1 Core Logic Drive West Lake, TX 76262	129.10	126	\$386.80

Re: Guida, Kimberly  
3 Spur Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$386.80 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 \$386.80 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$386.80.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

**R-10-273 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 129.13 LOT 20.11 – \$1,363.18**  
WHEREAS, an overpayment of 2010 3<sup>rd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Homeowner.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Fifth Third Bank c/o Core Logic Refunds Unit - DFW 1-3 1 Core Logic Drive West Lake, TX 76262	129.13	20.11	\$1,363.18

Re: Reno, Denise  
22 Buford Court

and,

WHEREAS, said error has resulted in a overpayment of 2010 3<sup>rd</sup> quarter taxes paid in the amount of \$1,363.18, 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 \$1,363.18 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,363.18.

**ROLL CALL**

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

NAYS: None

ABSENT: None

ABSTAIN: None

\*\*\*\*\*

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

REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL

**R-10-274 RESOLUTION – REFUNDING TAX OVERPAYMENT – BLOCK 129.15 LOT 32.20 - \$1,252.70**

WHEREAS, an overpayment of 2010 2<sup>nd</sup> quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and by the Title Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Colleen Kenny 68 Maywood Run Tinton Falls, NJ 07753	129.15	32.20	\$1,252.70

and,

WHEREAS, said error has resulted in a overpayment of 2010 2<sup>nd</sup> quarter taxes paid in the amount of \$1,252.70 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 \$1,252.70 be and hereby is approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,252.70.

ROLL CALL

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

\*\*\*\*\*

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

**R-10-275 RESOLUTION – REFUNDING SEWER OVERPAYMENT – BLOCK 65.03 LOT 38 - \$94.75**

WHEREAS, 2009 4<sup>th</sup> quarter Sewers on the following property has been paid by the Homeowner and the Title Company creating an overpayment in the year 2010.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>TOTAL</u>
Kevin Brown & Laura Oettinger 8 Yellow Brook Drive Colts Neck, NJ 07722		65.03	38 \$94.75

Prop. Loc: 40 Wellington Drive

and,

WHEREAS, said error has resulted in an overpayment of the 2009 4<sup>th</sup> quarter sewers in the amount of \$94.75, 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 \$94.75 is hereby approved for the aforementioned property.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$94.75.

ROLL CALL

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

\*\*\*\*\*

Dr. Mayer offers a motion to move into workshop, seconded by Ms. Fama.

ROLL CALL

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

Time: 9:03 pm

\*\*\*\*\*

WORKSHOP MEETING

Reconvened at 9:15pm.

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

249

Unfinished business

*Smoking ordinance*

Mr. Supko explains that the smoking ordinance would be a comprehensive ordinance about smoking on municipal grounds and at sponsored events. There is a reference in the ordinance that was up for discussion today regarding parks. It mirrors the language in this proposed ordinance regulating smoking. The Council can address this in 1 of 2 ways: either adopt a comprehensive ordinance on regulating smoking and remove the reference in the parks ordinance or keep the reference in the parks ordinance and adopt the ordinance regulating smoking which is consistent in the language set forth in the comprehensive ordinance. A general discussion is appropriate and then at the next meeting the council can decide how to move forward.

Ms. Fama is not in agreement with the smoking regulation. Just in case the smoking ordinance passes, she doesn't think that the government should be regulating legal activity like this. She has no problem with having designated smoking areas but to say that you can't light up a cigarette in all of our parks, she can't agree with it. No one should be getting a citation for smoking in a park. Maybe instead you can designate areas where you cannot smoke like around a dugout or children but you can smoke anywhere else.

Mr. Larkin said that, as a policy decision, we include in the park ordinance that smoking should be banned from the parks altogether. I get that some people want to leave work and go outside and smoke in an appropriate area. That would be allowed in the smoking ordinance, but I think that as a policy decision, we should ban smoking in parks altogether.

Dr. Mayer agreed with letting the ordinance stand as is and ban smoking from parks. There is an article in the September 6th Time Magazine talking about second hand smoke and there is research at Wells Cornell Medical College that there is solid evidence of genetic changes in airway cells of non-smokers exposed to second hand smoke. Even low levels of smoke have been found to provide genetic defects in the airway.

Mr. Morrill advises that he hates having more government. He is not for smoking no way and no how and the last thing he wants is having someone smoking around him but we can't just ban it from everyplace. We have to have some place where people can go. We shouldn't have smoking in the public vehicles since it is a distraction while driving. However, we shouldn't ban it altogether. We should ban it within a certain amount of feet from children but not everywhere.

Mr. Baldwin agrees. We need to provide a place for smokers and the car certainly isn't a place and neither is in the buildings or around children. If the Mayor and the Administrator have the ability to change the language that the ordinance is written, they should provide a caveat for a designated smoking area but the entryways and doorways is not the place to do it. He defers to his colleagues to determine where the areas might be in parks.

Mr. Supko said that under the current scheme of this ordinance, the mayor could designate these areas. The broader question is whether we should remove the specific reference and then have the overall smoking ordinance dictate it or whether there would be a different standard that would be applied to the parks ordinance.

Ms. Fama said that the municipal grounds piece is still a problem for her. Isn't that a huge task to go through your whole inventory in every venue in town to determine where you could smoke?

Mayor Skudera said that the smoking in cars and smoking by the doors was taken care of long before. He is not in favor of putting in the ordinance.

Mr. Turning said that it would be more of a clarification of the form of ordinance as proposed. As written, it would be prohibition on municipal grounds except for on designated areas. Within that definition of municipal grounds is parks and recreation facilities and municipal complexes. So would there be a smoking ban in the parks through designation in the parks ordinance alone or in this overarching smoking ordinance?

Ms. Fama asked what the current ordinance says.

Mr. Turning said that it is included in the parks ordinance. We will have to ask Ms. Mount-Taylor what it exactly says, but it's not something that is enforced.

Ms. Mount-Taylor reads Section 10-5-16 Borough parks are no smoking facilities except for designated areas. 4-4 smoking in public meeting rooms is restricted and a public meeting shall mean any conducted in the borough conducted by any board. The scope is during the areas of the meeting. Smoking shall be allowed in designated areas outside the meeting room provided that the ventilation is appropriate in

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

compliance with applicable state and local government codes.

Ms. Fama said that she doesn't know why we need another ordinance.

Mr. Supko said that this would be a little bit broader than the one that's currently codified and you would be addressing outside areas and not otherwise restricted to public smoking. That's one main distinction between the existing State law and the one that's as written. The draft as written is meant to be a little more comprehensive.

Ms. Fama said that there seems to be some council members who agree and some who are in disagreement. She suggested putting it up for a vote.

Dr. Mayer said that he would like to see one addition if we are going to allow smoking in the parks that there are some guidelines that smoking must be outside of 100 or 200 feet from playing zones. There should be some guidance so that people are not allowed to smoke near bleachers and other areas.

Ms. Mount-Taylor said that she is unsure if we can amend or add because this is prepared with the State statutes.

Dr. Mayer said that we should add something just like item b in section 2 specifying a minimum distance from ball fields. It would be a useful addition.

Mr. Larkin said that if we passed this then someone would have to go to every borough park that we have and put a sign like a smokers' penalty box. I think that a complete ban would be appropriate, but short of that, then someone will have to go out and put up signs for designated areas in innocuous spots.

Ms. Fama asked what happens if someone decides to smoke outside of that area. Are you going to enforce against it? If a guy smokes next to his child, then is it the government's responsibility to be citing the guy? People do that every day. People smoke in their houses around their kids. What if there is an overzealous officer who is going to cite someone when he is standing 15 feet away instead of 16 feet? I can't agree. I think we should put it up for a vote.

Mr. Larkin said that he is saying that on public property it would be the government's responsibility. If someone is standing next to his own kid that's his problem, but if he is standing around me and my child, then that is my problem. It's looking out for the general well-being.

Dr. Mayer said that he thinks that there is hard scientific evidence now and that even low levels can cause future lung disease risks for lung cancer, and chronic destructive pulmonary disorders, and other things. There's a lot of evidence out there saying that even low levels are serious.

Ms. Fama said that there is a lot of evidence that a lot of things cause cancer and everyone is well aware of it but people still choose to smoke.

Dr. Mayer said that there's a lot more evidence that smoking causes cancer more than cell phone towers.

Mr. Morrill said that he wouldn't have a problem banning it from parks because people are generally there to exercise and they don't need to be around cigarettes. The parks are for kids.

Mr. Larkin said that he thinks it's a healthy statement for us as a community to say that we don't want smoking in our borough parks. Let's take a vote to keep the smoking ordinance the way it is and to try to change the language of the parks ordinance to read that smoking is banned in borough parks. That would be in agreement with section 2 subsection c.

Ms. Mount-Taylor said that she would email Mr. Nelson and she would copy one for introduction at the next meeting. If it's a sizable change, we'll have to re-advertise the ordinance that you carry but we'll run it by the Director.

Mr. Baldwin said that the last thing that to discuss was the bid threshold. Do we really need to raise the threshold from 29 to 36 and everyone he has asked seems to think that it's a smart move.

Mr. Turning said that it allows us to have a spending threshold that's higher than the current one. Regardless of whether we are going out to bid, myself and Mr. Pfeffer will always seek lower prices. Our methodology is always to look for the cheapest price, so the amount of money for the bid threshold is irrelevant. What is relevant is whether or not we and the purchasing agent are all on the same page. Mr. Pfeffer and Mrs. Anderson and I always get second and third quotes so raising the threshold means that we can make a purchase at a higher number and a lower cost.

**REGULAR/WORKSHOP MEETING  
SEPTEMBER 7, 2010  
BOROUGH COUNCIL**

Dr. Mayer asked if Mr. Turning could quantify the cost savings? How much would we save by not going out to bid?

Mr. Turning said that if you were to buy a truck at \$36,000, then you could just buy it. If you were at \$26,000 then you would have to go out to bid. There is cost for the bidding process.

Mr. Pfeffer said that under the threshold, we wouldn't have to go to bid so we don't have comparative numbers. All the bidding statues have a contradiction in the threshold situation with the pay to play which is set at 17,500. Anything over 17,500 theoretically, unless it's a state contract, is coming back to the Council for approval anyway because of the pay to play situation. Administratively, it lets us negotiate easier with the vendors. If we go out to bid then we get sealed bids back and we're set on a number. If we get quotes then we can go back and work the vendor. It gives us more flexibility. It saves publication costs of going to bid. I don't anticipate that going from 29,000 to 36,000 will give a dramatic impact but it allows us to go to a more informal process up to 36,000. Especially when it comes to things like a pickup truck, negotiations will be easier. We can't go to the dealers and bargain. This will give us more leeway.

Mr. Morrill said that it was set at 29,000 five years ago. The average cost of a vehicle goes up 3-5% every year so their request of \$5,000 is not outrageous.

Ms. Mount-Taylor said that she would place it on the next meeting.

\*\*\*\*\*

**ADJOURNMENT**

Mr. Morrill offered a motion to adjourn, seconded by Ms. Fama.

**ROLL CALL**

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 9:45 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

**APPROVED AT A MEETING HELD ON: OCTOBER 19, 2010**