

**REGULAR/WORKSHOP MEETING
JUNE 17, 2008
BOROUGH COUNCIL**

Council President called regular meeting to order at 7:41 P.M.

Borough Clerk read the following statement: "Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by posting on the bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the New Coaster at least 48 hours prior to the meeting."

All present stood for Salute to Flag.

ROLL CALL

PRESENT: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

ABSENT: None

ALSO PRESENT: Mayor Peter Maclearie
W. Bryan Dempsey, Administrator
James Berube, Director of Law
Karen Mount-Taylor, Borough Clerk
Maggie Pereira, Assistant to Borough Clerk
Stephen Pfeffer, Chief Financial Officer
Gerry Freda., Borough Engineer

APPROVAL OF MINUTES

Mr. Tobin offered a motion to approve the minutes of April 24, 2008, seconded by Mr. Morrill.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Presentation of Canine Unit – Bullet Proof Vests Donation

Mr. Tobin stated we have a National award winning K-9 unit here in Tinton Falls that we are very proud of. There have been countless reports in the paper about our dogs. The Humane Society over on Shafto Road worked with us and it turns out that they have a program that can donate vests to us. We are very fortunate that they have donated the two missing vests that we had.

Barbara Lathrop from the Humane Society stated in 1998, one of Monmouth County's K-9s was sent into a house unprotected and was shot to death by a perpetrator. As a result of that situation, the Humane Society took a stand and said this will not happen again in New Jersey and started a fund. The money that comes into the fund comes from schoolchildren, people who have animals, etc. This has been an ongoing project of the last ten (10) years and we buy the best quality vests available because we have the best quality dogs available. We are very proud to be here this evening to present vests to K-9s Shane, and Franko.

Mr. Tobin introduced each of the officers: Ptl. A. Turso, Sgt. G. Turning Jr., and Ptl. T. Dennehey.

Sgt. Gerry Turning Jr. thanked Mr. Tobin for his leadership in this effort. Sgt. Turning stated it is no secret, these dogs are like family to them and to know that they are now protected with the same ballistic protection that they have when we go to these calls really means a lot to him. He was told that this program has been going on for quite some time; he was not aware of it and would not have been without Mr. Tobin's leadership.

Mayor's Report

Mayor Maclearie stated there is a Fort Monmouth (FMERPA) meeting here tomorrow at 7:00 P.M. for anyone in the public that is interested. Last night there was an infrastructure subcommittee meeting which was focused on the Two Rivers Water Reclamation and what the utilities are on the property.

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Council's Report

Mr. Morrill thanked the Open Space Committee for all the hard work they did getting the trail system open last month and would like to thank the Mayor for dedicating it. We are continuing with the public walks on the third Saturday of each month. This month will be Liberty and Pine Brook Park. Next month will be the canoe and kayak tour.

Mr. Ford stated he spoke with the Board of Education President today and he expressed to Mr. Ford some concern with the affordable housing regarding the RCA's. One of those spots is Fort Monmouth. The huge hidden cost that no one realizes is the kids it produces for our schools.

Mr. Tobin advised that Mr. Baldwin and he took the invitation and toured the Mazza site.

Mr. Tobin added that some folks approached him from Pop Warner regarding putting up flag poles at Liberty II.

Lastly, he would like to get a sign on the building so people know the name of our town and gave some suggestions.

Mr. Skudera spoke regarding the resignation of one of the Zoning Board members and stated we will have to make an appointment sometime soon.

Administrators Report

Health Benefits

The SOA Union contract has not been settled. Another meeting will be scheduled to discuss the contract. If the SOA accepts the Borough's proposal then a special meeting will be needed to approve the necessary contract agreements and resolutions.

Web Site

Training was conducted last week with various individuals. Currently individuals are putting department information onto the site. An employee has been assigned fulltime to work on the site and to provide support and coordinate the information and test the site.

We received a Green Communities Grant from the DEP to hire a consultant to Community Forestry Management Plan. We need a Resolution for the next agenda. The grant was for \$3,000; no match required.

Green Grove Sewer inter local is in process of being negotiated with the Township of Ocean Sewer Authority.

The Municipal Storm Water Management Plan and Ordinance received comments from Peter Avaikain regarding proposed changes. This letter was forwarded to Council for their review.

Andy Mayer, Chairman of Technical Advisory Committee came before Council to give an update on the website and stated everything should be up and running the end of July, early August.

Engineer's Report

2008 Road Program

The pre-construction meeting will be tomorrow. They hope to get a schedule and Al Hilla will have a report on same next meeting.

Liberty II Concession Building

This is nearly complete and the keys have been turned over to Bryan's office.

Sycamore Soccer Field Trails

The bids are going out on Monday for advertisement.

Mr. Tobin talked about vandalism in our parks and requested an update at the next meeting on what we are doing to prevent this.

Director of Law's Report

On tonight's agenda, Mr. Berube asked for the courtesies of Council in reversing "G" and "H" on the agenda. Those Ordinances are for introduction, not for final consideration.

As for the DeLisa property, he has been in communication with the attorney for the guardian. There will be one slight change to the contract and he will report on that next meeting.

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Ordinance 08-1247 reflects the request of the Chief at the last meeting to increase the fines for both cars that are abandoned as well as towed during snow emergencies.

On the State tax appeals that have been filed as a result of this year's reevaluation, Mr. Imbriaco has been working feverishly to work through stipulations being settled, particularly on residential appeals and there are now less than 90 pending appeals in the County. They will be heard over three days at the end of July but he anticipates many more will be settled before that time.

Mr. Berube added that he circulated, via email, a Resolution he requested the Council President add to the agenda, which is opposing Senate bill S1783 and A500, which was the bill that was just recently released from Senate Committee dealing with the COAH issues that we have been talking about for months. Mr. Berube also requested a minor amendment to reflect that we are in the twelfth (12th) district and not thirteenth (13th).

Lastly, as to Resolutions R-08-171 and R-08-108, as we do not have sufficient progress to move those, he requested that R-08-171 be carried to a date of choice and R-08-108 not be moved in order to allow the continuation of same.

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

R-08-168 RESOLUTION – TO READ 2008 MUNICIPAL BUDGET BY TITLE

WHEREAS, the 2008 Municipal Budget was introduced by the Borough Council on May 6, 2008, and
WHEREAS, the 2008 Municipal Budget was advertised on June 5, 2008 in The Coaster, and
WHEREAS, the 2008 Municipal Budget was posted on the official Bulletin Board of the Borough Council, and

WHEREAS, the 2008 Municipal Budget has been made available to any and all persons requesting same, and

WHEREAS, in accordance with N.J.S.A. 40A:4-8, a Resolution shall be passed at the time of the Public Hearing by not less than a majority of full membership that said budget be read by title only as set forth herein before.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the 2008 Municipal Budget be read by title only at the Public Hearing on June 17, 2008.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Tobin offered a motion to open the Public Hearing on the 2008 Municipal Budget, seconded by Mr. Morrill.

ROLL CALL

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

PUBLIC HEARING OPEN

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

ROLL CALL

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

PUBLIC HEARING CLOSED

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

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**R-08-169 - RESOLUTION OF THE BOROUGH OF TINTON FALLS, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY TO AMEND APPROVED BUDGET IN
ACCORDANCE WITH THE PROVISIONS OF 40A:4-9**

WHEREAS, the local municipal budget for 2008 was approved on May 6, 2008; and
WHEREAS, the public hearing on said budget has been held as advertised; and
WHEREAS, the Borough Council desires to amend said approved budget;
NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls,
County of Monmouth that the following amendments to the approved budget of 2008 be made:

CURRENT FUND

| <u>REVENUES</u> | <u>From</u> | <u>To</u> |
|--|-------------------------|-------------------------|
| Miscellaneous Revenues – Section A: | | |
| Commercial Garbage Fees | \$ 50,000.00 | \$ 58,500.00 |
| Total Miscellaneous Revenues - Section A | 1,928,500.00 | 1,937,000.00 |
| Miscellaneous Revenues – Section C: | | |
| Uniform Construction Code Fees | 425,000.00 | 455,000.00 |
| Total Miscellaneous Revenues - Section C | 425,000.00 | 455,000.00 |
| Miscellaneous Revenues – Section F: | | |
| Clean Communities | 19,066.75 | 21,455.92 |
| Green Communities | 0.00 | 3,000.00 |
| Total Miscellaneous Revenues - Section F | 68,387.44 | 73,776.61 |
| Total Miscellaneous Revenues | 6,884,164.24 | 6,928,053.41 |
| 5. Subtotal General Revenues | 10,584,164.24 | 10,628,053.41 |
| 7. Total General Revenues | <u>\$ 20,901,804.32</u> | <u>\$ 20,945,693.49</u> |
| <u>APPROPRIATIONS</u> | | |
| (A) Operations - Within "CAPS" | | |
| Mayor: | | |
| Other Expenses | \$ 28,440.00 | \$ 27,640.00 |
| Administration: | | |
| Other Expenses | 47,130.00 | 41,030.00 |
| Central Services: | | |
| Other Expenses | 58,340.00 | 56,840.00 |
| Human Resources: | | |
| Other Expenses | 3,900.00 | 3,700.00 |
| Division of Streets: | | |
| Salaries and Wages | 357,100.00 | 352,315.00 |
| Division of Buildings and Grounds: | | |
| Other Expenses | 118,228.00 | 112,228.00 |
| Division of Sanitation: | | |
| Salaries and Wages | 1,038,000.00 | 997,825.00 |
| Maintenance of Parks: | | |
| Salaries and Wages | 419,100.00 | 415,725.00 |
| Other Expenses | 58,895.00 | 57,895.00 |
| Police: | | |
| Other Expenses | 309,250.00 | 307,750.00 |
| Recreation: | | |
| Other Expenses | 204,985.00 | 194,960.00 |
| Planning: | | |
| Other Expenses | 84,960.00 | 78,160.00 |
| Housing: | | |
| Other Expenses | 16,400.00 | 15,900.00 |
| Fire Prevention: | | |
| Other Expenses | 10,196.00 | 9,946.00 |
| Municipal Court: | | |
| Other Expenses | 42,805.00 | 33,805.00 |
| Insurance: | | |
| Group Insurance | 1,980,000.00 | 2,036,835.00 |
| Liability Insurance | 190,065.00 | 164,040.00 |
| Uniform Construction Code: | | |
| Other Expenses | 15,572.00 | 13,822.00 |
| Utilities: | | |
| Fuel Oil | 339,160.00 | 404,610.00 |
| Total Operations - Within "CAPS" | 15,696,782.00 | 15,699,282.00 |
| Detail: | | |
| Salaries and Wages | 9,729,087.00 | 9,680,752.00 |

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| | | |
|---|-------------------------|-------------------------|
| Other Expenses | 5,967,695.00 | 6,018,530.00 |
| (H-1) Total General Appropriations for Municipal Purposes – Within “CAPS” | 16,422,571.86 | 16,425,071.86 |
| (A) Operations – Excluded from “CAPS” Public and Private Programs Offset by Revenues: | | |
| Clean Communities Grant | 19,066.75 | 21,455.92 |
| Green Communities | 0.00 | 3,000.00 |
| Total Public and Private Programs Offset By Revenues | 81,718.44 | 87,107.61 |
| Total Operations – Excluded from “CAPS” | 1,464,170.44 | 1,469,559.61 |
| Detail: | | |
| Other Expenses | 1,464,170.44 | 1,469,559.61 |
| (C) Capital Improvements – Excluded from “CAPS” | | |
| DPW – Repeater Base Unit | 0.00 | 6,000.00 |
| UCC- Purchase SUV | 0.00 | 30,000.00 |
| Total Capital Improvements – Excluded from “CAPS” | 120,000.00 | 156,000.00 |
| (H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS” | 3,645,031.44 | 3,686,420.61 |
| (O) Total General Appropriations Excluded from “CAPS” | 3,645,031.44 | 3,686,420.61 |
| (L) Subtotal General Appropriations | 20,067,603.30 | 20,111,492.47 |
| 9. Total General Appropriations | <u>\$ 20,901,804.32</u> | <u>\$ 20,945,693.49</u> |

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in The Coaster in the issue of June 19, 2008 and that said publication contain notice of public hearing on said amendment to be held at the Borough Hall on July 1, 2008 at 7:30 pm.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2008 Local Municipal Budget as amended.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Karen Mount-Taylor, Borough Clerk stated for the chronological record we have conducted the public hearing on the budget as it had been advertised.

Karen Mount-Taylor, Borough Clerk stated this is an amendment that will be advertised in the June 19, 2008 Coaster and a Public Hearing on the amendment only will be scheduled for July 1, 2008 at 7:30 P.M.

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

R-08-170 RESOLUTION - TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Tinton Falls desires to constitute the 2008 Temporary Capital Budget of the Borough of Tinton Falls by inserting therein various capital projects,

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

Section 1. The 2008 Temporary Capital Budget of the Borough of Tinton Falls is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget
Borough of Tinton Falls
County of Monmouth, New Jersey

Projects Scheduled for 2008
Capital

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| Project | Estimated | Improvement | Other | Debt | Authorized |
|------------|-----------|--|-------|------|-------------|
| | Costs | Fund | Funds | | |
| Properties | OS-08-01 | Acquisition of Open Space (\$650,000) | | | \$(650,000) |
| Properties | OS-08-01 | Acquisition of Open Space \$1,100,000 | | | \$1,100,000 |

Section 2. The Borough Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, within three days after the adoption of these projects for the 2008 Temporary Capital Budget, to be included in the 2008 Permanent Capital Budget as adopted.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Presentation – Hon. Jennifer Beck to provide an update on the State Budget

Mr. Skudera stated Hon. Jennifer Beck could not make tonight’s meeting but she was to provide some more information on the budget in Trenton on how it is going to affect Tinton Falls. We are looking to see if we can schedule another meeting with her in the future.

Stacy Slowinski requested Council consider adding a firm number to the Resolution they had given in support of their application to the New Jersey Historic Trust. After she was here in May she spoke to Michael Calafati, the Architect that is preparing the application, and he impressed her the need for us to have a firm number, what ever the number may be in order to have a successful application with the trust. Since she spoke to Council last, her and Michael have been working on the numbers and have reduced the match to \$250,000.00. They also determined that they can use Open Space funding toward that match, but they have not been able to determine how much.

Michael Calafati came before Council and the public to give them some background on this application and process. Council asked questions and discussed same.

Mr. Pfeffer stated that Resolution R-08-178 needs a minor tweaking; there would be no certification of funds at this point in time. We would not have to worry about certification of funds until we actually went forward and prepared the funding sources to match the grant.

PETITIONS – None

ORDINANCES FOR INTRODUCTION

Borough Clerk read Ordinance No. 08-1245 entitled: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY COMMONLY KNOWN AS 2040 WAYSIDE ROAD FOR OPEN SPACE PRESERVATION PURPOSES IN THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING \$575,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mr. Tobin offered a motion to introduce Ordinance No. 08-1245, seconded by Mr. Baldwin.

Council President stated Public Hearing to be set at the discretion of the Borough Clerk.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Ordinance No. 08-1245 in full/Ordinance Book No. 3.

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Borough Clerk read Ordinance No. 08-1246 entitled: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY COMMONLY KNOWN AS 246 HOCKHOCKSON ROAD FOR OPEN SPACE PRESERVATION PURPOSES IN THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING \$525,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mr. Tobin offered a motion to introduce Ordinance No. 08-1246, seconded by Mr. Morrill.

Council President stated Public Hearing to be set at the discretion of the Borough Clerk.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Ordinance No. 08-1246 in full/Ordinance Book No. 3.

Borough Clerk read Ordinance No. 08-1247 entitled: AN ORDINANCE AMENDING SECTION 5-8 OF THE GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS (TOWING AND STORAGE)

Mr. Tobin offered a motion to introduce Ordinance No. 08-1247, seconded by Mr. Morrill.

Council President stated Public Hearing to be set at the discretion of the Borough Clerk.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Ordinance No. 08-1247 in full/Ordinance Book No. 3.

ORDINANCES FOR FINAL CONSIDERATION – None

PUBLIC DISCUSSION

Mr. Tobin 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

Mike Stanton, 9 Bowles Lane, stated he had submitted a memo to Council earlier. Mr. Stanton read his memo asking Council about acquiring land for the construction for the girl's softball league.

Mr. Tobin stated he has received two overlays of existing property that the Borough owns and used it as an example for size and cost factors.

Both exhibits are on file in the Borough Clerk's Office

Guy Buck, 14 Sam Drive, questioned how much of the open space funds would be allowed to go towards the Crawford House.

Leo Christofili, 328 Riveredge Road, thanked Mr. Skudera for conducting himself in a civil, professional manner as the President of the Municipal Government this past year.

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Mr. Christofili stated Rutgers Drive has 33.8 acres of land valued at \$3,000,500.00; Whirlaway Drive has 35.5 acres, valued at \$1,338,000.00 and Riverdale Avenue West has 39.21 acres, valued at \$3,100,000.00. Mr. Christofili suggested the Borough get aggressive and assertive about selling some of the properties.

Mr. Christofili also discussed Solar Panels and the benefits of same.

He also inquired about the Charles Wood property and if they Borough plans on purchasing it.

Charles Lomangino, 3 Helena Street, inquired about the water sewers on Heritage Boulevard and stated where they dug out and replaced the asphalt it is all sinking again. Mr. Lomangino inquired about West Park Avenue and whether that is part of the resurfacing program this year. Mr. Lomangino also advised Council of the dumping that is going on, on the Scrano property.

Jeffrey King, 44 Plum Street, Vice Chairman of the Environmental Commission informed the Public and Council that next Thursday night, the 26th at 6:30 p.m., the Environmental Commission is taking a tour of the County Reclamation Center and invited everyone to come out.

Leo Lomangino, 93 Colonial Drive, requested at some point Bryan and Mr. Pfeffer give a public presentation on expanded waste collection services that the town got involved in last year.

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Mr. Morrill stated he will be on vacation in Aruba from June 26th – July 5th, which means he will be unable to attend the reorganization meeting.

Mr. Tobin asked Mr. Skudera if he had a chance to setup a meeting with Comcast.

Mr. Skudera stated the letter of intent was just sent out and now we are awaiting feedback.

Mr. Tobin requested the reconsideration of the decision on Wayside Fire House to be put on the workshop.

Mr. Skudera spoke regarding the information John Bucciero submitted about hybrid verses gas cars.

Mr. Ford stated the State is mandating that in two years, all pre-school kids of special needs have a mandatory pre-school paid by the taxpayers. Council discussed this matter.

Mr. Skudera spoke regarding the library being put on referendum.

RESOLUTIONS

**R-08-171 RESOLUTION – AUTHORIZING PARTICIPATION IN THE NEW JERSEY
STATE HEALTH BENEFITS PROGRAM ACT OF THE STATE OF NEW JERSEY**

Borough Clerk states Resolution fails due to lack of motion.

Mr. Tobin offered a motion to carry the following Resolution to the July 15, 2008 meeting, seconded by Mr. Baldwin.

**R-08-108 RESOLUTION – ACCEPTING PROPOSAL FROM AMERI HEALTH NEW
JERSEY FOR HEALTH BENEFITS COVERAGE FOR ELIGIBLE EMPLOYEES**

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

R-08-174 RESOLUTION - AUTHORIZING THE TINTON FALLS BOROUGH TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS, due to an anticipated late adoption of the Tinton Falls Borough=s Budget, the Monmouth Count Board of Taxation is unable to certify the tax rate and the Tinton Falls Borough Collector may be unable to mail the Borough=s 2008 tax bills on a timely basis:

WHEREAS, the Tinton Falls Borough Tax Collector in consultation with the Tinton Falls Borough Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls authorize the following:

1. The Tinton Falls Borough Tax Collector is hereby authorized, if deemed necessary, to prepare and issue estimated tax bills for the Borough for the third installment of 2008 taxes. The Tax Collector may proceed and take such actions as are permitted and required by L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax levy for 2008 is hereby set at \$50,962,606.31.
3. In accordance with law, the third installment of 2008 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered a motion to carry the following Resolution with an amendment stating this is project is contingent on the agreement between the Association and the Borough of Tinton Falls until the July 1, 2008 meeting, seconded by Mr. Ford.

R-08-175 RESOLUTION OF AWARD CONTRACT #08-4 – REBID STAMPED CONCRETE FOR SOCIETY HILL CENTER ISLAND

Mr. Berube stated for the purpose of the record, that maintenance agreement as we anticipate it, would be limited to those landscaped areas that will remain.

Mr. Berube added that while we all anticipate that agreement will be reached and signed prior to the start of the work, New Jersey has implemented a prompt payment law for public contracts. That requires that the work be commenced and paid for within the time frames under the original bid and not beyond the 60 day period that we are talking about with this potential agreement.

ROLL CALL (to carry R-08-175 to July 1, 2008)

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-176 RESOLUTION OF AWARD CONTRACT #08-5 SCHOOL BUS TRANSPORTATION FOR SUMMER RECREATION PROGRAM

WHEREAS, one (1) bid was received on Thursday, June 5, 2008 for Contract #08-5, School Bus Transportation for Summer Recreation Program; and

WHEREAS, Murphy Transportation, Inc., 49 Kanes Lane, Middletown, New Jersey 07748 submitted the sole responsible bid in the total amount of \$18,692.00 which has been corrected to \$19,344.00 which includes utilizing daily busing with two (2) mini-buses, 22 field trips and busing between campsites from July 7, 2008 through August 8, 2008; and

WHEREAS, this is a more or less bid and totals can change depending on trip cancellations, etc.; and

WHEREAS, the Purchasing Agent has found the bid to be in order and Sherri Eisele, Recreation Superintendent recommends the award,

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NOW, THEREFORE BE IT RESOLVED that Murphy Transportation, Inc. be awarded a contract for an estimated amount of \$19,344.00 for the School Bus Transportation for Summer Recreation Program;

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.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered the following Resolution with an amendment changing the dollar amount from \$250,000.00 to \$125,000.00, seconded by Mr. Morrill.

R-08-177 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTED APPLICANT ASSURANCES FOR NEW JERSEY HISTORIC TRUST GRANT FOR THE CRAWFORD HOUSE.

BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Mayor Peter Maclearie 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.

ROLL CALL (on amendment)

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered the following Resolution as amended, seconded by Mr. Skudera.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered the following Resolution with an amendment changing the dollar amount from \$250,000.00 to \$125,000.00, seconded by Mr. Morrill.

R-08-178 RESOLUTION – AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST FOR THE CRAWFORD HOUSE AND PROVIDING MATCHING FUNDS IN ACCORDANCE WITH THE ACCEPTED GRANT APPLICATION

WHEREAS, the Tinton Falls Historic Commission has requested that the Borough of Tinton Falls authorize the filing of a grant application to the New Jersey Historic Trust for property known as the Crawford House, Block 68.02, Lot 13, 750 Tinton Avenue; and

WHEREAS, in order to obtain the grant funds it is necessary that the Borough of Tinton Falls provide matching funds in the amount of \$125,000.00 in accordance with the accepted Grant Application.

NOW, THEREFORE BE IT RESOLVED, by the Borough of Tinton Falls that Historic Building Architects submit a New Jersey Historic trust grant application on behalf of the Borough; and

BE IT FURTHER RESOLVED that the Borough Council hereby certifies that matching funds of \$125,000.00 will be provided in accordance with Accepted Grant Application.

ROLL CALL (on amendment)

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered the following Resolution as amended, seconded by Mr. Baldwin.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered a motion to re-open and re-amend Resolution R-08-178 to delete lines that say “I hereby certify said funds are available” with a signature line for Stephen Pfeffer, Chief Financial Officer, seconded by Mr. Baldwin.

**REGULAR/WORKSHOP MEETING
JUNE 17, 2008
BOROUGH COUNCIL**

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-179 RESOLUTION – AUTHORIZING CHIEF FINANCIAL OFFICER, BOROUGH ADMINISTRATOR, & DIRECTOR OF LAW TO PURCHASE TAX SALE CERTIFICATE(S) FROM THE BOROUGH’S TAX SALE WITH RESPECT TO AFFORDABLE HOUSING PROPERTIES

WHEREAS the Tax Collector of the Borough of Tinton Falls will be holding the Borough’s annual tax sale on Wednesday, June 25, 2008, and

WHEREAS, there are currently affordable housing properties listed that the Borough has determined it would be in its best interest to purchase the tax sale certificate on, if they are not paid, and

WHEREAS, the person so designated would be the Chief Financial Officer, Borough Administrator, & the director of Law,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Chief Financial Officer, Borough Administrator, & the Director of Law be and hereby is authorized to purchase the tax sale certificate(s) for any affordable housing units listed in the Borough’s Tax Sale Notice at the Tax Sale to be held in the Borough on June 25, 2008. Funds for said purchase will be provided for from the Borough’s Affordable Housing Trust Fund.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered the following Resolution with an amendment to remove CJ Montana’s and Charlie Browns from the list, seconded by Mr. Ford.

R-08-180 RESOLUTION - RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR THE YEAR 2008/2009

WHEREAS, the holder of certain plenary retail consumption license set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following plenary retail consumption licenses be renewed for the year commencing July 1, 2008 and expiring June 30, 2009:

| <u>NAME</u> | <u>LICENSE NUMBER</u> | <u>ANNUAL FEE</u> | <u>LOCATION</u> |
|---|-----------------------|-------------------|-------------------------|
| TWINBROOK @ TINTON FALLS | 1336-33-001-007 | \$1191.00 | (Twinbrook Golf Center) |
| TINTON FALLS HOTEL, LLC | 1336-36-007-011 | \$1191.00 | (Holiday Inn) |
| PORTOFINO, INC. | 1336-33-008-005 | \$1191.00 | (Portofino Restorante) |
| MIMOZA L.L.C. | 1336-33-009-007 | \$1191.00 | (Tally Ho Restaurant) |
| MENDITTO, INC. | 1336-33-010-003 | \$1191.00 | (Luigi's Tavern) |
| TINTON FALLS RESTAURANT, INC. | 1336-33-011-005 | \$1191.00 | (Palumbo's) |
| GSPH RESTAURANTS | 1336-33-012-002 | \$1191.00 | (The Pour House) |
| APPLE FOOD SERVICE OF TINTON FALLS INC. | 1336-33-013-006 | \$1191.00 | (Applebees) |
| STARK ENTERPRISES LLC. | 1336-33-014-008 | \$1191.00 | (The Grist Mill) |
| COURTYARD MANAGEMENT CORPORATION | 1336-36-015-003 | \$1191.00 | (Courtyard by Marriott) |

Karen Mount-Taylor, Borough Clerk stated the fees have been adjusted in accordance to our Ordinance that we had adopted and there is a request to remove two of the liquor licenses from this Resolution due to the fact that the paperwork from the Division of Taxation is not in order and that would be CJ Montana’s and Charlie Browns. We are not able to renew those licenses at this time.

**REGULAR/WORKSHOP MEETING
JUNE 17, 2008
BOROUGH COUNCIL**

ROLL CALL (on amendment)

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Tobin offered the following Resolution as amended, seconded by Mr. Baldwin.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Tobin offered the following Resolution and moved its adoption, seconded by Mr. Skudera.

**R-08-181 RESOLUTION - RENEWAL OF CERTAIN PLENARY RETAIL
DISTRIBUTION LIQUOR LICENSES FOR THE YEAR 2008/2009**

WHEREAS, the holder of certain plenary retail distribution licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following plenary retail distribution licenses be renewed for the year commencing July 1, 2008 and expiring June 30, 2009.

| <u>NAME</u> | <u>LICENSE NUMBER</u> | <u>ANNUAL FEE</u> | <u>LOCATION</u> |
|---------------------------------|-----------------------|-------------------|---------------------------|
| F & T SPIRITS ENTERPRISES, INC. | 1336-44-004-013 | \$880.00 | (Spirits Unlimited) |
| 3-QUEENS, INC. | 1336-44-005-003 | \$880.00 | (Tinton Falls Buy Rite) |
| REVA ENTERPRISES LLC | 1336-44-006-006 | \$880.00 | (Pinebrook Liquor & Deli) |

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

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

**R-08-182 RESOLUTION - RENEWAL OF CERTAIN CLUB LIQUOR LICENSES FOR
THE YEAR 2008/2009**

WHEREAS, the holder of certain club licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the following plenary retail distribution licenses be renewed for the year commencing July 1, 2008 and expiring June 30, 2009.

| <u>NAME</u> | <u>LICENSE NUMBER</u> | <u>ANNUAL FEE</u> | <u>LOCATION</u> |
|---|-----------------------|-------------------|--------------------|
| Seabrook Village Resident's Association | 1336-31-018-001 | \$180.00 | (Seabrook Village) |

ROLL CALL

AYES: Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: Mr. Baldwin

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

**R-08-183 RESOLUTION – REFUNDING ENGINEERING ESCROW FEES - \$1,468.74
PLUS ACCRUED INTEREST– NEWPORT CORPORATE CENTER (CJS
INVESTMENTS)**

WHEREAS, the following listed applicant has posted engineering escrow fees to offset fees incurred by the Borough of Tinton Falls for installation of the Sanitary Sewer Extension in West Park Avenue.

**REGULAR/WORKSHOP MEETING
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BOROUGH COUNCIL**

WHEREAS, the Borough Engineer, Alan P. Hilla Jr. has certified the following listed applicant's account is deemed closed and no additional funds for engineering will be required as stated in the engineers letter dated June 12, 2008, said letter is hereby attached and made part of this resolution, 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 engineer escrow fees are hereby authorized to be released for the following applicant:

Newport Corporate Center (CJS Investments). \$1,468.74 plus accrued interest

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-184 RESOLUTION – APPROVAL OF BILLS – June 17, 2008

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending June 17, 2008,

WHEREAS, the Borough Council has reviewed said claims,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, County of Monmouth, that the following claims be certified by the Treasurer for approval and payment.

SUMMARY

| | |
|---------------|---------------------|
| GENERAL | 140,877.88 |
| TRUST | 97,725.20 |
| CAPITAL | 402,784.50 |
| DOG TRUST | 42.60 |
| GRANT FUND | 11,881.50 |
| SEWER UTILITY | 212,990.30 |
| ADDITIONS | <u>2,261,598.25</u> |
| | 3,127,900.23 |

Karen Mount-Taylor, Borough Clerk stated unless Council has something to offer, there are no exceptions.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

CONSENT AGENDA

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

R-08-185 RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2008 2nd quarter sewers on the following property has been paid in error creating an overpayment by the owner and by the Borough of Tinton Falls applying a portion of an overpayment from a 2007 Tax Court Judgment to the Sewer account.

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| Michael I. Schneck, Trustee for Innkeepers Sunrise Tinton Falls, LP 33 Clinton Road, Suite 108 West Caldwell, NJ 07006 | 115 | 3.03 | \$7,676.35 |

Re: 3 Centre Plaza

and,

WHEREAS, said error has resulted in an overpayment of the 2008 2nd quarter sewers in the amount of \$7,676.35, 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 \$7,676.35 is hereby approved for the aforementioned property.

**REGULAR/WORKSHOP MEETING
JUNE 17, 2008
BOROUGH COUNCIL**

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

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

R-08-186 RESOLUTION - CANCELING & REFUNDING SEWER OVERPAYMENT

WHEREAS, an over billing and a overpayment of 2007 Sewers has been created by Resolution R-07-338, dated September 18, 2007, waiving the 2007 sewer fees for property known as:

| <u>NAME</u> | <u>BLOCK</u> | <u>LOT</u> | <u>CANCELLED</u> | <u>REFUND</u> | <u>AMOUNT</u> |
|--|--------------|------------|------------------|---------------|---------------|
| T.F. E.M.S. - South, Inc. 1 Volunteer Way Tinton Falls, NJ 07753 | 124.13 | 1 T01 | \$189.50 | \$189.50 | \$379.00 |

and,

WHEREAS, said waiving of sewer charges resulted in an over billing and an overpayment of the Sewers in the amount of \$379.00 as certified by the Borough Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the sewers amounting to \$189.50, be cancelled for the year 2007 and that a refund in the amount of \$189.50 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

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

R-08-187 RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2008 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724 | 67.01 | 8.01 | \$326.80 |

Re: 1181 Sycamore Avenue

and,

WHEREAS, said error has resulted in an overpayment of the 2008 sewers in the amount of \$326.80, 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 \$326.80 is hereby approved for the aforementioned property. Said refund is to be applied to the 2008 taxes and interest due.

Karen Mount-Taylor, Borough Clerk stated for the record, in the first line the Resolution reads 2006 and it should be 2008 however, it has already been changed.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

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

R-08-188 RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2008 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

**REGULAR/WORKSHOP MEETING
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| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Public Storage #20211 P.O. Box 25025 Glendale, CA 91201-5025 | 25 | 1.01 | \$130.72 |

Re: 950 Shrewsbury Avenue

and,

WHEREAS, said error has resulted in an overpayment of the 2008 sewers in the amount of \$130.72, 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 \$130.72 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-189 RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of the 2008 sewers on the following property has been overbilled and paid in error creating an overpayment to property known as:

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Luther Memorial Lutheran Church 818 Tinton Avenue Tinton Falls, NJ 07724 | 68.02 | 19 | \$575.99 |

Re: 836 Tinton Avenue

and,

WHEREAS, said error has resulted in an overpayment of the 2008 sewers in the amount of \$575.99, 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 \$575.99 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-190 RESOLUTION - CANCELING & REFUNDING SEWER OVERPAYMENT

WHEREAS, an overbilling and a overpayment of 2008 Sewers has been created to the property known as:

| <u>NAME</u> | <u>BLOCK</u> | <u>LOT</u> | <u>CANCELLED</u> | <u>REFUND</u> | <u>AMOUNT</u> |
|---|--------------|------------|------------------|---------------|---------------|
| 55 Gilbert Road North, LLC 55 Gilbert Road North Tinton Falls, NJ 07724 | 18.01 | 7.01 | \$543.31 | \$164.21 | \$707.52 |

and,

WHEREAS, said adjustment resulted in an overbilling and an overpayment of the Sewers in the amount of \$707.52 as certified by the Borough Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the sewers amounting to \$543.31, be cancelled for the year 2008 and that a refund in the amount of \$164.21 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING
JUNE 17, 2008
BOROUGH COUNCIL**

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

R-08-191 RESOLUTION - CANCELING SEWER OVERBILLING

WHEREAS, an overbilling of 2008 Sewers has been made on property known as:

| <u>NAME</u> | <u>BLOCK</u> | <u>LOT</u> | <u>AMOUNT</u> |
|--|--------------|------------|---------------|
| North Atlantic Transaction, LLC 1301 West Park Avenue Tinton Falls, N.J. 07712 | 118.02 | 1 | \$241.83 |

and,

WHEREAS, said adjustment has resulted in an overbilling of the 2008 sewers by the property owner in the amount of \$241.83, as certified by the Borough Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that a cancellation in the amount of \$241.83 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-192 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd quarter taxes on the following property has been paid in error creating an overpayment by the homeowner and Mortgage Company.

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|---|--------------|------------|---------------|
| First American RE Tax Service 1 First American Way Mail code: DWF 1-3 Westlake, TX 76262 | 33 | 25 | \$2,286.86 |

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

and,

WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$2,286.86, 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 \$2,286.86 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-193 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd 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> |
|---|--------------|------------|---------------|
| Valerie F. Avrin, Esq. 82 Bethany Road Suite 10 Hazlet, NJ 07730 | 124.50 | 117 | \$1,024.64 |

and,

WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$1,024.64, 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 \$1,024.64 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

**REGULAR/WORKSHOP MEETING
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Mr. Tobin offered the following Resolution and moved its adoption, seconded by Mr. Baldwin.

R-08-194 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd 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> |
|--|--------------|------------|---------------|
| Anthony & Nancy Roselli 96 Cannonball drive Tinton Falls, NJ 07753 | 124.15 | 72 | \$1,486.58 |

Re: Roselli, from Andriani
96 Cannonball Drive

and,

WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$1,486.58, 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 \$1,486.58 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-195 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd 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> |
|---|--------------|------------|---------------|
| Midland Mortgage Co. - Tax Dept. 999 NW Grand Blvd. Oklahoma City, OK 73118 | 124.40 | 15 | \$1,519.85 |

Re: Michael & Ingrid Smith
6 Troon Road

and,

WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$1,519.85, 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 \$1,519.85 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-196 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd 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> |
|--|--------------|------------|---------------|
| Kenneth J. Murphy, Esq. Trust Account 86 Lippincott Road Little Silver, NJ 07739 | 124.15 | 62 | \$856.40 |

Re: Consiglio to Rucker
16 Frontier Way

and,

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WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$856.40, 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 \$856.40 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-08-197 RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 2nd quarter taxes on the following property has been paid in error creating an overpayment by the Mortgage Company and the Title Company.

| <u>Name</u> | <u>Block</u> | <u>Lot</u> | <u>Amount</u> |
|--|--------------|------------|---------------|
| Sterling Title Agency 2662 Nottingham Way Hamilton, NJ 08619 | 129.05 | 31 | \$911.53 |

Re: Sorber from Hopf
4 Main Braid Court

and,

WHEREAS, said error has resulted in an overpayment of 2008 2nd quarter taxes in the amount of \$911.53, 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 \$911.53 is hereby approved for the aforementioned property.

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Tobin offered a motion to amend the agenda to include R-08-198, seconded by Mr. Baldwin.

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

**R-08-198 RESOLUTION OPPOSING SENATE BILL S-1783 AND ASSEMBLY BILL
A-500**

WHEREAS, the Borough of Tinton Falls has received information from the New Jersey League of Municipalities that said Senate Bill S-1783 and Assembly Bill A-500 were released from committee and are to be scheduled for a vote before the Senate, and

WHEREAS, the above proposed legislation a) was designed to eliminate regional contribution agreements as a compliance mechanism for satisfaction of the requirements of the Council on Affordable Housing, b) proposes to relieve the commercial development community of their financial obligation to provide affordable housing units, which units will thereafter become the expense of the taxpayers and c) cause a potential funding shortfall of monies in the Department of Community Affairs for the construction of Affordable Housing Units, or as stated succinctly in commentary provided by the New Jersey League of Municipalities to the Legislature, and

WHEREAS, the Mayor and Council of the Borough of Tinton Falls believe it is in the best interest of the Borough of Tinton Falls to evidence its strong objection to the passage of the above legislation without adequate debate in the legislature, time for public comment or analysis of the important financial effects of the legislation

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Tinton Falls that the above objections of the Borough of Tinton Falls be communicated to the Governor and the elected Representatives of the 12th District with the urgent request that they vote to disapprove and/or not enact the above legislation.

ROLL CALL (to amend agenda)

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera

NAYS: None

ABSENT: None

ABSTAIN: None

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BOROUGH COUNCIL**

ROLL CALL

AYES: Mr. Baldwin, Mr. Ford, Mr. Morrill, Mr. Tobin, Mr. Skudera
NAYS: None
ABSENT: None
ABSTAIN: None

Karen Mount-Taylor, Borough Clerk stated that for the record we are located in the 12th district, not the 13th district.

Mr. Tobin offered a motion to move into Workshop, seconded by Mr. Morrill.

ROLL CALL

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

TIME: 10:30 P.M.

WORKSHOP MEETING

Unfinished Business

Update of the Master Plan

Mr. Skudera stated the Master Plan has been drafted by Paul Gleitz and the committee is looking it over. Council should be getting those reports soon. Mr. Skudera briefly went over what the Master Plan will contain and how Council should prepare for same.

New Business

Proper Help in the Clerk's Office

Mr. Skudera stated he received an email along with the other Council members from Karen Mount-Taylor requesting additional help in the Clerk's office. Council and Karen Mount-Taylor had a lengthy discussion regarding this matter. The recommendation of Council, addressed to Mr. Dempsey and Mayor Maclearie, was to get a part-time person in the Clerk's office.

ADJOURNMENT

Mr. Tobin offered a motion to adjourn the meeting, seconded by Mr. Ford.

ROLL CALL

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

TIME: 10:52 P.M.

Respectfully Submitted,

Karen Mount-Taylor, Borough Clerk

APPROVED AT A MEETING HELD ON: AUGUST 5, 2008