

**REGULAR MEETING
AUGUST 11, 2026
BOROUGH COUNCIL**

Council President Mr. Nesci called the Regular Meeting to order at 7:30 PM.

The 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 Borough of Tinton Falls’ Official Website and in the Municipal Building at Least 48 Hours Prior to the Meeting and by Filing with the Borough Clerk all on November 10, 2025.”

ROLL CALL (Regular Meeting)

PRESENT: Mr. Alessi, Ms. Buckley, Mr. Neis, Mr. Parikh, Mr. Nesci
ABSENT: None

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Risa Clay, Mayor
Christopher J. Camilleri, Business Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Ms. Buckley offered a motion to approve June 16, 2026, Regular and Executive Meeting Minutes seconded by Mr. Neis.

ROLL CALL
AYES: Mr. Alessi, Ms. Buckley, Mr. Neis, Mr. Parikh, Mr. Nesci
ABSTAIN: None
NAYS: None
ABSENT: None

Mr. Parikh offered a motion to approve July 7, 2026, Regular Meeting Minutes seconded by Mr. Alessi.

ROLL CALL
AYES: Mr. Alessi, Ms. Buckley, Mr. Parikh, Mr. Nesci
ABSTAIN: Mr. Neis
NAYS: None
ABSENT: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Certificate of Recognition - Valedictorian - Elena Marie Mullen

Mayor Clay presented a certificate of recognition to Elena Marie Mullen and listed her academic and volunteer service accomplishments.

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Certificate of Recognition - Salutatorian - Jayla Nicole Alberto

Mayor Clay presented a certificate of recognition to Jayla Nicole Alberto and listed her academic accomplishments.



Certificate of Recognition – Communications High School - Max Estrada

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Certificate of Recognition - Communications High School - Tyler Walsh



Mayor Clay recognized Max Estrada and Tyler Walsh as Tinton Falls residents and talented young filmmakers whose achievements have brought pride to the borough. Their film "The Other Foot" received many awards. Max and Tyler share their work through their YouTube channel. Both young men served as outstanding camp counselors in the borough's recreation program this summer, and that both will be contributing work at the upcoming community event

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Mr. Nesci announced a break from 7:47pm to 7:48pm

Borough Engineer – Thomas Neff

Mr. Neff reported on the 2026 Road Program is substantially complete with 95% of the work done. There is some minor punch list work, and remaining is Locust Grove Road left on the paving list. That will take place when we get sanitary sewer and water main extension down that road. Also, Hance Park has been undergoing some upgrades such basketball courts are resurfaced, color coded and restriped and new bleachers have been ordered. The Borough has confirmation from DEP and the New Jersey Forest Service that we are getting a \$20,000 grant for the tree inventory and the community forest management plan development. We will start working with our certified tree expert on that plan. It's mostly for the public park areas throughout town and what we can do to increase the tree canopy and maintain the existing trees.

Director of Finance - Thomas Fallon

Mr. Fallon had no report.

Business Administrator – Christopher J. Camilleri

Mr. Camilleri thanked the Recreation Department who just finished a successful summer camp. They had over 320 kids this year. He thanked the Police Department who just finished a three-week Junior Police Academy Program. They had 22 cadets and five student leaders. We are working with Monmouth County on a pilot program “code red”, which is a summer form of the cold blue. So instead of a warming center, host a cooling center for extreme heat.

Mayor Risa Clay

Mayor Clay reported on a range of community activities since the last council meeting. In mid-July, a ribbon cutting was held, and on July 16th, Mayor Clay and Mr. Neff participated in a tile-making project with Robert Wood Johnson for their Cancer Center, followed by an appearance at Council President Nesci’s barbershop for police academy haircuts. On July 17th, the Recreation Department hosted a community event attended by over 300 children, with the recreation program successfully enduring difficult weather conditions throughout the summer. Mayor Clay and Mr. Neff attended the Civic Association Scholarship Awards, where several Monmouth Regional students were honored, and several council members attended the Mazza Truck Pull, a charity fundraising event held annually in August. On August 3rd, the first official meeting of the Mayor's Wellness Campaign was held with approximately 16 participants from across the community, including EMS personnel, police, private agency workers, and pastors. The campaign is focused on reviewing needs assessments covering residents of all ages, with proposals to be sought from agencies providing services related to mental health, substance abuse prevention, nutrition, and resiliency-building.

Mayor Clay commended the Police Department and all who assisted with National Night Out, which was well received and recognized the Junior Police Academy graduation as another stellar program run by the Police Department. The Crawford House ice cream social and a Fire Company dinner were also attended over the weekend.

In response to resident concerns about JCP&L, a town hall has been scheduled for September 17th at which residents will have the opportunity to speak directly to JCP&L representatives. Finally, Mayor Clay drew attention to a resolution on opioids appearing on the evening's agenda, noting that purple flags displayed at the entrance represented 89 lives lost in Monmouth County to opioids in 2025, with an additional 344 non-fatal overdoses recorded in the county, underscoring opioids as a pressing public health issue affecting all social lines

Director of Law – Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

-Ms. Hutchinson had no report.

-Mr. Alessi reported that the Planning Board meeting scheduled for tomorrow evening has been canceled.

-Ms. Buckley thanked the Police Department and Administration for the National Night Out event, noting it was a great evening. She mentioned that she missed the Historic Commission ice cream social but noted that she heard it was fantastic and that the pictures were great. Ms. Buckley also reported that she attended the Mazza Truck Pull and extended thanks to the borough for their participation and to Mazza for the wonderful event

-Mr. Neis reported attending many of the events already mentioned by other council members. On July 13, he attended a ribbon cutting for the counselors, and on July 14, he attended a plastic detox event at the Crawford House. He also attended the NJEDA ribbon cutting for their new office and took a tour of Fort Monmouth, which he described as a very good 45-minute tour from which he learned a great deal. He reported that the Junior Police Academy ceremony was a good ceremony and that a community day meeting was held that day, stating the community day event is scheduled for

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September 26th. He reminded attendees not to forget the date. He also noted that the Zoning Board's next meeting is on September 3rd and highlighted that this year marks the 25th anniversary of September 11th.

-Mr. Parikh congratulated the Historical Commission and Crawford House on a successful Old-Fashioned Sunday event held on August 8th, noting it was well attended and drew many young families. That same evening, he extended a sincere thank you to the fire companies for including council members in their annual celebration, noting that many women firefighters who keep the town safe were honored for their efforts.

Mr. Parikh acknowledged the Tinton Falls Recreation Department for achieving record attendance numbers for camp, citing positive feedback from neighbors and community members about how engaged and happy the children were, and noting that families are already looking forward to next year's summer camp.

Regarding Board of Education matters, Mr. Parikh reported that following a vacancy created by a member stepping down, Nicholas Bellia was appointed as a new board member and would be participating in the Finance and Facilities Committees. He noted that the next Board of Education meeting, which would kick off the new school year, is scheduled for August 27th, and the Monmouth Regional Board of Education meeting is on August 18th.

Mr. Parikh highlighted an upcoming Crawford House event, a screening of the Monmouth County documentary titled "Rebels, Raiders and Revolution in Monmouth County," produced by the County Commissioners, scheduled for October 21st at 7:00 PM. He noted that a trailer is available on YouTube.

-Mr. Nesci congratulated all the certificate recipients this evening.

ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1550 AN ORDINANCE AMENDING CHAPTER 4 OF THE BOROUGH CODE, ENTITLED “GENERAL LICENSING,” BY AMENDING § 4-20, “MOTEL/HOTEL GUEST REGISTRATION,” TO ESTABLISH LIMITATIONS ON THE DURATION OF HOTEL AND MOTEL OCCUPANCY AND TO PRESERVE THE TRANSIENT NATURE OF HOTEL AND MOTEL USES**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday September 1, 2026.

Mr. Parikh offered a motion to introduce Ordinance No. 2026-1550 seconded by Mr. Alessi.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Neis, Mr. Parikh, Mr. Nesci

ABSTAIN: None

NAYS: None

ABSENT: None

ORDINANCE NO. 2026-1550

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH, NEW JERSEY**

AN ORDINANCE AMENDING CHAPTER 4 OF THE BOROUGH CODE, ENTITLED “GENERAL LICENSING,” BY AMENDING § 4-20, “MOTEL/HOTEL GUEST REGISTRATION,” TO ESTABLISH LIMITATIONS ON THE DURATION OF HOTEL AND MOTEL OCCUPANCY AND TO PRESERVE THE TRANSIENT NATURE OF HOTEL AND MOTEL USES

WHEREAS, the Borough Council finds that hotels and motels are intended to provide temporary lodging for transient guests rather than permanent residential occupancy; and

WHEREAS, the Borough has a substantial governmental interest in preserving the transient character of hotel and motel uses, promoting public safety, protecting neighboring residential communities, and ensuring compliance with applicable zoning, housing, health and fire regulations; and

WHEREAS, extended hotel or motel occupancy may result in de facto residential use of facilities that were not designed, approved or regulated for permanent habitation, thereby creating adverse impacts upon municipal services, public safety, code enforcement and neighborhood quality of life; and

WHEREAS, the Borough Council further finds that periodic re-registration of guests and reasonable limitations on the duration of occupancy assist law enforcement, emergency responders and Borough officials in maintaining accurate guest records and ensuring compliance with applicable laws; and

WHEREAS, the Borough Council recognizes that limited exceptions may be appropriate where extended occupancy remains temporary in nature and is necessitated by circumstances such as temporary employment, repairs to a primary residence, casualty loss, medical treatment, domestic violence or other comparable temporary hardship; and

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WHEREAS, the Borough Council has reviewed similar ordinances adopted by other New Jersey municipalities and finds that reasonable occupancy limitations further the legitimate governmental interests of protecting the public health, safety and welfare while preserving the intended use of hotels and motels as transient lodging establishments;

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

SECTION 1.

Section 4-20 of the Borough Code, entitled "Motel/Hotel Guest Registration," is hereby amended as follows (underlined sections to be added, ~~strike throughs~~ to be deleted):

§ 4-20. MOTEL/HOTEL GUEST REGISTRATION.

- a. Irrespective of payment method, each operator of a motel/hotel in the Borough of Tinton Falls shall obtain and maintain any and all registrations of guests as required by the laws of the State of New Jersey pursuant to N.J.S.A. 29:4-1 et seq., and shall permit inspection of said register by a police officer with the filing of an appropriate report with the Chief of Police within 48 hours thereafter. The register for each guest registrant and guest of each rooming unit shall be maintained from the time the guest registrant initially registers for the room through and including the 60th day after the date the guest terminates his/her stay at the motel/hotel. The operator shall advise the guest registrant that no room shall be rented unless the registration is completed pursuant to this section. The operator of each motel/hotel shall post, in close proximity to the registration desk, a notice advising the guest registrant and guests of the requirements pursuant to this section.
- b. In addition to any other information required by law to be kept in said register, the operator shall provide that the register shall show the date of arrival, the room assigned and the make and license number of any motor vehicle brought to the motel/hotel by the guest registrant.
- c. Irrespective of payment method, the register shall also show the following information:
 1. The name of each guest of each rooming unit;
 2. The principal address of each such guest;
 3. The date upon which the occupancy by the registered guest of such unit commenced;
 4. The identification number from a legal form of identification, such as a valid driver's license, a Federal or State government or a military identification card, a passport or any other form of valid governmental identification containing the photograph of the one presenting the identification for the guest registrant; should the guest registrant be unable to produce photograph identification from a valid governmental identification, the guest registrant shall produce a valid governmental identification without a photograph along with another form of valid identification, with or without a photograph, such as another governmental identification, major credit card, employee identification card, student identification card, or automobile registration card;
 5. The age of each guest; and
 6. The make, model and license number of any motor vehicle brought to the motel/hotel by the guests of each unit.
- d. No person under the age of 18 shall be permitted to rent a unit without having permission from a parent or legal guardian at the time the room is rented. At the time of registration, the minor shall present proof of parental consent. The parental consent, if written, must include the parent's name and telephone number. The registration information for a guest under the age of 18 shall contain the identification number from a legal form of identification as set forth in paragraph c above of the parent authorizing the registration.
- e.
 1. It is unlawful for the operation of a motel/hotel to fail to require identification of the guest registrant or guest(s) as per above; to fail to retain the information as required above; or to refuse to provide such information to a police officer; provided, however, that any duty required under this section terminates on or after the 60th day of following the date the guest registrant vacates the motel/hotel.
 2. It shall be an affirmative defense to an alleged violation of this section for an operator of a motel/hotel to show, by a preponderance of the evidence, that the operator has established a protocol or procedure utilized to obtain the information required of by this section, and has implemented that protocol or procedure.
- f. The operator shall not rent any room for more than 14 consecutive days to the same guest registrant. Upon the expiration of that fourteen-day period, in order for the guest registrant to extend his/her stay, the operator will be required to complete a new registration by obtaining the required information directly from the guest registrant.
- ~~g. Any person, firm or corporation violating the terms of this section shall be subject to the following penalties:~~
 - ~~1. Any person, firm or corporation who shall be found guilty of violating any provision of this section shall,~~

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~~for each offense, be fined a sum of not more than \$300, or be imprisoned for a period not exceeding 60 days, or both.~~

- ~~2. Any person, firm or corporation who shall be found guilty of violating any provision of this section for a second time within a six-month period following conviction for a violation of this section, shall, for each offense, be fined a sum of not less than \$500, or be imprisoned for a period not exceeding 90 days, or both.~~

~~h. If any of the provisions of this section or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not effect the other provisions or applications of this section which can be given effect, and to this end, the provisions of this section are declared to be severable.~~

~~i. This section shall take effect upon adoption in accordance with the law.~~

g. Maximum Occupancy.

1. Hotels and motels within the Borough are intended solely for transient occupancy.
2. No guest shall occupy any hotel or motel, whether in the same room or in different rooms within the same establishment, for more than ninety (90) consecutive days, except as authorized pursuant to subsection h. below.
3. Occupancy of any portion of a calendar day shall constitute one full day of occupancy.
4. An operator shall not circumvent the limitation established by this subsection by assigning a guest to another room within the same hotel or motel, by issuing a new registration, or by allowing a break in occupancy of fewer than seven (7) consecutive days.

h. Requests for Extended Occupancy.

The Borough Administrator may authorize occupancy beyond ninety (90) consecutive days upon a written application submitted by the operator at least seven (7) days before expiration of the 90-day period. The application shall demonstrate that the requested extension is temporary and shall include reasonable supporting documentation establishing one or more of the following:

1. Temporary employment or a temporary work assignment within the region;
2. Temporary displacement from the guest's principal residence due to fire, flood, natural disaster, substantial construction, repairs, remediation or other conditions rendering the residence temporarily uninhabitable;
3. Medical treatment, recovery or caregiving responsibilities requiring temporary local lodging;
4. Domestic violence, dating violence, sexual assault, stalking or similar emergency circumstances requiring temporary lodging for safety, protection or relocation; or
5. Other extraordinary and temporary circumstances determined by the Borough Administrator to be consistent with the purposes of this section.

Any extension granted pursuant to this subsection shall be in writing, shall specify a definite expiration date, shall not exceed ninety (90) additional days unless renewed upon a new application, and may be conditioned upon continued compliance with this section and all other applicable laws and ordinances. Any documentation relating to domestic violence, dating violence, sexual assault or stalking shall be maintained confidentially to the extent permitted by law and shall be used solely for administration and enforcement of this section.

i. Grounds for Denial or Revocation of Extension.

The Borough Administrator may deny or revoke an extension where:

1. The application does not establish a temporary need for extended occupancy;
2. The applicant or guest has made a material misrepresentation in connection with the application;
3. The occupancy has resulted in documented health, fire, zoning, property-maintenance, public-safety or quality-of-life concerns;
4. The guest has repeatedly violated Borough ordinances or reasonable rules of the establishment; or
5. The extension would result in the use of the hotel or motel as permanent residential housing rather than transient lodging.

j. Appeal.

Any person aggrieved by a denial or revocation issued pursuant to subsection h. or i. may file a written appeal with the Borough Clerk within ten (10) business days after receipt of the decision. The Borough Council, or a hearing officer designated by the Borough Council, shall provide the appellant with an opportunity to be heard and shall issue a written decision affirming, reversing or modifying the determination. The filing of an appeal shall not authorize occupancy beyond the period otherwise permitted unless a temporary stay is granted in writing by the Borough Administrator.

k. Enforcement and Penalties.

1. It shall be unlawful for any operator to permit a guest to remain in occupancy in violation of this section or to fail to maintain records sufficient to determine the guest's cumulative period of occupancy.
2. Any person, firm or corporation violating this section shall, upon conviction, be subject to the penalties set forth in Chapter 1, § 1-5 of the Borough Code.
3. Each day that a violation continues shall constitute a separate offense.

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SECTION 2. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1551 AN ORDINANCE CREATING A NEW CHAPTER 26 OF THE BOROUGH CODE, TO BE ENTITLED “SHORT-TERM RENTALS”**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday September 1, 2026.

Mr. Neis offered a motion to introduce Ordinance No. 2026-1551 seconded by Mr. Parikh.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Neis, Mr. Parikh, Mr. Nesci

ABSTAIN: None

NAYS: None

ABSENT: None

ORDINANCE NO. 2026-1551

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH, NEW JERSEY**

AN ORDINANCE CREATING A NEW CHAPTER 26 OF THE BOROUGH CODE, TO BE ENTITLED “SHORT-TERM RENTALS”

CHAPTER 26: SHORT-TERM RENTALS

§ 26-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DWELLING — Any building or portion thereof designed or used exclusively for one or more dwelling units.

SEGMENTED DWELLING — A room within or section of a dwelling that constitutes an area less than the entire dwelling.

§ 26-2. Purpose and scope.

- A. This chapter aims to curtail, and in certain circumstances prohibit, the increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods, on a short-term basis to transient guests. This practice has been popularized and facilitated by various online sites that advertise and broker these rentals. Left unregulated, this practice will transform many residential dwellings into a detriment to the health, safety, and quiet enjoyment of the affected neighborhoods.
- B. This chapter does not apply to lawfully established and operating hotels, motels, rooming houses, boardinghouses, and bed-and-breakfast establishments.
- C. This chapter does not apply to any residential or commercial property that has obtained a permit under Section 5-10, Commercial Film and Photography Permits, for any use within the scope of the permit.
- D. Notwithstanding the provisions of this chapter, no rental shall be permitted without obtaining a required certificate of occupancy prior to occupancy.

§ 26-3. Short-term rentals prohibited.

No dwelling, or segment thereof, may be rented or leased for a term of less than 30 days.

§ 26-4. Commercial rentals.

The lease or rental of any dwelling for commercial or corporate purposes is prohibited.

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§ 26-5. Rentals of amenities.

The lease or rental, for any purpose, of any amenity, feature, accessory, or appurtenance to or associated with a dwelling is prohibited.

§ 26-6. Advertisement.

The print, electronic, or internet advertisement of any rental that is prohibited by or fails to comply with the provisions of this chapter or any other applicable provision of the Borough Code is prohibited.

§ 26-7. Enforcement.

The Division of Code Enforcement and the Police Department are empowered to enforce this chapter.

§ 26-8. Violations and penalties.

- A. Every person convicted of a violation of a provision of this chapter shall be subject to the maximum fine and penalties established under N.J.S.A. 40:49-5 and any subsequent amendments thereto.
- B. Each and every day a violation of this chapter persists shall constitute a separate violation.
- C. To the extent the conduct prohibited under this chapter also violates other provisions of the Borough Code, those violations constitute separate offenses subject to additional fines and penalties as prescribed.

SECTION 2. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1552 AN ORDINANCE AMENDING THE GENERAL PENALTY PROVISIONS OF THE BOROUGH CODE OF THE BOROUGH OF TINTON FALLS TO AUTHORIZE PER-DAY FINES FOR CONTINUING ORDINANCE VIOLATIONS**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday September 1, 2026.

Mr. Alessi offered a motion to introduce Ordinance No. 2026-1552 seconded by Mr. Neis.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Neis, Mr. Parikh, Mr. Nesci

ABSTAIN: None

NAYS: None

ABSENT: None

ORDINANCE NO. 2026-1552

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH, NEW JERSEY**

AN ORDINANCE AMENDING THE GENERAL PENALTY PROVISIONS OF THE BOROUGH CODE OF THE BOROUGH OF TINTON FALLS TO AUTHORIZE PER-DAY FINES FOR CONTINUING ORDINANCE VIOLATIONS

WHEREAS, the Borough Council of the Borough of Tinton Falls is authorized to enact ordinances and prescribe penalties for violations thereof pursuant to N.J.S.A. 40:49-5 and other applicable provisions of law; and

WHEREAS, N.J.S.A. 40:49-5 authorizes a governing body to prescribe penalties for the violation of ordinances it has authority to pass, including a fine not exceeding \$2,000 for any single violation, and to prescribe that a minimum fine of up to \$100 for a violation of any particular ordinance; and

WHEREAS, prior case law had called into question whether municipalities could impose per-day fines for

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continuing ordinance violations where the cumulative total of those fines exceeded the \$2,000 ceiling set forth in N.J.S.A. 40:49-5, with some courts interpreting that statutory ceiling as a cap on aggregate fines rather than a limit on any single fine; and

WHEREAS, recently, the New Jersey Appellate Division, in State v. Springfield Urban Renewal Center Corp., App. Div. Docket No. A-1876-24 (May 19, 2026), expressly held that N.J.S.A. 40:49-5 “limits the amount of a singular fine but does not prevent a defendant from incurring per day fines that cumulatively exceed \$2,000,” thereby confirming that a municipality may authorize separate per-day fines for each day an ordinance violation remains uncured following notice and an opportunity to cure, without regard to whether the aggregate of those fines exceeds the single-fine statutory maximum; and

WHEREAS, the Borough’s existing general penalty provision in the Borough Code provides that each day a violation of any Borough ordinance exists shall constitute a separate violation, and the Borough Council wishes to make clear that per-day fines imposed are not limited in the aggregate by the \$2,000 single-fine ceiling in N.J.S.A. 40:49-5; and

WHEREAS, the Borough Council finds that amending these sections of the code to expressly authorize per-day fines for continuing violations, consistent with Springfield Urban Renewal Center Corp. and N.J.S.A. 40:49-5, will promote compliance with Borough ordinances, protect the public health, safety, and welfare, and ensure that the Borough’s enforcement authority is not rendered ineffective by a violator’s ability to cap total exposure at a single \$2,000 fine; and

WHEREAS, the Borough Council further finds that nothing in these amendments is intended to deprive the Municipal Court of its sentencing discretion, impose mandatory minimum fines in a manner inconsistent with applicable law, or affect the disposition of any pending enforcement action;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 1, Article II, § 1-5 (General Penalty) is hereby amended (underlined to be added; ~~struckthroughs~~ to be removed) as follows:

§ 1-5. GENERAL PENALTY.

§ 1-5.1. Maximum Penalty.

For violation of any provision of this Code or other ordinance of the Borough of Tinton Falls, unless a specific penalty is otherwise provided in connection with the provisions violated, the maximum penalty upon conviction of the violation shall be one or more of the following: imprisonment in the County Jail or in any place provided by the municipality for the detention of prisoners, for any term not to exceed 90 days; or by a fine not exceeding \$2,000; or by a period of community service not exceeding 90 days, or any combination thereof in the discretion of the Municipal Court Judge.

Whenever a fine is to be imposed in an amount greater than \$1,250 for violations of housing or zoning codes the owner shall be provided a 30 day period during which the owner shall be afforded the opportunity to cure or abate the condition and shall be afforded the opportunity for a hearing before the Court for an independent determination concerning the violation. Subsequent to the expiration of the thirty-day period, a fine greater than \$1,250 may be imposed if the Court has determined that the abatement has not been substantially completed.

§ 1-5.2. Minimum Penalty.

The Borough Council may prescribe that for the violation of any particular provision of the Code or of any particular ordinance at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$100. The court before which any person is convicted of violating any ordinance or Code provision shall have power to impose any fine, term of punishment, or period of community service not less than the minimum and not exceeding the maximum fixed in the Code or such ordinance.

§ 1-5.3. Additional Fine for Repeat Offenders.

Any person who is convicted of violating this Code or an ordinance within one year of the date of a previous violation of the same provision of this Code or of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance or Code provision, but shall be calculated separately from the fine imposed for the violation of the ordinance or Code provision.

If the Borough Council chooses not to impose an additional fine upon a person for a repeated violation of any municipal ordinance, the Council may waive the additional fine by ordinance or resolution.

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§ 1-5.4. Default of Payment of Fine.

Any person convicted of the violation of any provision of this Code or any ordinance may, in the discretion of the court by which he was convicted, and in default of the payment of any fine imposed therefor, be imprisoned in the County Jail or place of detention provided by the Borough for any term not exceeding 90 days, or be required to perform community service for a period not exceeding 90 days.

§ 1-5.5. Separate Violations.

Except as otherwise provided, each and every day in which a violation of any provision of this Code or any other ordinance of the Borough exists shall constitute a separate violation. When a violation is of a continuing nature, each day the violation remains uncured following the issuance of a summons or such other written notice of violation as the applicable ordinance may require, regardless of whether a cure period was afforded prior to the issuance of such summons or notice, shall constitute a separate offense for which a separate fine not exceeding \$2,000 may impose. The imposition of per-day fines for continuing violations does not constitute the imposition of a single fine in excess of the \$2,000 statutory maximum set forth in N.J.S.A. 40:49-5; rather, each day's fine is a separate and distinct penalty. In case of a fine imposed on a corporation, the fine and costs may be collected in a civil action or in such manner as may be provided by law.

§ 1-5.6. Application.

The maximum penalty stated, in this section is not intended to state an appropriate penalty for each and every violation. At the discretion of the Judge of the Municipal Court, any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or violation. Nothing in this section shall be construed to require the imposition of a per-day fine, to deprive the Municipal Court of its discretion to impose any fine within the range authorized by this section and N.J.S.A. 40:49-5, or to impose a mandatory minimum fine for any single day's violation beyond the minimum prescribed by the applicable ordinance.

SECTION 2. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the Title Of The Ordinance: **ORDINANCE NO. 2026-1549 AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE BOROUGH OF TINTON FALLS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Mr. Parikh offered a motion to open the Public Hearing on Ordinance No. 2026-1549, seconded by Ms. Buckley.

ROLL CALL

AYES: All In Favor

NAYS: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARING OPEN

Mr. Starkey commented on Ordinance 2026-1549, noted that there is one change to the ordinance being considered on second reading from when it was considered on first reading. He explained that while the ordinance is lengthy, it contains changes to Chapter 17 regarding tree removal and replacement, and specifically within Section 17-9, one sentence is to be deleted on second reading. Mr. Starkey read the deleted sentence into the record: "The maximum amount to be collected as a contribution to the tree escrow fund shall be \$250,000 per site". He clarified that this deletion does not constitute a material change and therefore the council may proceed with second reading, and he wished to make the public aware of the change.

Barbara Kulberg, Tinton Falls – Barbara Kulberg, a member of the Shade Tree Commission, commented that Ordinance 2026-1549 would remove the Commission's authority over trees in conflict with New Jersey State Law 40:64-5, which grants shade tree commissions full and exclusive authority over the regulation, planting, and care of trees in public areas. She expressed concern that the Commission, which had only recently learned of its full authority, had already

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begun applying for state grants and that eliminating its authority would render it ineligible for such grants. She urged the Council to retain the Commission's authority through a collaborative agreement with tree specialists and the Borough rather than eliminate it entirely.

Ellen Goldberg, Tinton Falls – Ellen Goldberg, speaking as chairperson of the Environmental Commission, expressed excitement about the Shade Tree Commission being back up and running and praised its members as concerned, dedicated residents with a tremendous amount to offer the Borough. She emphasized that trees are imperative to human survival and that removing them without replacement is unthinkable, noting that the borough needs more trees, not fewer, as it continues to develop. Ms. Goldberg raised concern about rapidly diminishing air quality, citing more people, cars, trucks, wildfires, and rising temperatures as serious threats to public health. She urged the council not to allow the Shade Tree Commission's authority to be taken away, expressing trust that the Commission will do the right thing for Tinton Falls.

Mitch Kulberg, Tinton Falls – Mitch Kulberg stated he did not understand Ordinance 2026-1549, stating that it appeared to be a sweeping, massive bill covering a wide range of areas and making many changes at once, without clearly explaining its purpose or why it was being adopted at this time. While he acknowledged that clerical modifications such as updating committee and department names may be appropriate, he noted that the ordinance contains changes that constitute actual alterations to laws, including fee changes, and expressed concern that its broad scope makes it feel like a place where substantive changes could be hidden. He requested that someone explain what the ordinance is all about.

Council President Nesci asked the clerk if there were any comments submitted prior to the meeting via email. Ms. Hutchinson read one submitted email from Anthony, which stated that New Jersey law requires Shade Tree Commissions to have authority based on NJSA 40:64-5, that the proposed cap of \$250,000 is far too low, and that a conservative estimate would allow any tree cut after number 520 to be done free of any replacement requirement. The email further argued that given an estimated 89 trees at 12-inch DBH per acre, a developer could effectively clear as many acres as desired after paying for the first five acres and recommended a sliding scale cap based on property size with a minimum cap of one million dollars in the interim.

Ms. Buckley thanked whoever made the decision to remove the cap from the tree escrow fund contribution, noting it required further analysis as to whether a cap was appropriate. She observed that the current ordinance wording grants the Shade Tree Commission "full and exclusive control," while the proposed changes reduce this to merely "making recommendations," effectively stripping the Commission of any real approval authority. She stated that, as a layperson, the change appeared to conflict with state statute.

Ms. Buckley argued that reducing the Commission's authority would dampen community involvement, noting that the current iteration includes knowledgeable experts and tree specialists whose participation should be encouraged rather than discouraged. She added that the Commission is actively applying for grants and that its expertise should be supported.

She noted anecdotally that Tinton Falls' logo is a sycamore tree, reflecting the borough's tree-focused identity, and that ongoing work such as designating historic trees on Sycamore Avenue represents important unfinished business for which the Commission's expertise is needed.

Ms. Buckley stated she would be open to modifying the wording to establish a partnership structure should a future iteration of the Commission lack volunteers, but that changing the current Commission's role to recommendations only would have a dampening effect she could not support.

There being no further comments, Ms. Buckley offered a motion to close the Public Hearing on Ordinance No. 2026-1549, seconded by Mr. Alessi.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Alessi offered a motion to adopt Ordinance No. 2026-1549, seconded by Mr. Neis.

ROLL CALL

AYES: Mr. Alessi, Mr. Neis, Mr. Parikh, Mr. Nesci
NAYS: Ms. Buckley
ABSTAIN: None
ABSENT: None

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PUBLIC DISCUSSION

Ms. Buckley offered a motion to open the Public Discussion, seconded by Mr. Alessi.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: None

Mr. Nesci asked the Clerk if there were any submitted comments and there were none.

Richard Calvert, Tinton Falls – Richard Calvert addressed the Council regarding dangerous and deplorable road conditions on several streets in his neighborhood. He cited several issues including intolerable lips on Belgian block curbing, drainage problems caused by drains sitting above pavement level, and weeds growing in the street. He stated the neighborhood has gone 35 years without paving, well beyond the 20-to-25-year lifespan of asphalt pavement, and that the area should have been on the paving schedule 10 years ago. His most pressing concern was ADA Title II compliance at handicap access points on sidewalks, noting the lips measure two to three and four inches when the ADA code permits no more than a quarter inch, and that a partially handicapped family member cannot safely navigate them by wheelchair or walker.

In response, Borough Engineer Mr. Neff acknowledged the road is showing its age but stated the Borough is not in violation of ADA requirements, as the site was built before regulations took effect and upgrades are only required when roads are paved. He indicated the road would be given strong consideration in the next road program through the capital budget process in the spring. Council President Nesci committed to following up with Mr. Neff, the Borough Administrator, and Mayor Clay to obtain clearer answers for Mr. Calvert.

Gina Verela, Tinton Falls – Gina Verela concern regarding unaddressed zoning and variance violations at 246 Hockhockson Road. She feels the owner of the home is not complying with the approved variance plan. She did attend the zoning meeting where this was discussed and asked Council to help. Ms. Verela submitted documentation supporting her concern, including variance compliance information, a timeline of communication and inaction, property and environmental impact details, a formal request to Council, printed photos of the cleared tree line, the approved site plan with the driveway location highlighted, and her July 7 email to the Borough.

Dave Reevey, Tinton Falls – Dave Reevey concurs with Richard Calvert on the condition of the road. He feels the road has been neglected and needs to be fixed asking Council to step up and get the road repaved.

Freddie Boynton, Tinton Falls – Freddie Boynton concern about cars parking too close to the corners on Apple Street and Springdale Avenue preventing cars from his property safely exiting his driveway. He has made the Police Department aware of the situation and feels the cars should receive a traffic violation. Also, on Cherry Street cars are running the stop sign and would like something to be done. Mr. Boynton submitted a photo depicting the parking in support of his concern.

Rich Ghandi – Mr. Ghandi is a business owner in town and is in support of the Hotel ordinance on the agenda and would like some language added to provide enforcement and feels it would help.

Ellen Goldberg, Tinton Falls - Ellen Goldberg announced that the Environmental Commission meeting is scheduled for Thursday, August 20th. She reported that the plastic detox event went very well and was well received, she is working on additional showings.

Regarding speed limits, Ms. Goldberg noted that the speed limit on Sycamore Avenue was reduced from 40 mph to 35 mph and that she personally drives 35 mph on that road daily but observes that other drivers do not comply and tailgate her for going the limit. She questioned whether the reduced limit is being enforced and whether there are consequences for exceeding it. She suggested the Borough consider lowering the speed limit to 35 mph consistently across all residential town roads, noting that if the current limit is being ignored, a uniform lower limit might improve safety

There being no further comments, Mr. Parikh offered a motion to close the Public Discussion, seconded by Mr. Alessi.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

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RESOLUTIONS - None

CONSENT AGENDA

Mr. Neis offered a motion to approve the Consent Agenda, seconded by Mr. Alessi.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Parikh, Mr. Neis, Mr. Nesci

ABSTAIN: None

ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-130

**RESOLUTION DECLARING AUGUST 31ST AS OVERDOSE AWARENESS DAY
IN THE BOROUGH OF TINTON FALLS**

WHEREAS, the Borough of Tinton Falls does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and working with the community to reduce the risk of drug-related deaths; and

WHEREAS, the Centers for Disease Control and Prevention reports that New Jersey experienced approximately 1,546 deaths in 2025, reflecting a decrease from the prior year; and

WHEREAS, we commit to doing our part to reduce the toll of overdose within our community; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Tinton Falls declares August 31st as Overdose Awareness Day.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-131

RESOLUTION DECLARING SEPTEMBER 11, 2026 AS A BOROUGH HOLIDAY

WHEREAS, in light of the significance of the attacks on America on September 11, 2001, and the importance of September 11th as a day of remembrance, reflection and mourning, the Borough of Tinton Falls desires to declare September 11, 2026 as a paid holiday for its employees so that they can reflect upon the losses suffered by America on that fateful day; and

WHEREAS, the County of Monmouth has declared September 11, 2026 to be a County holiday, and has called upon the municipalities in the County to join in this day of remembrance; and

WHEREAS, the Borough calls upon its employees and the Borough at large to use September 11, 2026 as a day of service to benefit our fellow citizens.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that:

1. September 11, 2026 is hereby declared to be an official holiday for 2026 and the Borough shall therefore be closed for business.
2. Those Borough employees normally required to report to work on a declared Borough holiday shall do so on September 11, 2026 in accordance with Borough policy and subject to the pertinent terms of any application collective negotiations agreements (essential employees).
3. The declaration that September 11, 2026 is a paid holiday for Borough employees is not intended to and shall not be deemed to create a “past practice” for future years.
4. Certified copies of this Resolution shall be forwarded to the Borough Administrator; the Borough Director of Finance; Labor Counsel; all Borough Department Heads; and the Monmouth County Administrator.

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-132

**RESOLUTION RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION LIQUOR LICENSES FOR
THE YEAR 2026/2027**

WHEREAS, the holders of certain retail consumption 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 consumption licenses be renewed for the year commencing July 1, 2026 and expiring June 30, 2027:

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
HPT CY TRS Inc.	1336-36-015-004	\$2,500.00	Inactive

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-133

**RESOLUTION APPROVING THE BY-LAWS OF THE
MONMOUTH MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Borough of Tinton Falls is a member of the Monmouth Municipal Joint Insurance Fund (the “Fund”); and

WHEREAS, the Fund’s Bylaws were adopted in 1988; and

WHEREAS, the Fund’s Bylaws have not been amended since their adoption in 1988; and

WHEREAS, the Fund attorney has recommended that the Fund’s Bylaws be revised; and

WHEREAS, after a public hearing conducted on June 18, 2026, the Executive Committee of the Fund adopted revised Bylaws; and

WHEREAS, these revised Bylaws must be ratified by at least three-fourths of the 41 member towns before they can become effective.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey, as follows:

1. The Fund’s revised Bylaws are hereby ratified, in the form attached hereto.
2. The Borough Clerk is authorized to provide a certified true copy of this Resolution to the Monmouth Municipal Joint Insurance Fund.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-134

**RESOLUTION OF THE BOROUGH OF TINTON FALLS CONFIRMING THAT THE EXISTING
REDEVELOPMENT AND RELATED AGREEMENTS FOR THE VOGEL MEDICAL CAMPUS MEET OR
EXCEED THE COMMUNITY BENEFITS AGREEMENT REQUIREMENTS OF THE NJEDA ASPIRE
PROGRAM AND CONFIRMING THAT NO SEPARATE COMMUNITY BENEFITS AGREEMENT IS
REQUIRED**

WHEREAS, the Borough of Tinton Falls (the “Borough”) recognizes that the development of a cancer center, ambulatory care pavilion, acute care hospital, and medical office building represents a transformative healthcare and economic development initiative that will expand access to critical medical services, create significant long-term employment opportunities, stimulate investment, improve public infrastructure, and promote the health, safety, and welfare of Borough residents and the surrounding communities; and

WHEREAS, on May 12, 2022, Monmouth Medical Center, Inc. (the “Redeveloper”) formally applied to the Borough to be designated redeveloper of Block 101.03, Lot 1 (the former Myer Center property), consisting of approximately 36.3 acres within the Borough (the “Property”) and within the Fort Monmouth Reuse and Redevelopment Plan Area, upon

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which the Redeveloper proposes to construct an approximately 150,000 square foot cancer center/ambulatory care pavilion, a 250-bed acute care hospital, a 112,864 square foot medical office building, and associated amenities, all as more particularly described in the Planning Board Resolution of Approval adopted on August 10, 2022 and memorialized on October 26, 2022 (the “Project” or the “Vogel Medical Campus”); and

WHEREAS, the Redeveloper has entered into the following five agreements, which together provide comprehensive oversight of the Vogel Medical Campus redevelopment and ensure meaningful benefits to the broader community: (i) the Redevelopment Agreement with the Borough (January 2023); (ii) the Financial Agreement (October 2023); (iii) the Community Service Contribution Agreement (October 2023); (iv) the Monmouth County Developer’s Agreement (October 2023); and (v) the Redeveloper’s Agreement with the Fort Monmouth Economic Revitalization Authority (“FMERA”) (October 2021) (collectively, the “Project Agreements”); and

WHEREAS, the Project has received funding through the New Jersey Economic Development Authority (“NJEDA”) Aspire program; and

WHEREAS, the Aspire program requires that developers of certain projects funded through the program enter into a Community Benefits Agreement (“CBA”) with the municipality in which the project is located, pursuant to N.J.S.A. 34:1B-328(f); and

WHEREAS, N.J.S.A. 34:1B-328(f)(4) further provides that a developer shall be deemed to have satisfied the CBA requirement without entering into a separate CBA where (a) the developer submits a redevelopment agreement, certified by the municipality, that includes provisions meeting or exceeding the standards required for a CBA, as determined by the Chief Executive Officer of the NJEDA, or (b) the governing body of the municipality adopts a resolution, following at least one public hearing, determining that a separate CBA is not necessary; and

WHEREAS, the Borough provided adequate public notice and held a public hearing on this matter at its Borough Council meeting held August 11, 2026, at which all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Borough recognizes that the Vogel Medical Campus represents a transformative investment in the community that will provide significant long-term economic and social benefits to the greater Tinton Falls community, including, without limitation:

- Significant direct financial contributions to the Borough, including \$1.5 million specifically dedicated to the acquisition of emergency service vehicles and equipment which, together with the Medical Campus, will serve the broader public community;
- Extensive off-site roadway and sanitary sewer main improvements, delivering lasting public infrastructure benefits and strengthening critical infrastructure for the broader Tinton Falls community;
- Legally enforceable non-discrimination covenants that run with the land in perpetuity and protect equitable access to employment and Project-related opportunities regardless of age, race, color, creed, religion, ancestry, national origin, sex, gender identity or expression, disability, military service, familial status, and marital status;
- The creation of at least 1,319 enforceable full-time permanent jobs, supported by enforceable job-creation commitments, Job Creation Promissory Notes, and \$1,500-per-position liquidated damages provisions, ensuring meaningful employment impact for the region;
- A substantial long-term revenue stream to the Borough through a 30-year Annual Service Charge applicable to the for-profit medical office building component (10–13% of gross revenue, \$150,000 minimum), land tax payments, and a 2% administrative fee;

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- Recurring annual community service payments escalating to \$150,000 or more per year post-occupancy, with 2% annual increases; and
- Significant oversight, reporting, and audit requirements imposed through the Project Agreements, together with concurrent oversight by the Borough, Monmouth County, and FMERA, ensuring transparency, accountability, and continued compliance; and

WHEREAS, the Borough finds that the Project Agreements meet, and in numerous respects materially exceed, the standards contemplated by N.J.S.A. 34:1B-328(f) for a Community Benefits Agreement, such that a separate CBA would be duplicative and unnecessarily burdensome.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, in the County of Monmouth, State of New Jersey, as follows:

1. The Borough hereby finds and confirms that the Redevelopment Agreement dated January 23, 2023, together with the other Project Agreements, includes provisions that meet or exceed the standards required for a Community Benefits Agreement under N.J.S.A. 34:1B-328(f).
2. For purposes of N.J.S.A. 34:1B-328(f)(4)(a), the Borough hereby certifies the Redevelopment Agreement as a redevelopment agreement that includes provisions meeting or exceeding the standards required for a Community Benefits Agreement.
3. Following the public hearing held on this matter, and pursuant to N.J.S.A. 34:1B-328(f)(4)(b), the Borough hereby confirms that the Community Benefits Agreement requirement for the Vogel Medical Campus has been satisfied by the Project Agreements and that no separate Community Benefits Agreement is required.
4. The Mayor, Borough Administrator, Borough Clerk, and Borough professionals are hereby authorized and directed to take such further actions, and to execute and deliver such confirmations or certifications, as may be necessary or appropriate to effectuate this Resolution and to evidence the Borough's determination to the NJEDA.
5. The Borough Clerk is hereby directed to provide a certified copy of this Resolution, and, upon request, a certified copy of the Redevelopment Agreement, to the Redeveloper and to the NJEDA.
6. This Resolution shall take effect immediately upon adoption in accordance with law.

**BOROUGH OF TINTON FALLS
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R-26-135

**RESOLUTION AUTHORIZING QUALIFIED PRIVATE COMMUNITY
SERVICES AGREEMENT WITH
PATRIOTS SQUARE**

WHEREAS, the Borough currently provides and will continue to provide services to the private community known as Patriots Square: garbage and recycling collection; and

WHEREAS, the Borough will agree to reimburse Patriots Square, in lieu of providing the following services: streetlighting, roadway ice and snow removal; and

WHEREAS, the CFO and Director of Law have negotiated a Qualified Private Community Services Agreement (QPCSA) with Patriots Square to memorialize the foregoing services; and

WHEREAS, the Mayor has requested the Borough Council to authorize the execution of the QPCSA in the form attached hereto.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the Mayor is authorize to sign, and the Clerk to attest, to the QPSCA with Patriots Square in the form attached hereto.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-136

**RESOLUTION AUTHORIZING APPLICATION AND EXECUTION OF THE NJUCF GREEN
COMMUNITIES GRANT**

WHEREAS, the governing body of the Borough of Tinton Falls desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$20,000.00 to fund the following project:

NJUCF Green Communities Grant

Inventory and Community Forest Management Plan Development

THEREFORE, the governing body resolves that Risa Clay or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 not more than \$20,000.00 and (c) to execute:

 X any amendments thereto.

 any amendments thereto which do not increase the Grantee's obligations.

 no amendments thereto.

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**BOROUGH OF TINTON FALLS
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R-26-137

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
WITH THE COUNTY OF MONMOUTH FOR THE PROVISION OF
TAX MAP MAINTENANCE SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to enter into shared services agreements with other public entities to provide or receive services that the local unit participating in the agreement is empowered to provide or receive; and

WHEREAS, the County of Monmouth has proposed a Shared Services Agreement with the Borough, pursuant to which the County will provide for the preparation of yearly revisions to the tax map as required under State law, N.J.A.C. 18:23A-1.1; and

WHEREAS, the intent of the Agreement is to reduce municipal costs in complying with the law and to provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

WHEREAS, the term of the Shared Services Agreement shall be five years, from January 1, 2026 through December 31, 2030, with the provision that either party may terminate the Agreement upon ninety days (90) written notice to the other party; and

WHEREAS, the Borough's CFO and Director of Law have reviewed the proposed Shared Services Agreement and find it to be acceptable to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey, as follows:

3. The Borough Council hereby authorizes and approves the proposed Shared Services Agreement between the County of Monmouth and the Borough of Tinton Falls for the purpose of the County providing for the preparation of yearly revisions to the tax map as required under State law, N.J.A.C. 18:23A-1.1, in accordance with the terms and conditions set forth in the attached agreement.
4. The Township Clerk is authorized to provide a certified true copy of this Resolution to the County Administrator and to the Borough Administrator.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-138

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION – NJS 40A:4-87**

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WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Tinton Falls in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2026 in the sum of \$20,000, which is now available from the NJDEP Green Communities Grant.

BE IT FURTHER RESOLVED, that the like sum of \$20,000 is hereby appropriated under the caption of NJDEP Green Communities Grant; and

BE IT FURTHER RESOLVED, that the resolution be filed with the Division of Local Government Services.

**BOROUGH OF TINTON FALLS
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R-26-139

**RESOLUTION RELEASING PERFORMANCE BOND UPON POSTING OF MAINTENANCE BOND FOR
33 & 45 - APPLE STREET BOROUGH OF TINTON FALLS BLOCK 14.01, LOTS 45.01 & 49.01**

WHEREAS, a request has been made for the release of Performance Guarantees for 33 & 45 Apple Street (a/k/a Apple Street Kitchen) Borough Of Tinton Falls Block 14.04 Lots 45.01 & 49.01 and

WHEREAS, by letter dated July 15, 2026 (said letter attached and hereby made part of this Resolution), the Borough Engineer (Thomas Neff) has certified that all bonded items remain in acceptable condition and recommends the release of the guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Performance Guarantees and remaining engineering escrow fees associated with this project be released subject to the payment of any and all outstanding engineering and inspection fees and posting of a two-year Maintenance Bond.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-140

**RESOLUTION RELEASING MAINTENANCE GUARANTEES
FOR ANTHEM PLACE BOROUGH OF TINTON FALLS BLOCK 101, PORTION OF LOT 1**

WHEREAS, a request has been made for the release of Maintenance Guarantees for Anthem Place Borough Of Tinton Falls Block 101, Portion of Lot 1 (a/k/a Lennar Parcel C-1) and

WHEREAS, by letter dated July 31, 2026 (said letter attached and hereby made part of this Resolution), the Borough Engineer (Thomas P. Neff) has certified that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition and recommends the release of the guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Maintenance Guarantees and remaining engineering escrow fees associated with this project be released subject to the payment of any and all outstanding engineering and inspection fees.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-141

**RESOLUTION ALLOWING FOR THE EXTENSION OF THE TAX BILL INTEREST PENALTY
DEADLINE**

WHEREAS, certification of the tax rate was not received until July 16, 2026, causing the late printing of the property tax bills, and

WHEREAS, the third quarter property taxes were due on August 1, 2026, with a ten (10) day grace period for interest to August 10, 2026, and

WHEREAS, the Tax Collector was not able to complete the mailing of the tax bills until July 27, 2026, for reasons stated above and requests the interest penalty date be extended to August 21, 2026, 25 days from the date of mailing.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the interest penalty for the 2026 3rd quarter property tax bills be extended to August 21, 2026.

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-142

**RESOLUTION - REFUNDING TAX OVERPAYMENT DUE TO A
100% TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, an overpayment of 2025 taxes on the following property has been made as a result of a 100% Totally Disabled Veteran Exemption for 2025.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Jordan, Damian Michael 49 Leland Terrace Tinton Falls, NJ 07724	58.02	12	\$1,530.16

and,

WHEREAS, said exemption has resulted in an overpayment of the 2025 taxes in the amount of \$1,530.16 ascertified 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 \$1,530.16 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 \$1,530.16.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-143

**RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO A
100% TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, overbillings and overpayments of 2026 Taxes have been made as a result of 100% Totally Disabled Veteran Exemptions for the year 2026.

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
(HEREBY ATTACEHD AND MADE PART OF THIS RESOLUTION)	VARIOUS		\$16,764.85	\$4,587.66	\$21,352.51

and,

WHEREAS, said exemptions resulted in overbillings and overpayments of the 2026 taxes in the amount of \$21,352.51 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$16,764.85 be cancelled for the year 2026 and that a refund in the amount of \$4,587.66 is hereby approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$16,784.85 and the amount of overpayment to be \$4,587.66.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-144

RESOLUTION – CANCELING 2026 TAXES

WHEREAS, an overbilling of 2026 taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the tax year 2026 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Logiudice, Courtney Brooke 72 Lenape Trail Tinton Falls, NJ 07724	56.01	11	\$6,529.35

and,

WHEREAS, said exemption has resulted in a cancellation of the 2026 taxes in the amount of \$6,529.35 as certified by the Borough Tax Collector.

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NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a cancellation in the amount of \$6,529.35 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$6,529.35.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-145

RESOLUTION – CANCELLING 2026 TAXES

WHEREAS, an overbilling of 2026 taxes on the following property has been made as a result of a Senior Citizen’s deduction for the year 2026 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Trujillo, Adolfo & Ana P. 16 Citation Court Tinton Falls, NJ 07724	26.01	200	\$250.00

and,

WHEREAS, said exemption has resulted in an overbilling of the 2026 taxes in the amount of \$250.00, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a cancellation in the amount of \$250.00 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$250.00

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-146

RESOLUTION – CANCELING 2026 TAXES

WHEREAS, an overbilling of 2026 taxes has been made as a result of Tax Court Judgement reducing the assessed value for the tax year 2026 to property known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
JSM At Tinton Falls, LLC 1260 Stelton Road Piscataway, NJ 08854	117	1	\$5,915.98

Re: Prop. Loc: 1471 Shafto Road

and,

WHEREAS, said reduction has resulted in a cancellation of the 2026 taxes in the amount of \$5,915.98 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 \$5,915.98 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$5,915.98.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-147

RESOLUTION - REFUNDING TAX OVERPAYMENTS

WHEREAS, overpayments of 2026 Taxes have been created as a result of overbillings in the 2026 first half year.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)			\$32,980.76

and,

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WHEREAS, said overbillings have resulted in overpayments of the 2026 taxes in the amount of \$32,980.76, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$32,980.76 are approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayments to be \$32,980.76.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-148

**RESOLUTION CANCELLING & REFUNDING TAXES DUE TO A
BOROUGH OWNED PROPERTY EXEMPTION**

WHEREAS, an overbilling and an overpayment of 2026 Taxes has been made as a result of an exemption due to the Borough of Tinton Falls acquiring property (from January 12, 2026 through December 31, 2026) known as:

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	26.01	188	\$1,581.72	\$1,420.10	\$3,001.82

Re: 4 Citation Court

and,

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2026 taxes in the amount of \$3,001.82 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the taxes amounting to \$1,581.72, be cancelled for the year 2026 and that a refund in the amount of \$1,420.10 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$1,581.72 and the amount of overpayment to be \$1,420.10.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-149

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2026 2nd quarter Taxes has been made as a result of a duplicate payment and Title Companies over-estimating 2026 3rd quarter property taxes.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)			\$3,246.41

and,

WHEREAS, said payments have resulted in overpayments of the 2026 2nd and 3rd quarter taxes by Title Companies and a Homeowner, in the total amount of \$3,246.41, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that refunds totaling \$3,246.41 are approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the total amount of overpayments to be \$3,246.41.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-150

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2025 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2025 to property known as.

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<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	117	1	\$5,966.08

Re: JSM at Tinton Falls, LLC
1471 Shafto Road

and,

WHEREAS, said reduction has resulted in an overpayment of the 2025 taxes by the property owner in the amount of \$5,966.08, 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 \$5,966.08 is hereby approved for the aforementioned property. Said refund shall be applied to 2026 taxes due as specified in the Stipulation of Settlement.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$5,966.08.

BOROUGH OF TINTON FALLS **R-26-151**
COUNTY OF MONMOUTH

RESOLUTION – REFUNDING ESCROW – SOLAR LANDSCAPE, LLC 950 SHREWSBURY AVENUE

WHEREAS, the following listed applicant has posted consultant escrow fees in conjunction with various Land Use applications in accordance with the Borough of Tinton Falls Land Use Ordinance, and

WHEREAS, the Zoning Board Secretary, Trish Zibrin, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the consultant escrow fees, plus any accrued interest, are hereby authorized to be released for the following applicant:
SOLAR LANDSCAPE, LLC
SOL4298CO
\$1,918.34

BOROUGH OF TINTON FALLS **R-26-152**
COUNTY OF MONMOUTH

**RESOLUTION APPOINTING A REPRESENTATIVE TO THE COUNTY OF MONMOUTH COMMUNITY
DIVISION ON AGING, DISABILITIES, AND VETERAN SERVICES**

WHEREAS the Monmouth County Division on Aging, Disabilities, and Veteran Services HUB Program is seeking a representative from each municipality to represent and spread the word about the important services provided; and

WHEREAS the previously appointed representative has resigned, creating a vacancy for the remainder of the 2026 term; and

WHEREAS the Mayor wishes to appoint Dr. Joseph Hickman to serve as the new representative for the Borough of Tinton Falls; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey, that Dr. Joseph Hickman is hereby appointed to serve as the Borough’s Representative to the Monmouth County Division on Aging, Disabilities, and Veteran Services HUB Program for the remainder of the term ending December 31, 2026.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the offices of the Monmouth County Division on Aging, Disabilities and Veterans Services, 3000 Kozloski Road, Freehold, NJ 07728.

BOROUGH OF TINTON FALLS **R-26-153**
COUNTY OF MONMOUTH

**REGULAR MEETING
AUGUST 11, 2026
BOROUGH COUNCIL**

RESOLUTION – APPROVAL OF BILLS – August 11, 2026

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending August 11, 2026; 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

GENERAL	8,058,236.29
SEWER UTILITY	455,749.52
GENERAL CAPITAL	29,086.35
GRANT FUND	6,827.20
TRUST FUNDS	99,462.60
DOG TRUST FUND	4,529.50
ESCROW	50,029.05
ADDITIONS	3,715,855.63
TOTAL	\$12,419,776.14

CERTIFICATION OF FUNDS:

ADJOURNMENT

Mr. Neis offered a motion to adjourn, seconded by Mr. Parikh.

ROLL CALL

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

TIME: 8:50pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Michael J. Nesci, Council President

APPROVED AT A MEETING HELD ON: September 1, 2026.