

**REGULAR MEETING
DECEMBER 3, 2024
BOROUGH COUNCIL**

Council President Clay 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 bulletin board at Borough Hall and by notification to the Asbury Park Press, the Newark Star Ledger, and the Coaster at least 48 hours prior to this meeting and filing with the Borough Clerk all on December 19, 2023.”

ROLL CALL (Regular Meeting)

PRESENT: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay
ABSENT:
ALSO PRESENT: Doreen D’Annunzio, Deputy Borough Clerk
Kevin Starkey, Director of Law
Charles Terefenko, Business Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

Mrs. Clay requested a moment of silence to honor the life of Councilman John Manginelli who recently passed away. She stated how Tinton Falls truly benefited from his dedication and leadership and listed all the positions he held since joining council in 2016. As a tribute to John, she referenced a poem, “When Great Trees Fall” by Maya Angelou and expressed just how much he will be missed. The rest of the council also shared their kind words regarding Councilman Manginelli.

APPROVAL OF MINUTES

Dr. Dobrin offered a motion to approve October 15, 2024, Regular Meeting Minutes seconded by Ms. Buckley.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay
ABSTAIN: None
NAYS: None
ABSENT: None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Public Hearing – A New Hotel/Motel “36” Plenary Retail Consumption License

PUBLIC HEARING OPENED

Mr. Nesci offered a motion to open the Public Hearing, seconded by Dr. Dobrin.

ROLL CALL

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

There being no comments, Dr. Dobrin offered a motion to close the Public Hearing, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING CLOSED

Borough Engineer – Thomas Neff

Mr. Neff reported on Wardell Road construction estimated to be completed tomorrow and Wardell Park reopening by the end of the week. The Road Program contractor is finished with paving for the year and will restart in the spring 2025. He will continue with drainage work in the college streets area.

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Business Administrator - Direct of Finance – Tom Fallon

Mr. Fallon had no report.

Business Administrator – Charles Terefenko

Mr. Terefenko reported on the Crawford House event on December 8th from 1:00pm to 3:00pm followed by Holiday Day celebration Liberty Park II at 3:45pm. He invited everyone to attend.

Director of Law- Kevin Starkey

Mr. Starkey had no report.

Deputy Borough Clerk – Doreen D’Annunzio

Ms. D’Annunzio had no report.

Council’s Reports

-Ms. Buckley reported the next Environmental Commission meeting will be held December 12th.

-Dr. Dobrin reported the library grand opening day was a great success and very well attended. He thanked everyone for their support.

-Mr. Nesci reported the Planning Board approved an application for Spark Car Wash on Newman Springs Road and Shrewsbury Avenue. The next week the Planning Board will review an application from JSM for a sub-division on Shafto Road

-Mrs. Clay reported attending a zoom OEM plan review meeting and thanked Dave Boehning for a good job. Also thanked the library committee, Mr. Tobin, Administration and DPW for all their hard work on a successful library opening. She reminded everyone to save the dates of September 4th, 5th and 6th, 2025 for combined events of Community Day and the 75th Anniversary celebrations.

ORDINANCES FOR INTRODUCTION

Ms. D’Annunzio read the title of the Ordinance: **2024-1519 An Ordinance Vacating The Rights Of The Public In A Portion Of A Paper Street Designated On The Tax Maps As Wardell Road**

Ms. D’Annunzio stated that the public hearing would be scheduled for Tuesday December 17, 2024.

Dr. Dobrin offered a motion to introduce Ordinance No. 2024-1519 seconded by Ms. Buckley.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay

ABSTAIN: None

NAYS: None

ABSENT: None

ORDINANCE NO. 2024-1519

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**AN ORDINANCE VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A PAPER STREET
DESIGNATED ON THE TAX MAPS AS WARDELL ROAD**

WHEREAS, there exists on the official Tax Maps of the Borough of Tinton Falls an unimproved paper street known as Wardell Road (33’ R.O.W. – unimproved) in Block 125 between lots 2 & 3, at Deed Book 5556, Page 662; and

WHEREAS, the Planning Board has recommended the vacation of Wardell Road by imposing a condition on the approval of a Minor Subdivision Plan for 5171 Asbury Avenue, Lots 1.02 & 2 & 3, Block 125 to mandate such roadway vacation; and

WHEREAS, the paper street serves no public purpose, requires unwarranted maintenance costs by the Borough and needs to be vacated; and

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WHEREAS, the entirety of the street to be vacated is neither open to the public for the purposes of vehicular traffic nor publicly maintained as a street; and

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empower the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of a portion of any public street, and to vacate any street or any part thereof dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has actually been opened or improved; and

WHEREAS, the Borough Council, upon the recommendation of the Borough Engineer and Director of Law, has concluded that the street to be vacated is not needed by the general public as a public thoroughfare and lend themselves to higher and better uses that as a public thoroughfare and for use by the general public, and that the public interest will best be served by vacating, releasing and extinguishing any and all public rights with the Borough may have in and to the street being vacated;

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

1. Subject to the conditions herein, the rights of the public in an to the portion of Wardell Road to be vacated, as more particularly delineated in the attached Exhibit A (survey prepared by Clearpoint Services LLC dated 11-12-2021, revised 11-21-2023, of the portion of Wardell Road to be vacated) and Exhibit B (legal description prepared by Clearpoint Services LLC entitled “Wardell Rd R.O.W. Vacation”), are hereby vacated, released and extinguished.
2. Pursuant to N.J.S.A. 40:67-1(b), all public easements, rights and interests in the vacated street, as particularly described in Exhibits A and B hereto, are hereby vacated, released and extinguished, except for all rights and privileges now possessed by public utilities, if any, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the “Cable Television Act,” N.J.S.A. 48:5A-1 et seq., to maintain, repair, and replace their existing facilities, if any, in, adjacent to, over or under the street, or any part thereof, to be vacated.
3. Pursuant to N.J.S.A. 40:67-21, the Township Clerk shall, within 60 days after this Ordinance becomes effective, file a copy of this ordinance, certified by her, under the seal of the Borough of Tinton Falls, to be a true copy of such ordinance, together with a copy of proof of publication, if publication be required, in the office where conveyances of land are recorded in Monmouth County and such certified copy shall be recorded in a book with proper index to be provided for the purpose and entitled “Vacations.”
4. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be considered for final passage, shall be given by the Borough Clerk to the owners of all real property whose lands may be affected by this Ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his or her last known post-office address. At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be considered for final passage, shall be published at least once in a newspaper published and circulated in the Borough of Tinton Falls. This is the notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.
5. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.
6. This Ordinance shall take effect upon its passage and publication according to law.

ORDINANCES FOR FINAL CONSIDERATION

Ms. D’Annunzio read the title of the Ordinance: **2024-1518 Ordinance Amending Various Sections Of The Land Use Ordinance Of The Borough Of Tinton Falls, Located In Chapter XL Of The Borough Code, To Implement The Recommendations Of The Planning Board In The Master Plan Reexamination Report Dated March 2024**

Mr. Nesci offered a motion to open the Public Hearing on Ordinance No. 2024-1518, seconded by Ms. Buckley.

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ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments, Dr. Dobrin offered a motion to close the Public Hearing on Ordinance No. 2024-1518, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Nesci offered a motion to adopt Ordinance No. 2024-1518, seconded by Dr. Dobrin.

ROLL CALL

AYES: Dr. Dobrin, Mr. Nesci, Mrs. Clay
NAYS: Ms. Buckley
ABSENT: None
ABSTAIN: None

PUBLIC DISCUSSION

Dr. Dobrin offered a motion to open the Public Discussion, seconded by Ms. Buckley.

ROLL CALL

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

Mrs. Clay asked the Clerk if there were any submitted comments and there were none.

There being no comments, Dr. Dobrin offered a motion to close the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS

Ms. D'Annunzio read the title of the Resolution: **R-24-227 Resolution Awarding A New Hotel/Motel "36" Plenary Retail Consumption License To Serena Enterprises, LLC For Premises Known As Latitude Suites Tinton Falls**

Mr. Nesci offered a motion to approve Resolution R-24-227, seconded by Dr. Dobrin.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay
ABSTAIN: None
NAYS: None
ABSENT: None

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-227

RESOLUTION AWARDING A NEW HOTEL/MOTEL “36” PLENARY RETAIL CONSUMPTION LICENSE TO SERENA ENTERPRISES, LLC FOR PREMISES KNOWN AS LATITUDE SUITES TINTON FALLS

WHEREAS, pursuant to the hotel/motel exception set forth at N.J.S.A. 33:1-12.20, a municipality may issue a new plenary retail consumption liquor license to a person or business entity that operates a hotel or motel containing at least 100 guest sleeping rooms (“hotel/motel license”), notwithstanding Title 33’s population cap limits; and

WHEREAS, Serena Enterprises, LLC (“Serena”) is the operator of the hotel known as Latitude Suites Tinton Falls (“Hotel”), which is located at 3 Centre Plaza, Tinton Falls, New Jersey; and

WHEREAS, on April 15, 2024, the Tinton Falls Borough Clerk received an application from Serena for a hotel/motel (“36”) liquor license to operate a restaurant and bar in the Hotel; and

WHEREAS, pursuant to N.J.S.A. 33:1-19.1 and 19.2, prior to issuing a new hotel/motel license, the municipal governing body must adopt a resolution indicating its intent to do so and setting forth which of two methods will be used, either the “Historical Method” or the “Public Sale Option”; and

WHEREAS, under the Historical Method, the municipality must publish a notice of the proposed issuance of a new license and that applications will be accepted by the Municipal Clerk, which notice must specify a date and time after which no additional applications will be considered; the notice must be published not less than twice through two insertions one week apart in a newspaper circulating generally in the municipality, the second or last of which shall be done not less than 30 days prior to the date and time specified in the notice as the date and time after which no additional applications will be accepted; and the notice must indicate that all interested applicants must submit complete applications and pay all required fees; and

WHEREAS, the governing body then evaluates the application(s) at a public hearing and awards the license to the applicant whose proposal would be in the best public interest, provided that the governing body is not required to issue a license if there are no applicants or if it determines that issuance to those who applied would not be in the public interest, and provided further that the license will not be issued until all necessary investigations are complete and satisfactory to the governing body; and

WHEREAS, the Tinton Falls Borough Council duly adopted a resolution on October 15, 2024 indicating its intent to issue a new plenary retail consumption license pursuant to the hotel/motel exception utilizing the Historical Method; and

WHEREAS, public notice that Tinton Falls would be accepting applications for a new plenary retail consumption liquor license pursuant to the hotel/motel exception for a facility containing 100 or more sleeping rooms and that could only be used in connection with such a hotel or motel was published in October 24, 2024 and on October 31, 2024; and

WHEREAS, the notice indicated that applications for the license had to be submitted no later than noon on December 2, 2024; and

WHEREAS, no applications were received except for the application from Serena; and

WHEREAS, the Borough Clerk and Director of Law have reviewed Serena’s application and advised the Mayor and Council that Serena meets all of the qualifications set forth in Resolution R-24-209 and in the Alcohol Beverage Control Law (N.J.S.A. 33:1-1 *et seq.*) to be awarded a license for the premises located at 3 Centre Plaza and known as Latitude Suites Tinton Falls; and

WHEREAS, the Mayor and Council find that it is the best interests of the public to approve Serena’s application and award a hotel/motel liquor license to same;

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

1. The findings set forth in the preamble to this resolution are incorporated herein as if fully restated.
2. A new plenary retail consumption liquor license pursuant to the hotel/motel exception set forth at N.J.S.A. 33:1-12.20 is hereby awarded to Serena Enterprises, LLC for the hotel known as Latitude Suites Tinton Falls (“Hotel”), which is located at 3 Centre Plaza, Tinton Falls, New Jersey.
3. The license shall contain a Special Condition stating that it is being issued as a hotel exception license for a facility containing 100 or more sleeping rooms and that it may only be used in connection with such a facility.
3. The award of the new license to Serena is subject to the submission by Serena of a complete application for the issuance of a hotel/motel (“36”) plenary retail consumption license, including all fees and requisite

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financial information, and the successful completion of the requisite background investigation by the Tinton Falls Police Department.

4. This resolution shall take effect immediately.

Ms. D'Annunzio read the title of the Resolution: **R-24-228 Resolution Authorizing The Issuance Of A New Hotel/Motel "36" Plenary Retail Consumption License To Serena Enterprises, LLC For Premises Known As Latitude Suites Tinton Falls**

Dr. Dobrin offered a motion to approve Resolution R-24-228, seconded by Mr. Nesci.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay

ABSTAIN: None

NAYS: None

ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-228

RESOLUTION AUTHORIZING THE ISSUANCE OF A NEW HOTEL/MOTEL "36" PLENARY RETAIL CONSUMPTION LICENSE TO SERENA ENTERPRISES, LLC FOR PREMISES KNOWN AS LATITUDE SUITES TINTON FALLS

WHEREAS, Resolution R-24-209 of the Borough Council has authorized the award of a new hotel/motel "36" plenary retail consumption license to Serena Enterprises, LLC ("Serena"), the operator of the hotel known as Latitude Suites Tinton Falls ("Hotel"), which is located at 3 Centre Plaza, Tinton Falls, New Jersey; and

WHEREAS, the bidder has applied for License Number 1336-36-019-001 for the term December 4, 2024 through June 30, 2025 under the name Serena Enterprises, LLC as permitted by N.J.S.A. 33:1-1 et seq.; and

WHEREAS, the annual license fee of \$2,500.00 was paid for the license in accordance with the Code of the Borough of Tinton Falls; and

WHEREAS, the Borough Council desires to authorize the issuance of this new license effectively January 1, 2025.

NOW THEREFORE, BE IT RESOLVED by the Tinton Falls Borough Council that the application by Serena Enterprises, LLC for a new hotel/motel "36" plenary retail consumption license with License Number 1336-36-019-001 is hereby approved for the term December 4, 2025 through June 30, 2025 and the license is authorized to be issued.

Mr. Starkey explained the vacancy law when replacing a councilmember.

Dr. Dobrin offered a motion to approve Resolution R-24-229, seconded by Ms. Buckley.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay

ABSTAIN: None

NAYS: None

ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-229

**RESOLUTION MAKING APPOINTMENT TO FILL VACANCY ON THE
BOROUGH COUNCIL FOR AN UNEXPIRED TERM**

WHEREAS, a vacancy currently exists on the Borough Council due to the untimely passing of Councilman John Manginelli on November 24, 2024; and

WHEREAS, pursuant to the Municipal Vacancy Law, N.J.S.A. 40A:16-12, the Borough Council may, within 30 days of the vacancy, appoint a successor to fill the vacancy; and

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WHEREAS, the Borough Council desires to make an appointment to fill the vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that it hereby appoints Gregory Alessi to serve on the Borough Council to fill the unexpired term until December 31, 2025.

CONSENT AGENDA

Mr. Nesci offered a motion to approve the Consent Agenda, seconded by Dr. Dobrin.

ROLL CALL

AYES: Ms. Buckley, Dr. Dobrin, Mr. Nesci, Mrs. Clay

ABSTAIN: None

NAYS: None

ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-230

**RESOLUTION AUTHORIZING THE BOROUGH TO PURCHASE THE AFFORDABLE
HOUSING UNIT LOCATED AT 13 CITATION COURT**

WHEREAS, the Borough of Tinton Falls (“Borough”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Borough of Application of the Borough of Tinton Falls, Docket No. MON-L-2475-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

WHEREAS, the Borough entered into a Settlement Agreement with Fair Share Housing Center on or about April 20, 2018 establishing the Borough’s Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Borough will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, the Court entered an order on November 7, 2018 approving the Settlement Agreement by and between the Borough and Fair Share Housing Center finding on a preliminary basis that the Settlement Agreement is fair to low and moderate-income households; and

WHEREAS, the Court entered a Third Round Judgment of Compliance and Repose in the Borough’s favor on July 17, 2023 approving the Borough’s Third Round Housing Element and Fair Share Plan including its Spending Plan protecting the Borough from builder’s remedy lawsuits through July 1, 2025; and

WHEREAS, the Borough has an interest in maintaining its existing affordable housing stock in order to continue to meet its constitutional obligation to provide for its fair share of affordable housing and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq.(“UHAC”) specifically authorizes municipalities to purchase affordable housing units in order to protect the unit from foreclosure which could result in the termination of the affordability controls and the Borough losing credit from the unit towards its overall affordable housing obligation; and

WHEREAS, a foreclosure complaint has been filed against the owner of an affordable housing unit located at 13 Citation Court (the “Unit”), and the Borough is interested in purchasing the unit so that it could resell the unit to a low- or moderate-income household in furtherance of the Borough’s constitutional obligation to provide for its fair share of affordable housing.

WHEREAS, the Borough Council believes it is in the best interest of the Borough to purchase the Unit to maintain the affordability controls so that the Borough may continue to obtain affordable housing credit towards its future affordable housing obligation.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls, County of Monmouth, hereby authorizes the Borough of Tinton Falls to purchase the affordable housing unit and property located at 13 Citation Court for a price up to the maximum restricted price as determined by the Borough’s Affordable Housing Administrator.

BE IT FURTHER RESOLVED that upon acquisition of the Unit, the Borough is authorized to resell the Unit to a qualified low-and moderate-income household in conformance with COAH’s regulations.

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator and Special Affordable Housing Counsel are hereby authorized to execute all documents necessary to purchase and sell the Unit and otherwise implement this Resolution.

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**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-231

**RESOLUTION APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVES
TO THE COUNTY OF MONMOUTH COMMUNITY DEVELOPMENT OFFICE**

WHEREAS, the Borough of Tinton Falls is a participant in the Monmouth County Community Development Program; and

WHEREAS, annual appointments must be made designating representatives of the Borough to attend and participate in meetings and vote on the matters before the County Community Development program; 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 Charles Terefenko is hereby appointed to serve as the Borough's Representative to the Monmouth County Community Development Program, and Trish Zibrin shall serve as the Borough's Alternate Representative for a term of January 1, 2025 and expiring December 31, 2025.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the offices of the Monmouth County Office of Community Development, Hall of Records Annex, One East Main Street, Freehold, NJ 07728.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-232

**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 Mayor wishes to appoint Gary Baldwin as the 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 Gary Baldwin is hereby appointed to serve as the Borough's Representative to the Monmouth County Division on Aging, Disabilities and Veterans Services HUB program for a term extending from January 1, 2025 through December 31, 2025.

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
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R-24-233

**RESOLUTION AUTHORIZING THE BOROUGH OF TINTON FALLS THROUGH THE TINTON FALLS
POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW
ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE TINTON FALLS POLICE
DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 program allows municipal and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although the property is provided through the 1033 Program at no cost to the municipal and county LEAs, these entities are responsible for the cost associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program; and

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NOW THEREFORE BE IT RESOLVED by the Tinton Falls Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2025 to December 31, 2025; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Tinton Falls Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which the resolution authorizes, based on the needs of the Tinton Falls Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that Tinton Falls Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: See attached list labeled Borough of Tinton Falls "Demil B through Q" Property List for all approved and authorized "Demil B through Q" property.

BE IT FURTHER RESOLVED that the Monmouth County/ Tinton Falls Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Monmouth County/Tinton Falls Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program During the period of time for which the resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2025 to December 31, 2025.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-234

**RESOLUTION – RELEASING MAINTENANCE GUARANTEES FOR
RONIQUE NJ, LLC – MEADOW AT TINTON FALLS
BOROUGH OF TINTON FALLS BLOCK, 97 LOT(S) 1, 1.01, 3**

WHEREAS, a request has been made for the release of Maintenance Guarantees for Ronique NJ, LLC – Meadow at Tinton Falls Borough of Tinton Falls Block, 97 Lot(S) 1, 1.01, 3 and

WHEREAS, by letter dated November 25, 2024 (said letter attached and hereby made part of this Resolution), the Borough Engineer 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 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.

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R-24-235

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2021 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2021 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	114	5.01	\$28,237.09

Re: Prop. Loc: HPTCY Corp.
600 Hope Road

and,

WHEREAS, said reduction has resulted in an overpayment of the 2021 taxes by the property owner in the amount of \$28,237.09, 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 \$28,237.09 is hereby approved for the aforementioned property. Said refunds shall be applied

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to 2025 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 \$28,237.09.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-236

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2024 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2024 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	124.42	11	\$798.64

Re: Prop. Loc: McGraw Daniel Jr. & Maritza M.
41 Charles Drive
and,

WHEREAS, said reduction has resulted in a overpayment of the 2024 taxes by the property owner in the amount of \$798.64, 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 \$798.64 is hereby approved for the aforementioned property. Said refunds shall be applied to 2025 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 \$798.64.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-237

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2024 Taxes has been made as a result of a Tax Court of New Jersey reduction in the assessed value for the year 2024 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	114	5.01	\$61,615.10

Re: Prop. Loc: HPTCY Corp.
600 Hope Road
and,

WHEREAS, said reduction has resulted in an overpayment of the 2024 taxes by the property owner in the amount of \$61,615.10, as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$61,615.10 is hereby approved for the aforementioned property. Said refunds shall be applied to 2025 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 \$61,615.10

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-238

RESOLUTION - REFUNDING TAX OVERPAYMENT

**REGULAR MEETING
DECEMBER 3, 2024
BOROUGH COUNCIL**

WHEREAS, overpayments of 2024 4th quarter Taxes have been made as a result of duplicate payments made in error for the year 2024.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
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(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

and,

WHEREAS, said duplicate payments have resulted in overpayments of the 2024 4th quarter taxes by Title Companies, Mortgage Companies, and Homeowners in the total amount of \$22,011.90, 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 \$22,011.90 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 \$22,011.90.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-239

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

WHEREAS, an overbilling and an overpayment of 2024 Taxes have been made as a result of a 100% Totally Disabled Veteran Exemption for the year 2024.

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
Vinson, Kimberly Ann 51 Des Moines Court Tinton Falls, NJ 07712	124.50	49	\$0.00	\$874.09	\$874.09

and,

WHEREAS, said exemption resulted in an overbilling and an overpayment of the 2024 taxes in the amount of \$874.09 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 \$0.00 be cancelled for the year 2024 and that a refund in the amount of \$874.09 is hereby approved for the above property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$0.00 and the amount of overpayment to be \$874.09.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-240

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, overpayments of 2024 4th quarter Taxes have been made as a result of Veteran's or Widow of a Veteran's deductions for the year 2024 to properties known as:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
TF Campus LLC 3000 Essex Road Tinton Falls, NJ 07753	128.03	19.05	\$1,500.00

(ADDITIONAL ELIGABLE SEABROOK RESIDENTS FOR THE YEAR 2024
ARE HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)

and,

WHEREAS, said deductions have resulted in overpayments of the 2024 4th quarter taxes by the property owners in the total amount of \$1,500.00 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 \$1,500.00 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 \$1,500.00.

**REGULAR MEETING
DECEMBER 3, 2024
BOROUGH COUNCIL**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-241

**RESOLUTION - CANCELLING & REFUNDING TAXES DUE TO
SENIOR CITIZEN AND VETERAN'S DEDUCTIONS**

WHEREAS, overbillings and overpayments of 2024 Taxes have been made as a result of Senior Citizen and Veteran deductions for the year of 2024.

<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		\$500.00	\$ 750.00	\$1,250.00

and,

WHEREAS, said deductions resulted in overbillings and overpayments of the 2024 taxes in the amount of \$1,250.00 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the taxes amounting to \$500.00 be cancelled for the year 2024 and that refunds in the amount of \$750.00 are 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 \$500.00 and the amount of overpayment to be \$750.00.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-24-242

RESOLUTION – APPROVAL OF BILLS – December 3, 2024

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending December 3, 2024; 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	3,702,751.90
SEWER UTILITY	16,264.85
GENERAL CAPITAL	14,392.50
GRANT FUND	3,211.19
TRUST FUNDS	166,663.81
DOG TRUST FUND	2,619.10
ESCROW	660.00
ADDITIONS	1,734.87
TOTAL	3,908,298.22

CERTIFICATION OF FUNDS:

ADJOURNMENT

Ms. Buckley offered a motion to adjourn, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: None

ABSTAIN: None

TIME: 7:52pm

**REGULAR MEETING
DECEMBER 3, 2024
BOROUGH COUNCIL**

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Risa Clay, Council President

APPROVED AT A MEETING HELD ON: December 17, 2024