

**REGULAR MEETING
JUNE 17, 2025
BOROUGH COUNCIL**

Council President Dr. Dobrin called the Regular Meeting to order at 7:33 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 and the New Coaster at least 48 hours prior to the meeting and filing with the Borough Clerk all on January 7, 2025.”

ROLL CALL (Regular Meeting)

PRESENT: Mr. Alessi, Ms. Buckley, Mr. Nesci, Dr. Dobrin

ABSENT: Mr. Parikh

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Risa Clay, Mayor
Charles Terefenko, Business Administrator
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Ms. Buckley offered a motion to approve May 6, 2025, Regular Meeting Minutes seconded by Mr. Alessi.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Dr. Dobrin

ABSTAIN: Mr. Nesci

NAYS: None

ABSENT: Mr. Parikh

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Senator Gopal presented Gerard P. DeVeaux Sr. with a memorializing certificate.

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THE SENATE AND GENERAL ASSEMBLY
STATE HOUSE, TRENTON, N.J.

JOINT LEGISLATIVE RESOLUTION
By Senator GOPAL and Assemblywomen DONLON and PETERPAUL

WHEREAS, The Senate and General Assembly of the State of New Jersey are privileged to memorialize the late Gerard P. "Rod" DeVeaux Sr., a highly esteemed resident of the Garden State, who passed from this life on March 13, 2025, at the age of ninety-two; and,

WHEREAS, Gerard P. DeVeaux Sr., who served this nation with honor during the Korean War, later returned to the country as an employee of the United States Department of Defense, an outstanding career which afforded him the opportunity to live abroad in Riyadh, Saudi Arabia, and Frankfurt, Germany, and his insatiable wanderlust also took him to the former Soviet Union, Australia, Vietnam, and other destinations across the globe; and,

WHEREAS, A celebrated jazz musician, he spent his Saturday nights entertaining patrons of the Blue Note in Asbury Park, and he will long be remembered for bringing home comic books and candies for his children to enjoy while he read *The Daily News* at the kitchen table on Sunday mornings; and,

WHEREAS, Gerard P. DeVeaux Sr. was upheld in his many beneficent endeavors by his family, one that includes his wife, Clementine, his sons, Gerard Jr., Edmund, and Sheldon, and his granddaughters, Bryana and Abrielle, and his memory will be cherished by a host of family and friends; and,

WHEREAS, Within all the spheres of his life and work, Gerard P. DeVeaux Sr. established a model worthy of emulation and set a standard of excellence toward which others might strive; now, therefore,

Be It Resolved by the Senate and General Assembly of the State of New Jersey:

That this Legislature hereby memorializes Gerard P. DeVeaux Sr. and pays tribute to his enduring legacy of service and commitment; and,

Be It Further Resolved, That a duly authenticated copy of this resolution, signed by the Senate President and the Assembly Speaker and attested by the Senate Secretary and the Assembly Clerk, be transmitted to the family of Gerard P. "Rod" DeVeaux Sr.

Attest:



Addison B. Hinrichs
Secretary of the Senate



Daniel J. Burt
Clerk of the General Assembly

Nicholas P. Scutari
President of the Senate

Craig J. Coughlin
Speaker of the General Assembly

Mayor Clay presented Gerard P. DeVeaux Sr. with a Certificate of Recognition.

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Mayor Clay presented Daniel Reevey with a Proclamation of Citizen of Tinton Falls 2025 and Senator Gopal with Assemblywoman Donlon also made a presentation.

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Certificate of Recognition was presented by Mayor Clay to Eagle Scout Arthur J. Lynch IV and Senator Gopal with Assemblywoman Donlon also made a presentation.

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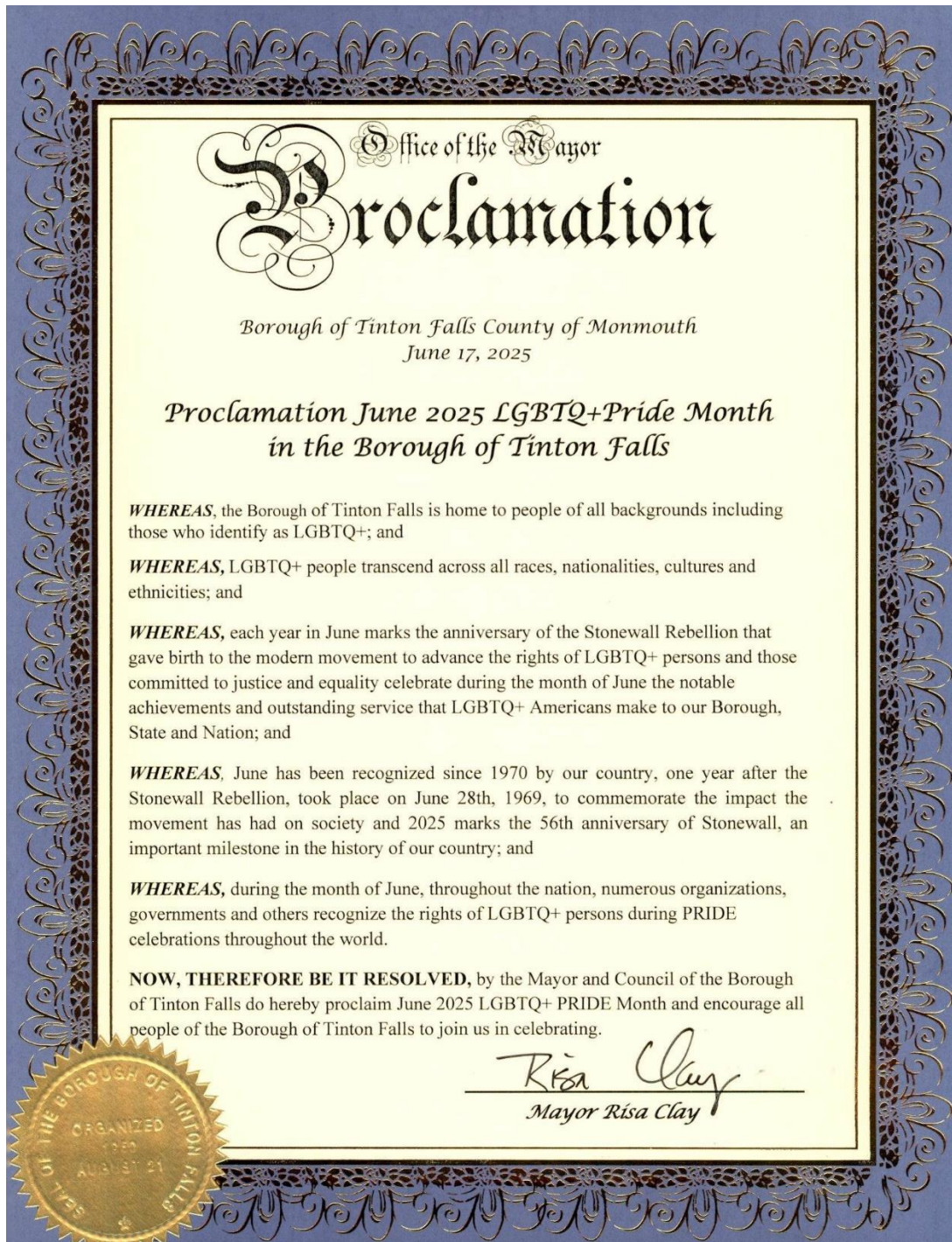


A Certificate of Recognition was presented by Mayor Clay to Anthony Gemelos and Senator Gopal with Assemblywoman Donlon also made a presentation.



Dr. Dobrin asked Ms. Buckley to read the proclamation Declaring June 2025 LGBTQ+ Pride Month.

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Public Hearing – Monmouth County Community Development Block Grant Application

Dr. Dobrin introduced Mr. Neff to answer any questions regarding the Monmouth County Community Development Block Grant Application.

Mr. Neff discussed the details of the grant application process. The Monmouth County Community Development Block Grant is an annual grant which is released every year, but municipalities are only eligible to apply every other year. The last grant was for the 2023 funding cycle for Tinton Falls and was for Wardell Road improvements. He explained that this is not a matching grant and the maximum fund request is \$200,000. Mr. Neff stated that eligible projects must meet HUD regulations and serve an eligible population. He explained that most projects, such as roadwork must be located in a designated target neighborhood (DTN) to be eligible, most of which is located in the southeastern portion of Tinton Falls and is determined and identified on Census maps. Mr. Neff stated a review has been completed of eligible areas and the recommendation is for ADA parking and accessible route improvements to the Tinton Falls Public Library site. The final construction estimate for the cost needs to be finalized but it should be in the area of \$100,000. Mr. Neff explained that there are currently only 6 parking spaces for the library, none of which meet current ADA regulations. The route to the front door is also not ADA accessible. Mr. Neff explained the project goals. On the south side of the building, we would remove the existing parking area, regrade it to provide a level, ADA compliant area, install new retaining walls, and pave an expanded parking area for 7 spaces, including one ADA space. We would also install a new ADA accessible sidewalk from the parking lot to the front door. On the north side of the building in the existing grass area, we would add 10 new parking spaces, including one ADA space. New sidewalk would also be provided for ADA access to the building.

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Mr. Neff stated that the application is due to the County by Friday July 18th, and hopefully by the end of the year we will be advised of the grant award. Mr. Neff stated that this grant is very competitive.

Mr. Nesci offered a motion to open the Public Hearing on Monmouth County Community Development Block Grant Application, seconded by Ms. Buckley.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Parikh

PUBLIC HEARING OPEN

Ellen Goldberg, Tinton Falls – Ms. Goldberg stated she is beyond excited for this project. Believes it is desperately needed.

Brendan Tobin, Tinton Falls – Mr. Tobin stated he is in support of the Borough submitting this application.

Councilwoman Buckley – Ms. Buckley believes this is a fantastic idea.

Councilman Nesci – Mr. Nesci is also in support of Borough submitting this application.

There being no further comments, Ms. Buckley offered a motion to close the Public Hearing on Monmouth County Community Development Block Grant Application, seconded by Mr. Alessi.

ROLL CALL

AYES: All In Favor
NAYS: None
ABSTAIN: None
ABSENT: Mr. Parikh

PUBLIC HEARING CLOSED

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Borough Engineer – Thomas Neff

Mr. Neff reported on applying for the NJDOT grant application due July 1st for the road improvement projects and new Musco Lightning for the baseball fields at Hockhockson Park.

Business Administrator – Charles Terefenko

Mr. Terefenko provided an overview of the 75th Anniversary celebration making steady progress on the logistics of the coordination efforts and stated they are looking for volunteers to assist in any way they can, including the parade. This extends to teenagers who are looking for work hours.

Mayor's Report- Risa Clay

Mayor Clay reported on having weekly office hours providing residents with an opportunity to share thoughts and concerns. She attended the Little League skills night and threw out the first ball. The Mayor on May 26th attended the annual Memorial Day service with other council members at Sycamore Park and on May 28th met with representatives of RWJ for an update on their project and plans for the community. The Mayor and Ms. Kishore met with a brownie troop for an interactive role play whereby the brownies presented their ideas of what they would like to see in the Borough. Mayor Clay attended an EMS fundraiser and continued to plan for the 75th Anniversary celebration. In early June, she attended several events such as Pre-K graduation; a fish fry at the AME Church; AYF Football and Cheer family fun day; and the Historic Commission who hosted a program by Gilda Rogers, Director of the Tea Thomas Fortune House in Red Bank, along with council members and Mr. Terefenko, who spoke about the history of soul food and provided samples. Mayor Clay stated due to feedback from residents concerning a few repair items by the fields at Liberty Park. She thanked the residents for the feedback and reiterated how we cannot be everywhere and appreciated their involvement.

Director of Law – Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

Ms. Hutchinson had no report.

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-Mr. Alessi congratulated everyone who was recognized tonight, especially Mr. Reevey. The Shade Tree Commission met scheduling their meetings for the first Wednesday of every month at the Crawford House. He attended the MRHS Jazz Band Show along with Ms. Buckley and Mayor Clay. Mr. Alessi attended the Juneteenth event at the Crawford House which was exceptional.

-Ms. Buckley congratulated all the honorees and reported attending the Juneteenth event which was fantastic, and she thanked everyone involved for putting together the program. The Jazz Band Show was impressive and the Memorial Day service at the firehouse was fantastic and thanked everyone involved for the great job of organizing the event. The next meeting of the Green Team is on June 25th and on the agenda is an appointment of a new member which is exciting to see the interest in the environment. Next Environmental Commission meeting is June 26th at 7:00pm at the Crawford House. Thanked Ms. Hutchinson and staff for their work on Primary Election Day.

-Mr. Nesci commented he was thankful for the positive feedback from residents of the college streets who recently had their roads paved.

-Dr. Dobrin reported attending the library board of trustees meeting and projects and activities are going well. He encouraged everyone to go online to check out all the activities offered. This is his 30th year volunteering for the Summer Special Olympics at TCNJ and watching the athletes compete.

ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **2025-1527 Ordinance Vacating The Borough's Rights And Interest In Various Paper Streets Located Within Block 145, Lot 26.01**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday July 8, 2025.

Mr. Alessi offered a motion to introduce Ordinance No. 2025-1527 seconded by Mr. Nesci.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Nesci, Dr. Dobrin

ABSTAIN: None

NAYS: None

ABSENT: Mr. Parikh

ORDINANCE NO. 2025-1527

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**Ordinance Vacating The Borough's Rights And Interest
In Various Paper Streets Located Within Block 145, Lot 26.01**

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

SECTION 1. Pursuant to the authority vested in the Borough of Tinton Falls by N.J.S.A. 40:67-21, all public rights owned by the Borough in the following roadways, located entirely within Block 145, Lot 26.01, be and hereby are vacated:

Red Bank Street (40' width)
Atlantic Street (40' width)
Bradley Street (40' width)
Chelsea Street (40' width)
Wildwood Street (40' width)
Pine Street (25' width)
Ocean Parkway (40' width)

SECTION 2. Notwithstanding this Ordinance there is hereby reserved and excepted from said vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television franchise company as defined in the "Cable Television Act." P.L. 1972, c. 186 (c. 48:5A-1 et seq.), to maintain, repair or replace their existing facilities in, adjacent to, over or under any part thereof to be vacated.

SECTION 3. This Ordinance is expressly conditioned upon title to the area being vacated merging in its entirety with title to the property known as Block 145 Lot 26.01.

SECTION 4. A certified copy of this Ordinance shall be filed with the Clerk of Monmouth County.

SECTION 5. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

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ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Parikh

ABSTAIN: None

Dr. Dobrin asked the Clerk if there were any submitted comments and there were none.

Brian Thompson, Environmental Commissioner in Monmouth Beach – Mr. Thompson is on the advisory board for *Beyond Plastics* commented on the crisis of plastics. He had some medical testing done to see how many nano micro plastics are in his body. He provided information about the current plastics crisis and future growth of this problem in our bodies and the environment. He was looking for support from the Council to join the campaign with a resolution of support.

Marta Young, Lincroft, Clean Water Action Member – Ms. Young provided ways that the Council can reduce the plastic toxin exposure and support this movement. “*Skip the Stuff*” campaign for businesses to reduce plastics and she spoke about existing ordinances and resolutions already passed by towns in New Jersey who also support this movement and their successes.

Brendan Tobin, Tinton Falls – Mr. Tobin offered to help setup the canine program if it is moving forward.

Ellen Goldberg, Tinton Falls – Ms. Goldberg thanked the Green Team and the previous presenters for the reduce plastics movement and would like Tinton Falls to make a stand.

Mitch Kulberg, Tinton Falls – Mr. Kulberg congratulated Mr. Reevey and everyone who was honored. He offered information about two new sink holes for road repairs off Riverdale Avenue to be checked. He thanked Ms. Hutchinson for the organized process on Primary Election Day as he is a poll worker. He supports the efforts to reduce plastics campaign.

Dipti Sheth, Tinton Falls – Ms. Sheth supports the reduction of plastics initiative and suggested a NJ Sustainable Recognition Award to businesses who participate to reduce plastics. She thanked the Council for the Library and announced a presentation at the Library for June 28th at 11:00am on plant-based diets.

There being no further comments, Ms. Buckley offered a motion to close the Public Discussion, seconded by Mr. Nesci.

ROLL CALL

AYES: All in Favor

NAYS: None

ABSENT: Mr. Parikh

ABSTAIN: None

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS - None

CONSENT AGENDA

Mr. Nesci offered a motion to approve the Consent Agenda, seconded by Ms. Buckley.

ROLL CALL

AYES: Mr. Alessi, Ms. Buckley, Mr. Nesci, Dr. Dobrin

ABSTAIN: None

NAYS: None

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ABSENT: Mr. Parikh

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-114

RESOLUTION - RENEWAL OF CERTAIN CLUB LIQUOR LICENSES FOR THE YEAR 2025/2026

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the following club licenses be renewed for the year commencing July 1, 2025 and expiring June 30, 2026.

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Oceanside Social Club, Inc.	1336-31-018-002	\$180.00	None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-115

RESOLUTION - RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR LICENSES FOR THE YEAR 2025/2026

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, that the following plenary retail distribution licenses be renewed for the year commencing July 1, 2025 and expiring June 30, 2026

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Worldwide Wines, LLC	1336-44-004-016	\$2,500.00	Inactive
3-Queens, Inc.	1336-44-005-004	\$2,500.00	Tinton Falls Buy Rite
Reva Enterprises LLC	1336-44-006-006	\$2,500.00	Pinebrook Liquor & Deli

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-116

RESOLUTION – RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION LIQUOR LICENSES FOR THE YEAR 2025/2026

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, 2025 and expiring June 30, 2026:

<u>LICENSE NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>TRADE NAME</u>
Twin Brook at Tinton Falls, Inc.	1336-33-001-007	\$2,500.00	Inactive
McLoone’s Tinton Falls LLC	1336-33-002-013	\$2,500.00	CJ McLoone’s
TFR Tinton, LLC	1336-33-003-008	\$2,500.00	Woody’s Ocean Grille
Tinton Falls Lodging Realty, LLC	1336-36-007-014	\$2,500.00	Walt Cafe
Adova, LLC	1336-33-008-006	\$2,500.00	Gargiulos Tinton Falls

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Mimoza, LLC	1336-33-009-007	\$2,500.00	Tally Ho Inn
Menditto, Inc.	1336-33-010-005	\$2,500.00	Nettie's
Tinton Falls Restaurant, Inc.	1336-33-011-005	\$2,500.00	Inactive
GSPH Restaurants	1336-33-012-003	\$2,500.00	The Pour House
Apple Food Service of Tinton Falls, Inc.	1336-33-013-008	\$2,500.00	Applebee's Neighborhood Grill & Bar
Village Falls, LLC	1336-33-014-011	\$2,500.00	MJ's
HPT CY TRS Inc.	1336-36-015-004	\$2,500.00	Sonesta Select Tinton Falls
Serena Enterprises, LLC	1336-36-019-001	\$2,500.00	Latitude Suites Tinton Falls

**BOROUGH OF TINTON FALLS
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R-25-117

**RESOLUTION – RELEASING PERFORMANCE GUARANTEES FOR 369 ESSEX ROAD
BOROUGH OF TINTON FALLS BLOCK 128.03 Lot 1.11**

WHEREAS, a request has been made for the release of Performance Guarantees for 369 Essex Road Borough Of Tinton Falls Block 128.03 ;Lot 1.11 and

WHEREAS, by letter dated May 20, 2025 (said letter attached and hereby made part of this Resolution), the Borough Engineer (T&M Associates) has certified that all bonded items remain in acceptable condition and recommends the release of the guarantees and the maintenance bond be waived.

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.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-118

**RESOLUTION – RELEASING MAINTENANCE GUARANTEES
FOR 2022 ROAD IMPROVEMENT PROJECT – FERNANDEZ CONSTRUCTION CO.**

WHEREAS, a request has been made for the release of Maintenance Guarantees for the 2022 Road Improvement Project – Fernandez Construction Co.; and

WHEREAS, by letter dated May 20, 2025 (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 for the 2022 Road Improvement Project – Fernandez Construction Co.

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-25-119

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

WHEREAS, NJS 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 2025 in the sum of \$56,854.78, which is now available from State of New Jersey Clean Communities Program.

BE IT FURTHER RESOLVED, that the like sum of \$56,854.78 is hereby appropriated under the caption of Clean Communities Program; and

BE IT FURTHER RESOLVED, that the electronic special item of revenue resolution submittal form be filed with the Division of Local Government Services.

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**BOROUGH OF TINTON FALLS
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R-25-120

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

WHEREAS, NJS 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 2025 in the sum of \$36,318.92, which is now available from State of New Jersey Recycling Tonnage Grant.

BE IT FURTHER RESOLVED, that the like sum of \$36,318.92 is hereby appropriated under the caption of Recycling Tonnage Grant; and

BE IT FURTHER RESOLVED, that the electronic special item of revenue resolution submittal form be filed with the Division of Local Government Services.

**BOROUGH OF TINTON FALLS
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R-25-121

**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND
EXECUTION A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT
OF TRANSPORTATION FOR THE RUTGERS DRIVE IMPROVEMENTS – PHASE 2 PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Tinton Falls formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-Rutgers Drive Improvements – Phase 2-00294 to the New Jersey Department of Transportation on behalf of the Borough of Tinton Falls.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Tinton Falls and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF TINTON FALLS
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R-25-122

**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND
EXECUTION OF A GRANT AGREEMENT WITH THE MONMOUTH COUNTY DIVISION OF
PLANNING, OFFICE OF COMMUNITY DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT FOR THE TINTON FALLS LIBRARY PARKING LOT & ADA ACCESS
IMPROVEMENTS PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Tinton Falls formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application for the Tinton Falls Library Parking Lot & ADA Access Improvements Project to the Monmouth County Division of Planning, Office of Community Development on behalf of the Borough of Tinton Falls.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Tinton Falls and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF TINTON FALLS
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R-25-123

**RESOLUTION AUTHORIZING PURCHASE UNDER
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #65MCESCCPS
MISCELLANEOUS MAINTENANCE EQUIPMENT**

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WHEREAS, the Tinton Falls Department of Public Works is in need of some maintenance equipment, a Groundsmaster 7210, Field Pro 6040, Groundsmaster 5900, and a Workman UTX Gas; and

WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS as approved by Resolution #R-14-186; and

WHEREAS, Storr Tractor Company, 3191 US 22, Branchburg, NJ 08876 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of the Groundsmaster 7210 in the amount of \$40,138.01, Field Pro 6040 in the amount of \$46,995.20, Groundsmaster 5900 in the amount of \$139,676.48, and a Workman UTX Gas in the amount of \$22,045.65 for a total purchase price of all the maintenance equipment in the amount of \$248,855.34; and

WHEREAS, these purchases are permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends these purchases.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes these purchases under the valid Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS:

I hereby certify funds are available from: Open Space Trust Fund

**BOROUGH OF TINTON FALLS
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R-25-124

**RESOLUTION AUTHORIZING PURCHASE UNDER
SOURCEWELL COOPERATIVE
FOR CLASS 5-8 CHASSIS WITH RELATED EQUIPMENT
ONE (1) 2025 KENWORTH L770 CONVENTIONAL CHASSIS WITH LABRIE AUTOMIZER**

WHEREAS, the Tinton Falls Department of Public Works is in need of One (1) 2025 Kenworth L770 Conventional In-Stock Chassis with Labrie Automizer 31 cubic yard Right Hand Automated Side Loader; and

WHEREAS, the Borough of Tinton Falls is a current member of the Sourcewell Cooperative as approved by Resolution #R-16-123; and

WHEREAS, Gabrielli Truck Sales, 293 Bergen Turnpike, Ridgfield Park, NJ 07886 is a valid vendor on the Sourcewell Cooperative, for the purchase of One (1) 2025 Kenworth L770 Conventional In-Stock Chassis with Labrie Automizer 31 cubic yard Right Hand Automated Side Loader; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid Sourcewell Cooperative

I hereby certify funds are available from: Budget: Current Budget: Acquisition of Sanitation Truck

**BOROUGH OF TINTON FALLS
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R-25-125

RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Borough of Tinton Falls is in need of locking in current pricing for the Microsoft Enterprise Agreement from Dell Technologies; and

WHEREAS, Dell Technologies, Dell Marketing L.P., One Dell Way, Round Rock, TX 78682 has a valid NJ State Contract, designated as NJ Start Contract #20-TELE-01510, for the Microsoft Enterprise Agreement for a total purchase price in the amount of \$150,536.88; and

WHEREAS, this contract will be a three-year contract starting 2025; and

WHEREAS, this purchase is permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Daniel Romanov, Director of Information Technology recommends this purchase;

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BOROUGH COUNCIL**

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid NJ State Contract:

I hereby certify funds are available contingent on appropriations in budget years 2025, 2026, and 2027:

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-126

**RESOLUTION AUTHORIZING PURCHASE UNDER
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #65MCESCCPS
ODRA MT4H SWEEPER**

WHEREAS, the Tinton Falls Department of Public Works is in need of a Odra MT4H Sweeper mounted to an Isuzu NRR Cab Over Chassis; and

WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS as approved by Resolution #R-14-186; and

WHEREAS, Sanitation Equipment Corp., 80 Furler Street, Totowa, NJ 07512 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of the Odra MT4H Sweeper mounted to an Isuzu NRR Cab Over Chassis for a total purchase price in the amount of \$287,882; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS:

I hereby certify funds are available from: Current Budget – Acquisition of Street Sweeper

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-127

**RESOLUTION AUTHORIZING PURCHASE UNDER
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
COOPERATIVE PRICING SYSTEM #65MCESCCPS
LIGHT STRUCTURE SYSTEM WITH TOTAL LIGHT CONTROL**

WHEREAS, the Borough of Tinton Falls Hockhockson Park T-Ball field is in need of a new lighting system; and

WHEREAS, the Borough of Tinton Falls is a current member of the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS as approved by Resolution #R-14-186; and

WHEREAS, Musco Sports Lighting, LLC, 100 First Avenue West, Oskaloosa, IA 52577 is a valid vendor on the Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS, for the purchase of the Light Structure System with Total Light Control – TLC for LED technology for a total purchase price in the amount of \$74,750; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Thomas P. Neff, PE, PP, CME, CFM, Borough Engineer recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid Middlesex Regional Educational Services Commission Cooperative Pricing System #65MCESCCPS:

I hereby certify funds are available from: Open Space Trust Account

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-128

RESOLUTION AUTHORIZING PURCHASE UNDER STATE CONTRACT

WHEREAS, the Tinton Falls Department of Public Works is in need of four Mobile Column Lifts; and

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WHEREAS, Mohawk Lifts, LLC, 65 Vrooman Avenue, Amsterdam, NY 12010 has a valid NJ State Contract #25-COMG-108995 for two 16,000 lb. Capacity Mobile Column, 22” Forks, and two 18,000 lb. Capacity Mobile Column, 15” Forks for a total purchase price in the amount of \$71,306.58; and

WHEREAS, this purchase is permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, Mark Shaffery, Director of Public Works recommends this purchase;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid 2025 NJ State Contract:

I hereby certify funds are available from: Current Budget – Acquisition of Shop Lift - \$69,000.00
Current Budget – Central Maintenance - \$2,306.58

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-129

**RESOLUTION AUTHORIZING CHANGE ORDER #1
INCREASING PROFESSIONAL ENGINEERING CONTRACT
SUBURBAN CONSULTING ENGINEERING
WALZ PARK PROJECT**

WHEREAS, a contract for Professional Engineering Services, Walz Park Project was awarded to Suburban Consulting Engineers by Resolution R-24-122 in the amount of \$168,250 at a Council Meeting held on June 11, 2024; and

WHEREAS, Change Order #1 dated May 27, 2025 from Suburban Consulting Engineers reflects a increase to the contract in the amount of \$24,615 due to additional services associated with requirements set forth by the New Jersey Department of Environmental Protection; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Change Order #1 increasing the contract for the Walz Park Project in the amount of \$24,615 for a total contract in the amount of \$192,865 is hereby authorized for the above contract awarded to Suburban Consulting Engineers; and

I hereby certify funds are available from: Open Space Trust Fund

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-130

**RESOLUTION AUTHORIZING CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES – T & M ASSOCIATES
REMEDIAL ACTION PROTECTIVENESS / BIENNIAL CERTIFICATION
TINTON FALL DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Borough of Tinton Falls has a need for professional engineering services for the Remedial Action Protectiveness / Biennial Certification Services – Tinton Falls Department of Public Works; and

WHEREAS, T & M Associates is the Borough Engineer as approved by Resolution R-24-247 adopted on December 17, 2024; and

WHEREAS, these services will be described in the proposal attached dated February 15, 2025; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$17,850; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby authorized to provide professional engineering services as described in the proposal dated February 15, 2025, for an amount not to exceed \$17,850; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish a public notice of this Resolution as required by law.

I hereby certify funds are available from: Current Budget – Environmental Health Services

**COUNTY OF MONMOUTH
BOROUGH OF TINTON FALLS**

R-25-131

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE CRANFORD POLICE COOPERATIVE PRICING
SYSTEM**

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WHEREAS, N.J.S.A. 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, the governing body of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, pursuant to N.J.A.C 5:34-7.6 (a), duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED that this RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Cranford Police Cooperative Pricing System,

Pursuant to the provisions of N.J.S.A. 40A:11-11(5) and N.J.A.C 5:34-7.6 (a), the Borough of Tinton Falls is hereby authorized to enter into a Cooperative Pricing Agreement with Cranford Police Cooperative Pricing System, the Lead Agency.

BOROUGH OF TINTON FALLS **R-25-132**
COUNTY OF MONMOUTH

RESOLUTION APPOINTING A MEMBER TO THE GREEN TEAM ADVISORY COMMITTEE

BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls appoints the following person to the Tinton Falls Green Team Advisory Committee for a one-year term to expire December 31, 2025:

Members:
Elnaz Nazemi Committee member

BOROUGH OF TINTON FALLS **R-25-133**
COUNTY OF MONMOUTH

RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, the 2025 Sewer bill on the following property has been paid in error by the Homeowner paying on an incorrect property in the year 2024.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>TOTAL</u>
Borough of Tinton Falls 556 Tinton Avenue Tinton Falls, NJ 07724	124.51	3	\$203.33

Re: Etkin, Lisa D.
21 Madison Court

and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that a refund in the amount of \$203.33 is hereby approved for the aforementioned property. Said refund will be applied to the 2024 past due sewer bill and interest for 57 Dover Court.

I, CAROL HUSSEY, Tax Collector of the Borough of Tinton Falls hereby certify the amount of overpayment to be \$203.33.

BOROUGH OF TINTON FALLS **R-25-134**
COUNTY OF MONMOUTH

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, overpayments of 2025 2nd quarter Taxes have been made as a result of duplicate payments made in error for the year 2025.

<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 2025 2nd quarter taxes by Title Companies, Mortgage Companies, and Homeowners in the total amount of \$11,331.59, 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 refunds totaling \$11,331.59 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 \$11,331.59.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-135

**RESOLUTION – REFUNDING ESCROW
“A” NJ SPORTS COMPLEX**

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, Regina Acken, 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:

**“A” NJ SPORTS COMPLEX
ANJ4457CO
\$13,247.64**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-136

**RESOLUTION – REFUNDING ESCROW
369 ESSEX, LLC**

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, Regina Acken, 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:

**369 ESSEX, LLC
3696072CO
\$15,778.46**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-137

**RESOLUTION – REFUNDING ESCROW
1181 SYCAMORE AVE LLC
1181320CO**

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, Regina Acken, 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.

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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:

**1181 SYCAMORE AVE LLC
1181320CO
\$61.50**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-138

**RESOLUTION – REFUNDING ESCROW
3941-3945 ROUTE 33 HOLDINGS**

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, Regina Acken, 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:

**3941-3945 ROUTE 33 HOLDINGS
3945231CO
\$9,422.24**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-139

**RESOLUTION – REFUNDING ESCROW
301 COMMERCE DRIVE
3014287CO**

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, Regina Acken, 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:

**301 COMMERCE DRIVE
3014287CO
\$694.10**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-140

**RESOLUTION – REFUNDING ESCROW
M&J 111 CLINTON PLACE
MJ14285CU**

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, Regina Acken, 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:

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BOROUGH COUNCIL**

**M&J 111 CLINTON PLACE
MJ14285CU
\$790.00**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-141

**RESOLUTION – REFUNDING ESCROW – JAMES FINN
18 HOPE ROAD
FIN4311CU**

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, Regina Acken, 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:

**JAMES FINN
FIN4311CU
\$130.00**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-142

**RESOLUTION – REFUNDING ESCROW
WCS GROUP, LLC
WCS4303CU**

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, Regina Acken, 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:

**WCS GROUP, LLC
WCS4303CU
\$252.00**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-143

**RESOLUTION – REFUNDING ESCROW
5030 SHAFTO, LLC
5035546CO**

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, Regina Acken, 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:

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**5030 SHAFTO, LLC
5035546CO
\$14,757.35**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-144

**RESOLUTION – RELEASING PERFORMANCE GUARANTEE AND ESCROW
LENNAR PARCEL C – MIXED USE (AKA PATRIOTS SQUARE)
BOROUGH OF TINTON FALLS BLOCK 101 PORTION OF LOT 1**

WHEREAS, the developer has requested the release of the Performance Guarantee posted for Lennar Parcel C – Mixed Use (Aka Patriots Square) Borough Of Tinton Falls Block 101 Portion Of Lot 1; and

WHEREAS, by letter dated June 6, 2025, (said letter attached and hereby made part of this Resolution), the Consulting Engineer (T&M Associates) has certified that all items have been completed and recommends the release of the guarantees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Performance Guarantee for Lennar Parcel C – Mixed Use (Aka Patriots Square) Borough Of Tinton Falls Block 101 Portion Of Lot 1;; 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-25-145

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH TINTON FALLS ENDORSING FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Borough of Tinton Falls , County of Monmouth, State of New Jersey, (hereinafter, "Borough" or "Tinton Falls ") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations and in fact obtained a Final Round Three Judgment of Compliance and Repose on July 18, 2019 from the Court in the matter captioned In the Matter of the Application of the Borough of Tinton Falls , County of Monmouth, Superior Court of New Jersey, Law Division, Docket No. MON-L-2475-15 thereby immunizing the Borough from builder remedy litigation until July 1, 2025 (the “Third Round Litigation”) ; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to provide its calculation of every municipality’s Fourth Round fair share affordable housing obligations based upon the criteria on the Amended FHA and the DCA issued a report on October 18, 2024 (the "DCA Report") wherein it supplied its calculation of the fair share affordable housing obligation for all municipalities, including the Borough of Tinton Falls ; and

WHEREAS, the DCA Report calculated Tinton Falls Fourth Round affordable housing obligations as follows: Present Need (Rehabilitation) Obligation of 419 units and a Fourth Round Prospective Need (New Construction) Obligation of 219 affordable housing units; and

WHEREAS, the Borough Council adopted Resolution 25-031 rejecting the DCA calculation of the Borough Fourth Round prospective need affordable housing obligation of 219 units, subject to the Borough’s right to a Vacant Land Adjustment in accordance with N.J.S.A 52:27D-311 of the Amended Act; and

WHEREAS, the Borough engaged in court ordered mediation with Fair Share Housing Center and entered into an agreement to resolve its Fourth-Round prospective need obligation at 203 units; and

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24 dated December 13, 2024 and pursuant to that Directive, a municipality seeking a certification of compliance with the Act is required to file a legal action in the form of a declaratory judgment complaint within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the Borough filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Borough of Tinton Falls , County of Monmouth, State of New Jersey, Docket No. MON-L-000296-25 seeking a declaration as to the Borough’s Fourth Round affordable housing obligation and the approval of the Borough’s Housing Element and Fair Share Plan (“HESP”) which sets forth the affordable housing mechanisms the Borough will implement to satisfy its Fourth Round affordable housing obligation; and

WHEREAS, the Amended FHA requires municipalities to adopt a Housing Plan Element and Fair Share Plan (“HESP”) by June 30, 2025 setting forth the Borough’s affordable housing obligation of 203 affordable housing units and the mechanisms the Borough will implement to meet its constitutional obligation to provide for its fair share of affordable housing in order to maintain immunity from builder’s remedy obligation; a

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BOROUGH COUNCIL**

WHEREAS, the Borough Planner, Jennifer C. Beahm, PP, AICP prepared a HESP establishing the Borough of Tinton Falls is entitled to rely upon a Vacant Land Adjustment resulting in a Realistic Development Potential of 31 affordable housing units with an Unmet Need of 172 affordable housing units; and

WHEREAS, the Planning Board of the Borough of Tinton Falls , Monmouth County, State of New Jersey, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, held a public hearing on the Housing Element and Fair Share Housing Plan prepared by Jennifer C. Beahm on May 28, 2024 and considered the sworn testimony of Jennifer C. Beahm, PE, AICP at the hearing; and

WHEREAS, the Borough Planning Board adopted a Resolution dated May 28, 2025 approving the Housing Plan Element and Fair Share Plan; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough to endorse the Housing Element and Fair Share Plan to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation until July 1, 2035.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls , County of Monmouth, State of New Jersey, that it hereby endorses the Housing Element & Fair Share Housing Plan dated May 28, 2025 prepared by Borough Planner Jennifer C. Beahm, PP, AICP

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-146

**RESOLUTION AUTHORIZING THE BOROUGH TO PURCHASE THE AFFORDABLE
HOUSING UNIT LOCATED AT 4 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 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, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

WHEREAS, the Borough filed a timely declaratory judgment complaint Fourth Round Declaratory Judgment Action known as In the Matter of the Application of the Borough of Tinton Falls , County of Monmouth, State of New Jersey, Docket No. MON-L-000296-25 seeking a declaration as to the Borough’s Fourth Round affordable housing obligation and the approval of the Borough’s Housing Element and Fair Share Plan for the time period 2025-2035; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough to endorse the Housing Element and Fair Share Plan to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation until July 1, 2035.

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 then 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 a three bedroom affordable housing unit located at 4 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 4 Citation Court for a price up to the maximum restricted price of \$217,286.86 as determined by the Borough’s Affordable Housing Administrator from funds in the Borough’s Affordable Housing Trust Fund.

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.

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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.

BOROUGH OF TINTON FALLS **R-25-147**
COUNTY OF MONMOUTH

RESOLUTION – APPROVAL OF BILLS – June 17, 2025

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending June 17, 2025; 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	4,601,690.04
SEWER UTILITY	92,189.40
GENERAL CAPITAL	287,239.16
GRANT FUND	10,579.68
TRUST FUNDS	76,567.77
DOG TRUST FUND	5,807.86
ESCROW	37,419.44
ADDITIONS	<u>1,477,747.53</u>
TOTAL	6,589,240.88

CERTIFICATION OF FUNDS:

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor
NAYS: None
ABSENT: Mr. Parikh
ABSTAIN: None

TIME: 8:50pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Dr. Lawrence A. Dobrin, Council President

APPROVED AT A MEETING HELD ON: August 12, 2025.