

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

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

The Borough Clerk read the following statement: “Pursuant to Section 5 of the Open Public Meetings Act, Adequate Notice of This Meeting Has Been Provided by Posting on the Borough of Tinton Falls’ Official Website and in the Municipal Building at Least 48 Hours Prior to the Meeting and by Filing with the Borough Clerk all on November 10, 2025.”

ROLL CALL (Regular Meeting)

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

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

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Ms. Buckley offered a motion to approve September 1, 2026 Regular and Executive Meeting Minutes seconded by Mr. Alessi.

ROLL CALL

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

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Director of Finance – Thomas Fallon

Mr. Fallon had no report.

Business Administrator – Christopher J. Camilleri

Mr. Camilleri reminded attendees that an open forum with JCP&L will be held Thursday at 7:00 PM in the community room. Representatives will address questions regarding the recent summer outages and their responses. Everyone is encouraged to attend.

Mayor Risa Clay

Mayor Clay reported on recent community activities and events. She and other officials attended the opening of Monmouth Medical Center’s new food pharmacy, visited seniors at St. Anselm’s to swear in the new president, participated in a Netflix ribbon cutting, and took part in local 9/11 ceremonies. The Mayor’s Wellness Committee held its second meeting and has begun reviewing funding requests related to mental health, substance abuse prevention, and resiliency efforts for all age groups. Mayor Clay also spoke at the Jersey Shore Chamber of Commerce Mayor’s Breakfast to share updates on Tinton Falls. Additionally, Officer Desiree Johnson was honored as a hometown hero. She emphasized the importance of attending the upcoming JCP&L Town Hall on Thursday and noted that Community Day is approaching on September 26th.

Director of Law – Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

-Ms. Hutchinson had no report.

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

-Mr. Alessi reported that he attended several recent community events, including those noted by Mayor Clay, and highlighted progress on the Mayor’s Wellness Campaign. He clarified that funding applications for wellness initiatives will be supported through the opioid settlement rather than town funds. He also announced that the Planning Board will meet tomorrow at 5:30 PM.

- Ms. Buckley reported attending the Historic Preservation Committee meeting, noting steady progress. She announced that the Historic Commission will host a booth and presentation at Archives Day at Brookdale Community College on October 10th, from 9:00 AM to 1:30 PM.

-Mr. Neis shared additional details about Community Day, scheduled for September 26th from 3:30 to 8:30 PM, featuring rides, food, and activities for all ages. He added that the next Zoning Board meeting will take place on September 17th.

-Mr. Nesci had no report.

ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1553 AN ORDINANCE AMENDING SECTIONS 40-3 AND 40-32 OF THE BOROUGH CODE TO ADD “DATA CENTERS” AS A PROHIBITED USE IN ALL ZONING DISTRICTS IN THE BOROUGH**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday October 6, 2026.

Ms. Buckley offered a motion to introduce Ordinance No. 2026-1553 seconded by Mr. Neis.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: None

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

ORDINANCE NO. 2026-1553

AN ORDINANCE AMENDING SECTIONS 40-3 AND 40-32 OF THE BOROUGH CODE TO ADD “DATA CENTERS” AS A PROHIBITED USE IN ALL ZONING DISTRICTS IN THE BOROUGH

WHEREAS, data centers supporting artificial intelligence are being built across the State of New Jersey at an alarming rate, and;

WHEREAS, the Borough is conscious of the impact on the environmental and natural resources posed by the scope, depth and pervasiveness of large-scale commercial data center operations; and

WHEREAS, data centers, by their nature, pose significant challenges to municipalities relating to electricity consumption, noise, air quality, water use, and community character; and

WHEREAS, the Borough has determined that it is in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business here, to amend its Ordinances to include data centers as a prohibited use within the geographic boundaries of the Borough and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations.

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

SECTION 1. Section 40-3 of the Borough Code, entitled “Definitions,” is hereby amended and supplemented as follows (underlined to be added):

§ 40-3 DEFINITIONS

DATA CENTER

Shall mean and include any facility used primarily for the storage, management, and processing of digital or electronic data, which houses computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems, systems for monitoring and managing infrastructure performance, internet-related equipment and services, data communications connections, environmental controls, fire protection systems, and security systems and services.

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

Typical accessory components of a data center may include transformers, electrical substations, environmental controls, fire suppression, generators, redundant power supplies and security facilities.

SECTION 2. Section 40-32 of the Borough Code, entitled “Prohibited Uses” is hereby amended to add the following subsection to the Section:

§ 40-32. PROHIBITED USES.

* * *

J. Data centers shall be prohibited in all zoning districts.

SECTION 3. Repealer.

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

SECTION 4. Severability.

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

SECTION 5. Effective Date.

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

ORDINANCES FOR FINAL CONSIDERATION - None

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: None

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

Sandra Berte, Tinton Falls - Ms. Berte reported a serious safety concern involving multiple borough-owned trees adjacent to her property. She stated that despite weeks of calls, emails, and certified mail, she received no response until September 19th, when borough employees inspected the site. According to that inspection, a large double-trunk tree is showing signs of failure, another nearby tree is dead, and additional trees may also be compromised. She noted that a cracked limb is hanging precariously, and evidence of fungal rot indicates the trees are diseased and unstable. Ms. Berte formally entered her concerns into the public record, asserting that the borough now has explicit notice of a life-threatening hazard and a legal duty to act. She requested immediate action from the business administrator, including dispatching a certified tree expert or crew to remove the dangerous trees. She offered copies of previous correspondence and photos for council review.

Ms. Dayanidhi, Tinton Falls – Ms. Dayanidhi asked for clarification on the newly introduced ordinance concerning data centers, seeking to understand its purpose and next steps. Director of Law, Kevin Starkey explained that the ordinance, if adopted at the next council meeting on October 6th, would ban data centers in Tinton Falls. The process includes a second reading and a public hearing before a final council vote. The director of law noted that similar ordinances have already been adopted in Asbury Park and Red Bank, with other towns in the process. She asked how residents are informed, and Mr. Starkey stated that the ordinance will be posted on the borough website and shared via borough social media. Residents interested in the matter were encouraged to attend the October 6th meeting.

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: None

REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

NOMINATION OF INTERIM COUNCILMEMBER SEAT

Mr. Neis offered a motion to open the floor for nominations for Councilmember seconded by Ms. Buckley.

ROLL CALL

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

Mr. Alessi nominated Mr. Robert Clayton for Councilmember position and provided a brief introduction.

There being no further nominations, Ms. Buckley offered a motion to close the nomination for Councilmember seconded by Mr. Neis.

ROLL CALL

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

Mr. Nesci requested a vote on the nomination of Robert P. Clayton for Councilmember.

ROLL CALL (as to Robert P. Clayton filling interim vacancy due to Councilmember Kashyap Parikh resignation)

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

RESOLUTIONS

R-26-162 Resolution Making Appointment To Fill Vacancy On The Borough Council for an Unexpired Term

Mr. Alessi offered a motion to approve Resolution R-26-162 seconded by Mr. Neis.

ROLL CALL

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

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-162

**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 resignation of Councilman Kashyap Parikh on August 28, 2026; 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

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

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that it hereby appoints Robert P. Clayton to serve as a Council Member on the Borough Council to fill the unexpired term until December 31, 2027.

BE IT FURTHER RESOLVED that the appointment made herein shall become effective on September 24, 2026, upon which date and time the appointee shall be entitled to take the oath of office and assume all rights, duties, and responsibilities of the office of Council Member.

BE IT FURTHER RESOLVED that until the effective date of September 24, 2026, the appointee shall not be deemed to hold the office of Council Member and shall not exercise any powers or duties associated with that office.

CONSENT AGENDA

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

ROLL CALL

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

ABSTAIN: None

ABSENT: None

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-163

**RESOLUTION AUTHORIZING SEWERAGE SERVICE AGREEMENT WITH TRIANGLE TINTON
FALLS, LLC**

WHEREAS, the Borough of Tinton Falls has requested that the Township of Neptune provide sanitary sewerage service for property located at 1151 Green Grove Road, known as Block 128.03, Lot 39.01, owned by Triangle Tinton Falls, LLC; and

WHEREAS, the Borough has negotiated a proposed Service Agreement with the property owner, the Township of Neptune and the Neptune Township Sewerage Authority for the provision of such sewerage service; and

WHEREAS, the costs of installation, connection and service fees shall all be paid in full by the property owner and not by the Borough; and

WHEREAS, the terms of the sewerage service agreement are set forth in the proposed Service Agreement in the form attached hereto; and

WHEREAS, the Director of Law and Borough Engineer have reviewed and recommended the attached Service Agreement to the Mayor and Borough Council; and

WHEREAS, the Borough Council now desires to authorized said Agreement.

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

1. The attached Service Agreement, to provide sanitary sewer service to Block 128.03, Lot 39.01, is hereby approved.
2. The Mayor is authorized to sign, and the Borough Clerk to attest, to the Service Agreement.
3. The Borough Clerk is authorized and directed to provide a certified copy of this Resolution to Triangle Tinton Falls, LLC, the Township of Neptune and to the Neptune Township Sewerage Authority.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-164

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Tax Sale Certificate #24-03366 was issued to the Borough of Tinton Falls for sewer charges on Block 26.01 Lot 92 (102 Players Circle), assessed to Brianna Graziano at a tax sale held on December 11, 2024

WHEREAS, Brianna Graziano paid the full amount of the certificate's delinquency.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Tinton Falls are hereby authorized to endorse Certificate of Sale #24-03366 for cancellation.

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify that Tax Sale Certificate #24-03366 was redeemed on August 21, 2026.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-165

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, overpayments of 2026 3rd quarter Taxes have been made as a result of duplicate payments made in error for the year 2026.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)			\$35,816.06

and,

WHEREAS, said duplicate payments have resulted in overpayments of the 2026 3rd quarter taxes by Title Companies, Owners and Mortgage Companies, in the total amount of \$35,816.06, 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 \$35,816.06 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 \$35,816.06.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-166

RESOLUTION – APPROVAL OF BILLS – September 15, 2026

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending September 15, 2026; and

WHEREAS, the Borough Council has reviewed said claims.

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

SUMMARY

GENERAL	834,162.45
SEWER UTILITY	290,011.98
GRANT FUND	10,554.26
TRUST FUNDS	90,158.69
ESCROW	8,075.16
ADDITIONS	<u>1,597,038.31</u>
TOTAL	<u>\$2,830,000.85</u>

CERTIFICATION OF FUNDS:

ADJOURNMENT

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

ROLL CALL

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

**REGULAR MEETING
SEPTEMBER 15, 2026
BOROUGH COUNCIL**

TIME: 7:50pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Michael J. Nesci, Council President

APPROVED AT A MEETING HELD ON: October 6, 2026.