REGULAR MEETING
OCTOBER 20, 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."

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ROLL CALL (Regular Meeting)

PRESENT: Mr. Alessi, Ms. Buckley, Mr. Clayton, 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 October 6, 2026 Regular and Executive Meeting Minutes seconded by Mr. Alessi.

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

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Proclamation – Celebrating National First Responders Day

Council President Nesci read the proclamation, and Mayor Clay issued a proclamation certificate to all the first responder groups and commented that the first responders are "the backbone of public safety" and "the calm in moments of crisis". Their dedication extends beyond emergency calls to include training, preparedness, and teamwork. The first responder groups celebrated were: Tinton Falls Police Department; Office of Emergency Management; Tinton Falls EMS North; Department of Public Works; Wayside Fire Company; Tinton Falls Fire Company No. 1; Pine Brook Fire Company; Northside Fire Company; Monmouth County Sheriff MedStar EMS and 911 Dispatchers of Monmouth County;



Office of the Mayor

Proclamation

Borough of Tinton Falls County of Monmouth
October 20, 2026

Proclamation Celebrating National First Responders Day October 28, 2026

WHEREAS, first responders include public works professionals, firefighters, law enforcement officers, emergency medical technicians, 911 dispatchers, paramedics, and other emergency personnel; and,

WHEREAS, these individuals stand on the front lines of our community, committing themselves to the protection and service of the residents of Tinton Falls, New Jersey; and,

WHEREAS, the responsibilities of first responders extend far beyond arriving at an emergency, they deliver lifesaving assistance, manage hazardous situations, and provide essential care when every second matters; and,

WHEREAS, first responders willingly face danger to protect the public from disasters, accidents, medical crises, and threats to health and safety; and,

WHEREAS, it is in the best interest of the residents of Tinton Falls to deepen their understanding of the crucial role these individuals play in safeguarding our community; and,

WHEREAS, first responders deserve heartfelt recognition for their unwavering dedication, bravery, and commitment to the well-being of all who live and work in Tinton Falls; and

NOW, THEREFORE, the Mayor and Council of Tinton Falls hereby express their deepest gratitude to all first responders for their dedication and service to Tinton Falls.

SEAL OF THE BOROUGH OF TINTON FALLS ORGANIZED 1918 AUGUST 21

Risa Clay

Mayor Risa Clay

Council meeting recessed from 7:45pm to 7:47pm

REGULAR MEETING
OCTOBER 20, 2026
BOROUGH COUNCIL

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Director of Finance – Thomas Fallon
Mr. Fallon had no report.

Business Administrator – Christopher J. Camilleri

Mr. Camilleri had no report.

Mayor Risa Clay

Mayor Clay announced recent community activities, including new park features that provide family-friendly activities. She attended a ribbon-cutting event on Apple Street on October 14th and reported attending a community "top chat" style event focused on inclusion, noting it was a positive addition for the town. Provided an update on the Wellness Committee: the committee has been meeting regularly and is accepting community proposals for mental health and substance-abuse initiatives. A strong number of proposals have been received and funded initiatives include:
• Cyberbullying education for students.
• Drug-prevention presentations.
• Clinical and risk assessments for K–8 schools.
• Mental-health and substance-abuse assessments plus ten counseling sessions available to any resident in need.
• Trauma-informed therapy training for mental-health professionals.
• Two school-year productions involving 100 students through the Parents Association.
• A pre-prom speaker for the high school.

Director of Law – Kevin Starkey
Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson
-Ms. Hutchinson had no report.

-Mr. Alessi thanked first responders and families; noted first Board of Education liaison meeting scheduled for Thursday.

- Ms. Buckley thanked first responders; Environmental Commission meeting October 23rd at 7:00 PM with guest speaker on at-home composting.

-Mr. Clayton reported attending a United Way ribbon cutting event with mayor and council members; Emeritus Health Forum; thanked police department for managing peaceful demonstrations. Planning Board meeting October 28th to elect new chairman.

-Mr. Neis reported attending the October 12th Historic Commission meeting and next meeting will be November 9th. He announced the Crawford House movie October 21st at 7:00 PM. Next Zoning Board meeting November 4th.

-Mr. Nesci echoed thanks to first responders.

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ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1554 AN ORDINANCE AMENDING SECTION 40-68 OF THE BOROUGH CODE, "STORMWATER MANAGEMENT," TO REPLACE THE CURRENT SECTION WITH A NEW MODEL SECTION FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday November 10, 2026.

Mr. Neis offered a motion to introduce Ordinance No. 2026-1554 seconded by Ms. Buckley.

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

BOROUGH OF TINTON FALLS
MONMOUTH COUNTY
NEW JERSEY

ORDINANCE NO. 2026-1554

AN ORDINANCE AMENDING SECTION 40-68 OF THE BOROUGH CODE, "STORMWATER MANAGEMENT," TO REPLACE THE CURRENT SECTION WITH A NEW MODEL SECTION FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)

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

SECTION 1. Section 40-68 of the Borough Code, entitled "Stormwater Management," is hereby deleted in its entirety and replaced with the following new section:

§ 40-68 **STORMWATER MANAGEMENT AND CONTROL**

§ 40-68.1 **Scope and Purpose**.

A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

B. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 40-68.2.

C. Applicability

1. This ordinance shall be applicable to the following major developments:

   a. Non-residential major developments and redevelopment projects; and
   b. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 *et seq.*

2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Tinton Falls.

3. A complete application required by ordinance pursuant to C.1 Municipal Land Use Law, N.J.S.A. 40:55D-10.5, and above that has been submitted prior to November 30, 2026, shall be subject to the stormwater management requirements in effect on the date the complete application was received.

4. Notwithstanding 5 below or any rule to the contrary, major developments for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone shall be subject to the requirements of this ordinance as follows:

   i. A major development that reached a preferred alternative or equivalent milestone prior to March 2, 2021, is subject to the requirements of this ordinance in effect on March 1, 2021; and
   ii. A major development that reached a preferred alternative or equivalent milestone on or after March 2, 2021, is subject to the requirements of this ordinance in effect on the date the preferred alternative or equivalent milestone is reached.

5. Should a public transportation entity initiate a substantial change to a major development that had previously reached a preferred alternative or equivalent milestone, the major development shall instead be subject to the requirements of this ordinance in effect when the amended milestone is reached.

6. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

D. Maintenance Requirement Applicability to the Stormwater Management Measures Prior Constructed Stormwater Management Measures

Under the authorization by the conditions in Part V.F.4.a of municipality's Tier A Municipal Stormwater General Permit, the maintenance requirement in Section X.B.6 through 9 shall be also applicable to stormwater management measures constructed after February 7, 1984.

E. Compatibility with Other Permit and Ordinance Requirements
Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 40-68.2 **Definitions.**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

§ 40-68.3 **Design and Performance Standards for Stormwater Management Measures.**

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies.

Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

§ 40-68.4 **Solids and Floatable Materials Control Standards.**

A. Site design features identified under Section 40-68.3 above, or alternative designs, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this subsection, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard, see A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

   a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

   b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

   Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

   c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

   a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

   b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

   c. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

      i. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
      ii. A bar screen having a bar spacing of 0.5 inches.

   Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

   d. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

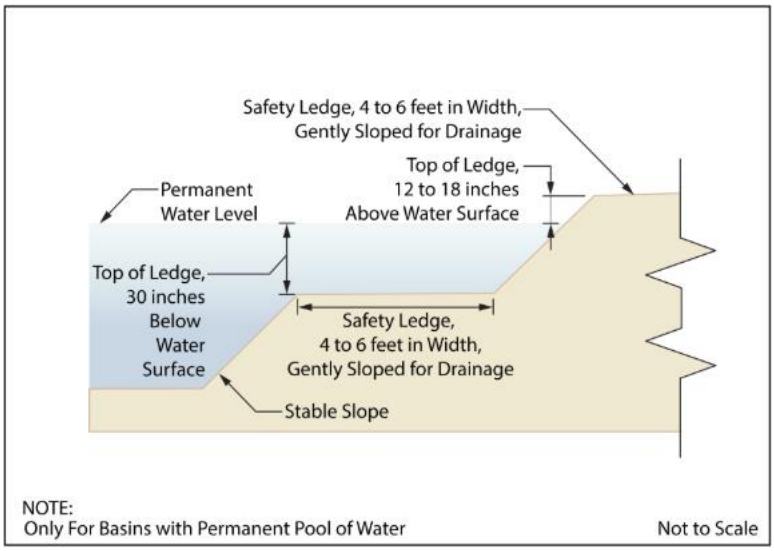
   e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ 40-68.5 **Safety Standards for Stormwater Management Basins.**

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



The basin safety ledges shall be 4 to 6 feet in width and gently sloped for drainage. The top of the top ledge shall be 12 to 18 inches above the water surface, and the top of the bottom ledge shall be 30 inches below the water surface.

§ 40-68.6 **Requirements for a Site Development Stormwater Plan.**

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 40-68.6(C) below as part of the submission of the application for approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.

3. The applicant shall submit two copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 40-68.6(C) of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils,

erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis
A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans
A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan
This plan shall provide a demonstration of how the goals and standards of Section III is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map
The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

   a. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
   b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

   a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section III of this ordinance.

   b. A soil report providing the information necessary to determine the suitability and distribution of soil present at the development, as explained in Chapter 12 of the BMP Manual shall be submitted.

7. Maintenance and Repair Plan
The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 40-68.7.

8. Waiver from Submission Requirements
The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 40-68.6(C)(1) through (6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 40-68.7 **Maintenance and Repair.**

A. Applicability

Projects subject to review as in Section 40-68.1(C) of this ordinance shall comply with the requirements of Section 40-68.7(B) and (C).

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.

2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:

    a. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and

    b. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 40-68.8 **Penalties.**

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties as specified in Chapter 1, Section 1-5 of the Revised General Ordinance of the Borough of Tinton Falls entitled "General Penalty."

SECTION 3. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of thisOrdinance 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 bean 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 themanner prescribed by law.

****

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1555 AN ORDINANCE AMENDING SECTIONS 2-12 AND 3-12 OF THE BOROUGH CODE TO SUBSTITUTE THE BUSINESS ADMINISTRATOR FOR THE DIRECTOR OF PUBLIC SAFETY THROUGHOUT; AND TO FIX THE NUMBER OF SWORN OFFICERS AT 47**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday November 10, 2026.

Mr. Alessi offered a motion to introduce Ordinance No. 2026-1555 seconded by Mr. Clayton.

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

BOROUGH OF TINTON FALLS
MONMOUTH COUNTY
NEW JERSEY

ORDINANCE NO. 2026-1555

AN ORDINANCE AMENDING SECTIONS 2-12 AND 3-12 OF THE BOROUGH CODE TO SUBSTITUTE THE BUSINESS ADMINISTRATOR FOR THE DIRECTOR OF PUBLIC SAFETY THROUGHOUT; AND TO FIX THE NUMBER OF SWORN OFFICERS AT 47

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

SECTION 1. Section 2-12 of the Borough Code, entitled "Department of Public Safety," is hereby amended and supplemented as follows (~~strikethroughs~~ to be deleted; underlined to be added; changes **bolded** solely for convenience):

§ 2-12. DEPARTMENT OF PUBLIC SAFETY

§ 2-12.1. Rules and Regulations; Police Department.

a. Establishment of Department of Public Safety, Division of Police, Rules and Regulation.

1. Department Authority.

(a) The Department of Public Safety of the Borough of Tinton Falls is established pursuant to N.J.S.A. 40A:14-118 as amended. The head of the department shall be the **Business Administrator, who** ~~**Director. The Director**~~ shall be the appropriate authority for the adoption and promulgation of rules and regulations under N.J.S.A. 40A:14-118 as amended and shall be responsible for the coordination of the activities of the Department as assigned.

(b) Division of Police. Within the Department of Public Safety there is hereby established a Division of Police. The Division shall consist of the previously authorized Police Department established by Ordinance No. 420, June 23, 1978. The Tinton Falls Police Department shall after this be called the "Department."

2. Department Rules.

(a) Rules and Regulations established. The appropriate authority of the Borough of Tinton Falls hereby

adopts and promulgates the Department rules and regulations, known as the "Tinton Falls Police Department Rules and Regulations" and after this called the "Rules".

(b) Right to amend or revoke. In accordance with N.J.S.A. 40A:14-118, the right is reserved by the appropriate authority to amend or to revoke any of the rules contained herein.

(c) Previous rules, policies and procedures. All rules previously issued, and policies and procedures that are contrary to the rules contained herein, are hereby revoked. All other policies and procedures shall remain in force.

(d) Application. These rules are applicable to all police officers of the Department and to all civilian employees of the Department where appropriate.

(e) Distribution. One copy of these rules shall be distributed to each employee of the Department.

(f) Responsibility for maintenance. Employees shall be responsible for maintaining a current copy of the rules, including all additions, revisions and amendments as issued.

(g) Familiarization. Employees shall thoroughly familiarize themselves with the provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules.

b. Definitions.

AUTHORITY — Shall mean the right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the Department rules, policies and procedures. Authority may be delegated by those so designated. Acts performed without proper authority, or authorization shall be considered to be in violation of the rules.

CHAIN OF COMMAND — Shall mean vertical lines of communication, authority and responsibility within the organizational structure of the Department.

DAY OFF — Shall mean those days determined by the appropriate supervisor on which a given employee is excused from duty.

DIRECTIVE — Shall mean a document detailing the performance of a specific activity or method of operation. "Directive" includes:

1. GENERAL ORDER — Broadly based directive dealing with policy and procedure and affecting one or more organizational subdivisions of the Department.

2. S.O.P. — Standard Operating Procedures describe policy and procedures relating to various Department activities. They outline the accepted step-by-step instructions for completing a particular task.

3. PERSONNEL ORDER — A directive initiating and announcing a change in the assignment, rank or status of personnel.

4. SPECIAL ORDER — A directive dealing with a specific circumstance or event that is usually self-canceling.

EMPLOYEE — Shall mean all employees of the Department, whether sworn regular or special police officers or civilian employees.

MAY/SHOULD — As used herein words "may" or "should" mean that the action indicated is permitted.

ORDER — Shall mean any written or oral directive issued by a supervisor to any subordinate or group of subordinates in the course of police duty.

POLICY — Shall mean a statement of Department principles that provides the basis for the development of procedures and directives.

PROCEDURE — Shall mean a written statement providing specific direction for performing Department activities. Procedures are implemented through policies and directives.

SHALL/WILL — The words "shall" and "will," as used herein, shall indicate that the action required is mandatory.

SUPERVISOR — Shall mean employee assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

c. General Duties and Responsibilities.

1. Police officers shall:

(a) Take appropriate action to:

(i) Protect life and property;

(ii) Preserve the peace;

(iii) Prevent crime;

(iv) Detect and arrest violators of the law;

(v) Enforce all federal, state, and local laws and ordinances coming within Department jurisdiction;

(vi) Safely and expeditiously regulate traffic;

(vii) Aid citizens in matters within police jurisdiction;

(viii) Take appropriate police action in aiding fellow officers as needed;

(ix) Provide miscellaneous services.

(b) Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the Department.

(c) Abide by all rules, regulations and departmental procedures and directives governing police officer employees.

(d) Be accountable and responsible to their supervisors for obeying all lawful orders.

(e) Coordinate their efforts with other employees of the Department to achieve Department objectives.

(f) Conduct themselves in accordance with high ethical standards, on and off duty.

(g) Strive to improve their skills and techniques through study and training.

(h) Familiarize themselves with the area of authority and responsibility for the current assignment.

(i) Perform their duties promptly, faithfully and diligently.

(j) Perform all related work as required.

2. Supervisors in the Department shall:

(a) Enforce Department rules and insure compliance with Department policies and procedures.

(b) Exercise proper use of their command within the limits of their authority to assure efficient performance by their subordinates.

(c) Exercise necessary control over their subordinates to accomplish the objectives of the Department.

(d) Guide and train subordinates to gain effectiveness in performing their duties.

(e) Use Department disciplinary procedures when necessary.

(f) When using discipline, comply strictly with the provisions of the Department disciplinary process.

3. Commanding Officer.

(a) The Commanding Officer, appointed by the **Business Administrator** ~~**Director of the Department of Public Safety,**~~ shall be directly responsible for the efficiency and routine day-to-day operations of the police force, and, pursuant to the policies established by the appropriate authority, shall:

(i) Administer and enforce the Rules and Regulations of the Police Department and any special emergency directives for the disposition and discipline of the Department and its members and officers;

(ii) Have, exercise and discharge the functions, powers and duties of the Police Department;

(iii) With the consent of the **Business Administrator** ~~**Director**~~, prescribe the duties and assignments of all subordinates and other personnel;

(iv) Delegate such authority as he may deem necessary for the efficient operation of the Police Department to be exercised under his direction and supervision;

(v) Report at least monthly to the appropriate authority in such form as shall be prescribed on the operation of the Police Department during the preceding month and make such other reports as may be requested by the appropriate authority.

(b) Responsibilities. The Commanding Officer is responsible to:

(i) Maintain and delegate such of his authority as he may deem necessary for the efficient operation of the Department to be exercised under his direction and supervision.

(ii) Organize, control and maintain all property and resources of the Department.

(iii) Implement the policies and procedures necessary to govern and direct the day-to-day operations of the Police Department.

(iv) Provide for the proper training of all Department employees.

(v) Provide for periodic inspections of all police operations to insure compliance with Department rules, policies, and procedures.

(vi) Maintain the overall discipline of the Department.

(vii) Maintain a constructive relationship with the public, community organizations, the media and other law enforcement agencies.

(viii) Under the direction of the **Business Administrator** ~~**Director of Public Safety**~~, prepare and submit the annual budget.

(ix) Under the direction of the **Business Administrator** ~~**Director of Public Safety**~~, administer the budget which is appropriated by the governing body.

(x) Provide for performance evaluations of all Department employees.

4. Civilian employees shall:

(a) Take appropriate action to perform the duties of their positions promptly, faithfully and diligently.

(b) Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the Department.

(c) Be accountable and responsible to their supervisors for obeying all lawful orders.

(d) Coordinate their efforts with other employees of the Department to achieve Department objectives.

(e) Conduct themselves in accordance with high ethical standards, on and off duty.

(f) Strive to improve their skills and techniques through study and training.

(g) Familiarize themselves with the area of authority and responsibility for the current assignment.

(h) Abide by all rules, regulations and Department procedures and directives governing civilian employees.

(i) Perform all related work as required.

d. Rules of Conduct.

1. General Conduct.

(a) Performance of duty. All employees shall promptly perform their duties as required or directed by law, Department rule, policy or directive, or by lawful order of a superior officer.

(b) Action off duty. While off duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and Department policy.

(c) Obedience to law and rules. Employees shall obey all laws, ordinances, rules, policies, and procedures and directives of the Department.

(d) Withholding information. Employees shall report any information concerning suspected criminal activity of others.

(e) Reporting violations of law or rules. Employees knowing of other employees violating laws, ordinances, or rules of the Department shall report same in writing

to the Commanding Officer through official channels. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Commanding Officer, official channels may be bypassed.

(f) Insubordination. Employees shall not:

(i) Fail or refuse to obey a lawful order given by a supervisor;

(ii) Use any disrespectful or abusive language or action toward a supervisor.

(g) Conduct toward other Department employees. Employees shall treat other Department employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officer should be referred to by rank.

(h) Compromising criminal cases. Employees shall not interfere with the proper administration of criminal justice.

(i) Recommending attorney and bail bond brokers prohibited. Employees shall not suggest, recommend, or advise the retention of any attorney or bail bond broker to any person as a result of police business.

(j) Posting bail. Employees shall not post bail for any persons in custody except relatives.

(k) Use of force. Employees shall follow Department policy and procedure on the use of force.

(l) Physical fitness. Police officers shall maintain good physical condition so that they can handle the strenuous physical activities often required of a law enforcement officer.

(m) Driver's license. Employees operating Department motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, the employee shall immediately notify the appropriate supervisor giving full particulars.

(n) Address and telephone numbers. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within 24 hours of the change.

2. Orders.

(a) Issuing orders.

(i) Manner of issuing orders. Orders from a supervisor to a subordinate shall be in a clear and understandable language.

(ii) Unlawful orders. No supervisor shall knowingly issue any order which is in violation of any law or ordinance.

(iii) Improper orders. No supervisor shall knowingly issue any order which is in

violation of any Department rule, policy, or procedure.

(b) Receiving orders.

(i) Questions regarding orders. Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors by going through the chain of command.

(ii) Obedience to unlawful orders. Employees are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.

(iii) Obedience to improper orders. Employees who are given any order which is contrary to Department rule, policy, or procedure must first obey the order to the best of their ability, and then report the improper order as provided.

(iv) Conflicting orders. Upon receipt of an order conflicting with any previous order, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order rests with the individual issuing the second order. If so directed the latter order shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued, only when reasonably necessary for the good of the Department.

(v) Reports of unlawful or improper orders. An employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Commanding Officer.

(vi) Criticism of official acts or orders. Employees shall not criticize the actions or orders of any Department employee in a manner which is defamatory, obscene, or which tends to impair the efficient operation of the department.

3. Police Records and Information.

(a) Release of information. Employees shall not release any information nor reveal any confidential business of the Department to the public or the press except as provided in Department policy and procedures.

(b) Department records. Content of any record or report filed within the Department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the appropriate supervisor, or under due process of law, or as permitted under Department policy and procedures.

(c) Reports. No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information of records of the Department.

4. Gifts, Rewards, etc.

(a) Soliciting or accepting benefits. Employees shall not directly or indirectly solicit,

accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.

(b) Rewards. Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law and Department policy.

(c) Disposition of unauthorized gifts, gratuities. Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Commanding Officer together with a written report explaining the circumstances.

5. Alcoholic Beverages and Drugs.

(a) Consuming alcoholic beverages before duty. Employees shall not consume alcoholic beverages within four hours prior to reporting for duty.

(b) Being under the influence. Employees shall not report for duty under the influence of any alcoholic beverage.

(c) Consuming alcoholic beverages on duty. Employees of the Department shall not consume any alcoholic beverage while on duty.

(d) Exception. Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:

(i) Is absolutely necessary in the performance of duty, and

(ii) Has been approved by the appropriate supervisor, and

(iii) Does not render the employee unfit for proper and efficient performance of duty.

(e) Consuming alcoholic beverages off duty in uniform. Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.

(f) Alcoholic beverages in police buildings. Alcoholic beverages shall not, at any time, be consumed in police buildings or facilities, nor on Borough property without a permit.

(g) Supervisors' responsibility. Supervisors shall not assign to duty or allow to remain on duty any employee whose fitness for duty is questionable due to the use of alcohol or medication.

(h) Possession of alcoholic beverages. Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any Police Department building or vehicle, except for evidential or other authorized purpose.

(i) Entering licensed premises. Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with Department policy.

(j) Taking medication on duty. Employees of the Department shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician.

(k) Notification about medication. When employees are required to take any prescription medication or any nonprescription medication which may diminish their alertness or impair their senses, the employee shall notify their supervisor as to the medication required, its properties, the dosage and the period during which the employee is required to take the medication. This notification shall be by the prescribing physician. If the medication is a nonprescription drug, the employee shall make this notification. The required notification shall be made prior to the employee reporting for duty. This information so provided shall be confidential.

6. Duty Conduct.

(a) Reporting for duty. Employees shall report for duty at the time and place specified, properly uniformed and equipped.

(b) Absence from duty. An employee who fails to appear for duty at the date, time and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.

(c) Prohibited activity on duty. Employees who are on duty are prohibited from engaging activities which are not directly related to the performance of their duty (e.g., sleeping, conducting private business or gambling).

(d) Smoking while on duty. Employees shall not smoke except in authorized areas. Employees shall not smoke on duty while in direct contact with the public.

(e) Personal radios. The use of portable radios and any other form of entertainment other than equipment authorized by the Department is prohibited while on duty.

(f) Relief. Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.

(g) Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor.

(h) Training. Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment unless the prevailing collective bargaining agreement provides otherwise.

(i) Inspections. Employees directed to attend full dress inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection shall be considered absence without leave.

7. Uniforms, Appearance and Identification.

(a) Regulation uniforms required. All police officers and uniformed civilians shall maintain uniforms prescribed in Department policy and procedure. Uniforms shall

be kept neat, clean, and well-pressed at all times.

(b) Manner of dress on duty. Employees shall wear the uniform or civilian clothing on duty as prescribed by Department policy and procedure for the employee's current assignment.

(c) Wearing jewelry on duty. Police officers on duty shall only wear jewelry that has been approved as outlined in departmental standard operating procedure SOP 1.21.

(d) Personal appearance. Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. This provision shall not prohibit nonuniform officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Department policy.

(e) Wearing or carrying identification. Employees shall wear or carry their Department identification at all times, provided that it is practical under the circumstances.

(f) Identification as police officer. Except when impractical or where the identity is obvious, police officers shall identify themselves by displaying the official badge or identification card before taking police action.

8. Department Equipment and Property.

(a) Equipment on duty. Employees shall carry all equipment on duty as prescribed in Department policy and procedure based on their assignment.

(b) Equipment off duty. Employees shall carry equipment off duty as prescribed in Department policy and procedure based on their assignment.

(c) Firearms. Employees shall follow Department policy and procedure on the care and handling of firearms.

(d) Department property and equipment. Employees are responsible for the proper care of Department property and equipment assigned to them.

(e) Use of Department property and equipment. Employees shall not use any Department property or equipment for personal business or pleasure.

(f) Damaged or inoperative property or equipment. Employees shall immediately report to their supervisors any loss or damage to Department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any Department equipment or property.

(g) Care of Department building. Employees shall not mark or deface any surface in any Department building. No material shall be affixed to any wall in Department buildings without specific authorization from the appropriate supervisor.

(h) Notices. Employees shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for use by the collective bargaining units.

(i) Use of Department vehicles. Employees shall not use any Department vehicle without the permission of a supervisor. Department vehicles shall never be used for personal business or pleasure except as provided for in Department policy.

(j) Operation of Department vehicles. When operating Department vehicles, employees shall not violate traffic laws except in cases of emergency and then only in conformity with state law and Department policy and procedure regarding same.

(k) Transporting citizens. Citizens will be transported in Department vehicles only in conformance with Department policy.

(l) Reporting accidents. Accidents involving Department personnel, property, equipment and vehicles must be reported in accordance with Department policy and procedure.

(m) Inspection. Departmental property and equipment is and remains the property of the Department and is subject to entry and inspection without notice.

(n) Liability. If Department property is damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the Department for the damage or loss and is subject to disciplinary action.

(o) Surrender of Department property.

(i) Upon separation from the Department. Employees are required to surrender all Department property in their possession upon separation from the service. For failure to return a nonexpendable item, the employee will be required to reimburse the Department for the fair market value of the article.

(ii) Under suspension. Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other Department property to the appropriate supervisor pending disposition of the case.

9. Communications, Correspondence.

(a) Restrictions. Employees shall:

(i) Not use Department letterheads for private correspondence.

(ii) Only send correspondence out of the Department under the direction of the appropriate supervisor.

(b) Forwarding communications. Any employee who receives a written communication for transmission to another employee shall forward same without delay.

(c) Use of Department address. Employees shall not use the Department as a mailing address for private purpose. The Department address shall not be used for any private vehicle registration or driver license.

(d) Telephones. Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.

(e) Radio discipline. Employees operating the police radios shall strictly observe the procedures and restrictions for such operations as set forth in Department policy and procedure and by the Federal Communications Commission.

10. Conduct Toward Public.

(a) Courtesy. Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of provocation.

(b) Request for identification. Upon request, employees are required to supply their identification in a courteous manner.

(c) Impartiality. Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

(d) Use of derogatory terms. Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

(e) Affiliation with certain organizations prohibited. No employee shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Commanding Officer.

(f) Representing the Police Department. Employees shall not give public speeches or demonstrations on behalf of the Department, nor shall they endorse any product or service as a representative of the Department without prior approval from the Commanding Officer.

11. Political Activities.

(a) Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the County Prosecutor.

(b) Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

(c) Employees shall not engage in any political activity while on duty or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.

(d) Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.

(e) Employees shall not engage in any polling duties except in the performance of their official duties.

(f) Employees shall not display any political material on any government property or on their person while on duty or in uniform.

12. Judicial Appearance and Testimony.

(a) Duty of employee to appear and testify. Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or the State Commission of Investigation.

(b) Subpoena. Employees must attend court or quasi-judicial hearings as required by a subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court officials.

(c) Court appearance. When appearing in court on Department business, employees shall wear either the Department uniform or appropriate business attire.

(d) Testifying for the defendant. Any employee subpoenaed to testify for the defense or against the municipality or Department in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena.

(e) Department investigations. Employees are required to answer questions, file reports, or render material and relevant statements in a Department investigation when such questions and statements are directly related to job responsibilities. Employees shall be advised of and permitted to invoke all applicable constitutional and statutory rights, including consultation with their designated representative.

(f) Truthfulness. Employees are required to be truthful at all times whether under oath or not.

(g) Civil action, subpoenas. Employees shall not volunteer to testify in civil actions arising out of Department employment and shall not testify unless subpoenaed. If the subpoena arises out of Department employment or if employees are informed that they are a party to a civil action arising out of Department employment, they shall immediately notify the appropriate supervisory.

(h) Civil depositions and affidavits. Employees shall confer with the appropriate supervisor before giving a deposition or affidavit on a civil case relating to their police employment.

(i) Civil action, expert witness. Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the County Prosecutor.

(j) Civil process. Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.

e. Personnel Regulations.

1. Hours of Duty. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.

2. Scheduled Days Off. Employees are entitled to days off pursuant to appropriate collective bargaining agreement and are to be taken according to a schedule arranged by the appropriate supervisor.

3. Vacation Leave. Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, Department policy and procedure, and approval of the vacation schedule by the appropriate supervisor.

4. Other Leaves. Employees are entitled to other leave as provided for in collective bargaining agreements, by law and by Department policy and procedure, subject to approval of the schedule by the appropriate supervisor.

5. Sick Leave. Employees are entitled to sick days off pursuant to appropriate collective bargaining agreements and Department policy and procedures.

6. Abuse of Sick Leave. Employees who take sick leave in violation of Department policy shall be subject to disciplinary action.

7. Suspension of Leave. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably could not have been foreseen is declared by appropriate Department authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

8. Secondary Employment.

   (a) Secondary employment. Employees may engage in secondary employment consistent with Department policy.

9. Resignation.

   (a) Resignation to be in writing. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide the Commanding Officer with no less than two weeks' written notice.

f. Discipline.

   1. Disciplinary Action.

      (a) Disciplinary action. Employees, regardless of rank, shall be subject to disciplinary action, according to the nature of aggravation of the offense, for:

         (i) Incompetency, inefficiency or failure to perform duties;

         (ii) Insubordination;

         (iii) Inability to perform duties;

         (iv) Chronic or excessive absenteeism or lateness;

         (v) Conviction of a crime;

         (vi) Conduct unbecoming a public employee;

(vii) Neglect of duty;

(viii) Misuse of public property, including motor vehicles;

(ix) Other sufficient cause.

(b) Repeated violations. Repeated violations of the rules of conduct shall be indicative of employees' disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offenses.

(c) Establishing elements of violation. Existence of facts establishing a violation of the law, ordinances or rules is all that is necessary to support any allegation of such as a basis for disciplinary action. Nothing in this section prohibits disciplining or charging members or employees merely because the alleged act or omission does not appear herein, in order of the **Business Administrator** ~~**Director**~~ or Commanding Officer or in laws and ordinances within the cognizance of the Division of Police.

(d) Penalties. The following penalties may be assessed against any member or employee of the Division of Police as disciplinary action.

(i) Oral reprimand.

(ii) Written reprimand.

(iii) Voluntary surrender of time off in lieu of other action.

(iv) Voluntary surrender of accumulated overtime in lieu of other action.

(v) Suspension.

(vi) Demotion.

(vii) Removal from the Division.

(e) Authority to discipline. Within the limitations set forth in N.J.S.A. 40A:14-147 to 40A:14-151, inclusive, and municipal ordinances, the Police Force disciplinary authority and responsibility rests with the Commanding Officer with the right of appeal to the **Business Administrator** ~~**Director, Department of Public Safety.**~~

Other supervisory personnel may take the following disciplinary measures:

(i) Oral reprimand subject to the approval of the Commanding Officer.

(ii) Written reprimand, subject to the approval of the Commanding Officer.

(iii) Emergency suspension.

(iv) Written recommendations for other penalties.

(f) Emergency suspension. Any command or supervisory officer shall have the authority to impose emergency suspension until the next business day against a member or employee when it appears that such action is in the best interest of the Police Department.

(g) Emergency interdivisional disciplinary action. When improper conduct of a member or employee of one unit is of such a nature that immediate or emergency disciplinary action is required of supervisory officer of another unit, such action may be taken at once within the following limitations:

(i) Oral reprimand.

(ii) Emergency suspension until the next business day.

(h) Interdivisional oral reprimand. When the supervisory officer of one unit orally reprimands a member or employee of another unit, he/she shall notify the supervisor of the member so disciplined as soon as possible. He/she shall also submit a written report of his action and reason therefor to the Commanding Officer and also to the supervisory officer of the member or employee.

(i) Follow-up on emergency suspension. A member or employee receiving an emergency suspension shall be required to report to the commanding officer on the next business day at 9:00 a.m. unless otherwise directed by competent authority. The supervisory officer imposing the suspension shall also report to the Commanding Officer at the same time.

(j) Reports of disciplinary action taken or recommended. Whenever disciplinary action is taken or recommended (except for oral reprimand), a written report must be submitted immediately containing the following information:

(i) The name, rank, badge number and present assignment of the person being disciplined.

(ii) The date, time and location of the misconduct.

(iii) The section number of the violated rule and common name of the infraction.

(iv) A complete statement of the facts of the misconduct.

(v) The punishment imposed or recommended.

(vi) The written signature, badge number and rank of the preparing officer and his position in relation to the member being disciplined.

(k) Distribution of reports of disciplinary action. Reports shall be distributed as follows by the officer imposing or recommending the disciplinary action:

(i) Original to the Commanding Officer through the chain of command.

(ii) Duplicate to the subject's supervising officer.

(iii) Triplicate retained by the officer imposing or recommending the disciplinary action.

(l) Endorsement and forwarding disciplinary reports. Each level in the chain of command must endorse and forward reports bearing on disciplinary matters. Such endorsement may be one of approval, disapproval or modification. No member or

employee shall alter or cause to be altered or withdrawn any disciplinary report. Disciplinary reports in transit through the chain of command shall not be delayed but must be reviewed, endorsed, and forwarded as soon as possible. Disciplinary reports shall be filed in accordance with current Department directives.

(m) Informing the person being disciplined. The member being disciplined shall be informed of the charges in writing as provided by N.J.S.A. 40:14-147.

(n) Appeals from penalties. Appeals from penalties imposed as disciplinary measures may be taken before the **Business Administrator** ~~**Director, Department of Public Safety**~~ and shall be in accordance with the provisions of N.J.S.A. 40A:14-147-151 inclusive and the municipal ordinances.

(o) Misconduct observed by police personnel. Whenever any command or supervisory officer observes or is informed of the misconduct of another member of the force or employee of the Division which indicates the need for disciplinary action, he shall authorize the necessary action and render a complete written report of the incident and his actions to his supervising officer.

(p) Citizen complaints against police personnel. Complaints by citizens against members of the force or employees of the Division shall be processed in accordance with Internal Affairs S.O.P. 1.03.

(q) Reports of investigation of alleged acts of misconduct. An alleged act of misconduct must be investigated and the results of the investigation must be submitted in a written report entitled "Report of Investigation and Findings." The investigating member shall summarize the pertinent facts, including:

(i) A summary of the complaint or alleged act of misconduct.

(ii) Pertinent portions of the statements of all parties to the incident.

(iii) A description of the incident physical evidence and other evidence important to the case.

(iv) The observations and conclusions of the investigating member.

(r) Findings. One of the findings below will be included in the report of investigation along with any findings of an alleged act of misconduct:

(i) Unfounded. The investigation indicates that the act or acts complained of did not occur or failed to involve police force or Division personnel.

(ii) Exonerated. Acts did occur but were justified, lawful and proper.

(iii) Not sustained. Investigation failed to discover sufficient evidence to prove clearly the allegations made in the complaint.

(iv) Sustained. Investigation disclosed evidence sufficient to prove clearly the allegations made in the complaint.

(v) Not involved. Investigation established that the subject of the investigation in

the report of investigation and findings was not involved in the alleged incident.

g. Special Duty Assignments for Police Officers.

1. Approval of Assignment. Any and all extra duty assignments by police personnel shall be determined and approved by the Chief of Police or his designee. The taking of any and all special duty assignments shall be on a first come, first serve basis and scheduled by a member appointed by PBA Local 251, and/or in accordance with any Collective Bargaining Agreement entered into between the Borough and the appropriate PBA local. No police officer shall perform special duty assignments for private or non-law enforcement entities for compensation other than through the procedure in this section. The Chief or designee shall obtain such information as he determines necessary and is authorized to approve such special duty police assignments. The Chief or designee may deny the assignment or use of police officers or vehicles and/or impose any condition or requirement as in his sole discretion and determination are in the best interest of the Borough and/or police officers or public safety. The Chief or designee shall be guided by the nature of the assignment and may refuse to approve those with conflict of interest and/or significant risk of injury. The Chief or designee may assign a police vehicle or appropriate equipment for use in performing special duty if it is determined that the use is necessary to perform the contracted duty. This paragraph g does not apply to assignments or work performed for or at the direction of any Special Task Force or similar assignments by the Monmouth County Special Task Force or similar assignments by the Monmouth County Prosecutor or other law enforcement agencies, except that payments to the officers performing such assignments may be made by such law enforcement agencies through the Borough Special Duty Police Fund subject to the approval of the Municipal Finance Officer.

2. Status of Assignment.

(a) The work to be performed shall be considered "special assignments for independent contractors" and will not be considered a direct assignment. The taking of any and all special duty assignments shall be on a voluntary basis in accordance with a fair and reasonable system administered by the Chief or assignee.

(b) Officers engaged in special duty assignments shall be deemed on-duty for all purposes, including but not limited to workers' compensation, public liability, and third party claims for damages, and the officers performing such duties shall conform to all Police Department rules, regulations and procedures. All special duty assignments shall be contracted for in writing by the completion of a contract form, which contract shall be kept on record.

(c) All special duty assignments shall be within the Borough of Tinton Falls, unless specific written approval is given by the Chief to the officer to work outside of the Borough. The Chief may contact adjoining municipal police departments to see if their officers are willing to perform such special assignments outside of Tinton Falls, before allowing Tinton Falls officers to perform assignments outside of Tinton Falls. This does not apply to assignments crossing municipal boundaries in

which the work is partially performed in Tinton Falls.

(d) Private parties or attorneys who utilize police officers in civil cases by subpoena will be responsible to reimburse the Borough for the costs incurred for the officers' time while complying with the subpoena. The time incurred will be billed by the Borough to the requesting private attorney or party at the rate established for special duty assignments. Officers will continue to be compensated by the Borough as per past practice and the collective bargaining agreement for time responding to subpoenas. This paragraph does not apply to internal administrative or disciplinary matters in which reimbursement to the Borough is not applicable.

3. Payments.

(a) All payments for special duty assignments shall be deposited in and made through the Special Duty Police Fund established by the Municipal Financial Officer, from which payment shall be made to the individual police officers performing such service. All payments from the Trust Fund shall be made to the police officers in a timely manner as provided by law, subject to required deductions and an administrative fee to be retained by the Borough. Any dispute between the contractor and the police officer on assignment as to service required or compensation due shall be decided by the Chief and his decision shall be final and binding.

(b) All requests by private and/or non-law enforcement parties for special duty services shall be made in writing at least two business days before the services are to commence, except in the event of exigent circumstances this time period may be waived by the Chief or designee. Upon filing the request, the requesting party shall deposit with the Borough, or have on deposit, in the Special Duty Police Fund at least sufficient funds to pay for the services requested, including all administrative charges. The amount required to be deposited shall be subject to the determination and approval of the Chief or his designee, and must at all times be sufficient to pay for special duty services before said services are rendered and no services shall be rendered unless prepaid.

(c) Parties that utilize special duty services on a regular basis for a week or longer shall maintain a minimum balance of the average weekly expenditure in the Fund. Parties that utilize special duty services on a regular or frequent basis shall maintain a minimum deposit of $500 in the Fund. The Chief or designee shall have the authority to determine the appropriate minimum balance for a particular party utilizing services to ensure adequate funds are on deposit to timely pay the officers and administrative fees for services provided.

(d) No services shall be rendered for any party that does not have funds on deposit sufficient to cover the services. No services shall be rendered to any party that is delinquent on payment for past services rendered. Delinquent parties shall be liable for interest at 18% on any funds noticed to the party as delinquent together with any damages or attorney fees or costs incurred by reason of their delinquency.

(e) Any assignment canceled by a private party on less than four hours' notice shall be

charged against the party for the minimum hours for the assignment.

(f) The hourly rate/charges shall be set and coordinated in accordance with such current hourly rate and charges payable to participating police officers as set forth in the Collective Bargaining Agreement entered into between the Borough and the appropriate PBA local, as may be amended under that Collective Bargaining Agreement and approved by the Administrator under paragraph 7 of such Collective Bargaining Agreement presently in effect or as may hereinafter be supplemented or amended. The current charges are as follows:

(i) All assignments: $90 per hour, plus $25 per hour administrative fee.

(ii) No special duty assignment shall be less than four hours in length unless authorized by the Chief of Police as a special circumstance.

4. Emergencies.

(a) The Chief or designee has the authority to order any police officer to vacate or terminate any special duty assignment in response to emergent situations or whenever the assignment creates an unacceptable risk to health, safety and welfare of the police officer and/or public in the sole determination and discretion of the Chief or designee. The contractor shall not be responsible for any compensation for the time the police officer is away from the special duty assignment, and shall have no claim for any costs or damages against the Borough, the Chief or any police officer arising from the termination of any special duty assignment other than the prorated return of any fee prepaid to the Borough for the time.

(b) The Borough shall be responsible to provide all necessary insurance coverage required by law, including but not limited to workers' compensation, public liability, and claims for damages for personal injury including death or damage to property which may arise as a result from the municipality's performance under the contract.

SECTION 2. Section 3-12 of the Borough Code, entitled "Police Force," is hereby amended and supplemented as follows (~~strikethroughs~~ to be deleted; underlined to be added; changes **bolded** solely for convenience):

§ 3-12. POLICE FORCE.

§ 3-12.1. Police Force Continued; Duties and Responsibilities.

There is hereby continued a Police Force which consists of the previously authorized Police Department established by Ordinance No. 420 on June 13, 1978. The Police Force shall be within the Division of Police. It shall be the duty and responsibility of the Police Force of the Borough of Tinton Falls and its members to uphold all laws of the United States and the State of New Jersey and all ordinances of the Borough of Tinton Falls within their scope of authority as authorized by law and ordinance; to maintain the public peace; ensure the safety and welfare of the residents of the Borough; protect the lives and health of citizens; protect the rightful ownership and use of private and public property; investigate and prevent crime; apprehend offenders where the crime has been discovered in its commission; recover stolen property; render efficient assistance in the investigation of offenses; cooperate fully with national, State, County and other authorized law enforcement agencies and police departments; maintain up to date, full, correct and detailed description and identifications, identification data and locations of all known criminals within the Borough of Tinton Falls to assist in rapid apprehension when required; and other related duties and responsibilities required by law and required by police rules and regulations promulgated from time to time by the **Business Administrator** ~~**Director of the Department of Public Safety.**~~

§ 3-12.2. Composition of Force.

The Police Force shall consist of **no more than 47 total sworn officers, including** the following police officers appointed by the Mayor in the following descending rank and order of authority, provided such positions have been filled by appointment pursuant to the terms of this chapter:

a. Chief of Police (no more than one).

b. Captain (no more than two).

c. Lieutenant (no more than five).

d. Sergeants, as may be appointed from time to time (no more than seven).

e. Patrol officers, as may be appointed from time to time (no more than **33** ~~**32**~~).

§ 3-12.3. Salaries.

The salary of each member of the Police Force shall be in the amount as may be set by the Mayor and within the guidelines of the budget.

§ 3-12.4. Police Manual.

The **Business Administrator** ~~**Director of Public Safety**~~ is hereby authorized to prepare and promulgate rules and regulations for the day to day administration of the Police Force. Such rules and regulations shall be written or printed and shall be known as the "Police Manual of the Borough of Tinton Falls." The Commanding Officer shall recommend such additional rules and regulations or amendments to the same as in his judgment are necessary for the daily administration and conduct of the Police Force. The Commanding Officer shall record all orders issued by him as well as all orders issued by the **Business Administrator** ~~**Director, Department of Public Safety**~~. All written orders shall be included in the Police Manual of the Borough of Tinton Falls.

§ 3-12.5. Disciplinary Procedures.

Disciplinary Action. Members of the Police Force, regardless of rank, shall be subject to disciplinary action, according to the nature or aggregation of the offense, for violating their oath and trust by committing an offense punishable under the laws or Statutes of the United States, the State of New Jersey or municipal ordinances; or for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment; or for violations of any general order or rule of the **Business Administrator** ~~**Director of Public Safety**~~ or the Commanding Officer. Disciplinary action in all cases will be decided on the merits of each case.

a. Establishing Elements of Violation. Existence of facts establishing a violation of the law, ordinance or rules is all that is necessary to support any allegation of such as a basis for disciplinary action. Nothing in this section prohibits disciplining or charging members or employees merely because the alleged act or omission does not appear herein, in orders of the **Business Administrator** ~~**Director**~~ or Commanding Officer or in laws and ordinances within the cognizance of the Division of Police.

b. Penalties. The following penalties may be assessed against any members or employee of the Division of Police as disciplinary action:

   1. Oral reprimand.
   2. Written reprimand.
   3. Voluntary surrender of time off in lieu of other action.
   4. Voluntary surrender of accumulated overtime in lieu of other action.
   5. Suspension.
   6. Demotion.
   7. Removal from the Division.

c. Authority to Discipline.

   1. Within the limitations set forth in N.J.S.A. 40A:14-147 to 40A:14-151, inclusive, and municipal ordinances, the Police Force disciplinary authority and responsibility rests with the Commanding Officer with the right of appeal to the **Business Administrator** ~~**Director, Department of Public Safety**~~**.**
   2. Other supervisory personnel may take the following disciplinary measures:
      (a) Oral reprimand subject to the approval of the Commanding Officer.
      (b) Written reprimand, subject to the approval by the Commanding Officer.
      (c) Emergency suspension.
      (d) Written recommendations for other penalties.

d. Emergency Suspension. Any command or supervisory officer shall have the authority to impose emergency suspension until the next business day against a member or employee when it appears that such action is in the best interest of the Police Force.

e. Emergency Interdivisional Disciplinary Action. When improper conduct of a member or employee of one unit is of such a nature that immediate or emergency disciplinary action is required of supervisory officer of another unit, such action may be taken at once within the following limitations:

   1. Oral reprimand.
   2. Emergency suspension until the next business day.

f. Interdivisional Oral Reprimand. When the supervisory officer of one unit orally reprimands a member or employee of another unit, he shall notify the supervisor of the member so disciplined as soon as possible. He shall also submit a written report of his action and reason therefor to the Commanding Officer and also to the supervisory officer of the member or employee.

g. Follow-up on Emergency Suspension. A member or employee receiving an emergency suspension shall be required to report to the Commanding Officer on the next business day at 9:00 a.m. unless otherwise directed by competent authority. The supervisory officer imposing the suspension shall also report to the Commanding Officer at the same time.

h. Reports of Disciplinary Action Taken or Recommended. Whenever disciplinary action is taken or recommended (except for oral reprimand), a written report must be submitted immediately in triplicate containing the following information:

1. The name, rank, badge number and present assignment of the person being disciplined.

2. The date, time and location of the misconduct.

3. The section number of the violated rule and common name of the infraction.

4. A complete statement of the facts of the misconduct.

5. The punishment imposed or recommended.

6. The written signature, badge number and rank of the preparing officer and his position in relation to the member being disciplined.

i. Distribution of Reports of Disciplinary Action. Reports shall be distributed as follows by the officer imposing or recommending the disciplinary action:

1. Original to the Commanding Officer through the chain of command.

2. Duplicate to subject's supervising officer.

3. Triplicate retained by officer imposing or recommending the action.

j. Endorsement and Forwarding of Disciplinary Reports. Each level in the chain of command must endorse and forward reports bearing on disciplinary matters. Such endorsement may be one of approval, disapproval or modification. No member or employee shall alter or cause to be altered or withdrawn any disciplinary report. Disciplinary reports in transit through the chain of command shall not be delayed but must be reviewed, endorsed and forwarded as soon as possible. Disciplinary reports shall be filed in accordance with current Department directives.

k. Informing the Person Being Disciplined. The member being disciplined shall be informed of the charges in writing as provided by N.J.S.A. 40A:14-147.

l. Appeals from Penalties. Appeals from penalties imposed as disciplinary measures may be taken before the **Business Administrator** ~~**Director, Department of Public Safety**~~ and shall be in accordance with the provision of N.J.S.A. 40A:14-147 to 40A:14-151 inclusive and the municipal ordinances.

m. Misconduct Observed by Police Personnel. Whenever any command or supervisory officer observes or is informed of the misconduct of another member of the force or employee of the Division which indicates the need for disciplinary action, he shall authorize the necessary action and render a complete written report of the incident and his actions to his supervising officer.

n. Citizen Complaints Against Police Personnel. Complaints by citizens against members of the force or employees of the Division shall be processed in accordance with the following rules:

1. During normal business hours, such complaints shall be referred to the Commanding Officer.

2. Other Time. The supervisory officer shall be notified and shall cause the complaint to be investigated.

3. Serious Complaints or Allegations. If, in the opinion of the supervisory officer, the incident is of sufficient gravity, he shall notify the Commanding Officer regardless of the hour. In addition, he shall take immediate action necessary to preserve the integrity of the Police Force and until the arrival of the Commanding Officer.

4. Investigation of Alleged Misconduct. The member assigned the investigation of a member of the Force or an employee of the Division shall conduct a thorough and accurate investigation. Such investigation shall include signed statements from all parties concerned when necessary and pertinent, the gathering and preservation of any physical evidence pertaining to the case and all other information bearing on the matter.

o. Reports of Investigation of Alleged Acts of Misconduct. An alleged act of misconduct must be investigated and the results of the investigation must be submitted in a written report entitled "report of investigation and findings." The investigating member shall summarize the pertinent facts, including:

1. A summary of the complaint or alleged act of misconduct.

2. Pertinent portions of the statements of all parties to the incident.

3. A description of the incident, physical evidence and other evidence important to the case.

4. The observations and conclusions of the investigating member.

p. Findings. One of the findings below will be included in the report of investigation along with any findings of an alleged act of misconduct:

1. Unfounded. The investigation indicates that the act or acts complained of did not occur or failed to involve Police Force or Division personnel.

2. Exonerated. Acts did occur but were justified, lawful and proper.

3. Not Sustained. Investigation failed to discover sufficient evidence to prove clearly the allegations made in the complaint.

4. Sustained. Investigation disclosed evidence sufficient to prove clearly the allegations made in the complaint.

5. Not Involved. Investigation established that the subject of the investigation in the report of investigation and findings was not involved in the alleged incident.

SECTION 3. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of thisOrdinance 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 bean 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 themanner prescribed by law.

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ORDINANCES FOR FINAL CONSIDERATION – None

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PUBLIC DISCUSSION

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

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.

Donna Sconce, Tinton Falls – Ms. Sconce reported parking lot lights out for over six weeks at her residential complex, creating safety concerns. Building management is unresponsive. Business Administrator Camilleri committed to visiting the property and contacting operators after the meeting.

Gina Varela, Tinton Falls – Ms. Varela raised ongoing concerns about unapproved tree clearing on adjacent property, drainage issues causing first-ever water intrusion into her crawl space, and violations of May 2025 Zoning Board resolution. Requested stop work order to enforce original 10-foot driveway approval. Council President committed to following up with administration and professionals.

Ellen Goldberg, Tinton Falls – Ms. Goldberg promoted Environmental Commission composting presentation October 23rd at 7:00 PM, open to all residents. Noted landfill tour scheduled for October 24th and potential cost savings from reduced tipping fees. Availability of online presentation to be determined.

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

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

PUBLIC DISCUSSION CLOSED

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MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

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RESOLUTIONS - None

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CONSENT AGENDA

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

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

BOROUGH OF TINTON FALLS **R-26-179**
COUNTY OF MONMOUTH

RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT

WHEREAS, Allan Gargano has been employed by the Borough of Tinton Falls since August 1, 1998, most recently as a Foreman within the Department of Public Works, and;

WHEREAS, on November 1, 2026, Allan Gargano will retire with over 28 years of dedicated service to the Borough of Tinton Falls and with the Division of Pensions and Benefits, and;

WHEREAS, Allan Gargano will be entitled to compensated absence benefits in accordance with the Borough of Tinton Falls' policies and procedures. The benefits are estimated to be a total of $11,090.30. The breakdown of this payment includes all unused accrued time to date, and;

WHEREAS, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

WHEREAS, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Allan Gargano receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

BOROUGH OF TINTON FALLS **R-26-180**
COUNTY OF MONMOUTH

RESOLUTION-COMPENSATED ABSENCE FOR RETIREMENT

WHEREAS, Mark Shaffery has been employed by the Borough of Tinton Falls since September 2, 1994, most recently as the Director of Public Works, and;

WHEREAS, on November 1, 2026, Mark Shaffery will retire with over 32 years of dedicated service to the Borough of Tinton Falls and with the Division of Pensions and Benefits, and;

WHEREAS, Mark Shaffery will be entitled to compensated absence benefits in accordance with the Borough of Tinton Falls' policies and procedures. The benefits are estimated to be a total of $20,808.07. The breakdown of this payment includes all unused accrued time to date, and;

WHEREAS, in accordance with NJSA 40A:9-165, the governing body must authorize all benefits, and;

WHEREAS, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that subject to the certification of funds available by the Chief Financial Officer, that Mark Shaffery receives the compensated absence benefits.

Certification of Funds: Trust Fund – Accumulated Absences

BOROUGH OF TINTON FALLS **R-26-181**
COUNTY OF MONMOUTH

RESOLUTION – CANCELING 2026 TAXES

WHEREAS, an overbilling of 2026 taxes has been made as a result of a 100% Totally Disabled Veteran Exemption for the tax year 2026 (from September 29, 2026 through December 31, 2026) to property known as:

Name	Block	Lot	Amount
DeSouza, Felipe 189 Cheyenne Street Tinton Falls, NJ 07712	124.61	27	$1,969.35

and,

WHEREAS, said exemption has resulted in a cancellation of the 2026 taxes in the amount of $1,969.35 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a cancellation in the amount of $1,969.35 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be $1,969.35.

BOROUGH OF TINTON FALLS **R-26-182**
COUNTY OF MONMOUTH

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.

Name	Block	Lot	Amount
(HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION)			$8,946.84

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 $8,946.84, 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 $8,946.84 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 $8,946.84.

BOROUGH OF TINTON FALLS **R-26-183**
COUNTY OF MONMOUTH

RESOLUTION - REFUNDING SEWER OVERPAYMENT

WHEREAS, an overpayment of a sewer bill on the following property has been paid in error creating an overpayment by property owner and Title Company

Name	Block	Lot	Amount
Del Priore, Vanessa 108 Elm Drive Neptune, NJ 07753	129.10	82	$200.00

Re: 6 Bugle Way

and,

WHEREAS, said error has resulted in an overpayment of the sewer bill for 2026 in the amount of $200.00 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that a refund in the amount of $200.00 is hereby approved for the aforementioned property.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be $200.00.

BOROUGH OF TINTON FALLS **R-26-184**
COUNTY OF MONMOUTH

RESOLUTION – APPROVAL OF BILLS – October 20, 2026

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending October 20, 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	**502,972.54**
SEWER UTILITY	**40,343.73**
GENERAL CAPITAL	**26,023.86**
GRANT FUND	**161,880.13**
TRUST FUNDS	**57,157.14**
DOG TRUST FUND	**7.20**
ESCROW	**68,985.74**
ADDITIONS	**1,511,353.42**
TOTAL	**$2,368,723.76**

CERTIFICATION OF FUNDS:

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ADJOURNMENT

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

ROLL CALL
AYES: All in Favor
NAYS: None
ABSTAIN: None

ABSENT: None

TIME: 8:08pm

Respectfully Submitted,

_____
Michelle Hutchinson, Borough Clerk

_____
Michael J. Nesci, Council President

APPROVED AT A MEETING HELD ON: