

**REGULAR MEETING
FEBRUARY 3, 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 bulletin board at Borough Hall and by notification to the Asbury Park Press and the New Coaster at least 48 hours prior to the meeting and filing with the Borough Clerk all on November 10, 2025."

ROLL CALL (Regular Meeting)

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

ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Risa Clay, Mayor
Thomas Fallon, Interim Business Administrator/Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES - None

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Presentation by New Jersey Fish & Wildlife - Speakers from NJ Fish & Wildlife were Lieutenant Sean McManus and Ms. Megan Mills and Officer Joseph Mauer, Tinton Falls Police Department Liaison

The presentation and discussion were prompted by ongoing complaints from a few residents about gunshots and other disturbances in the wooded area behind their homes on Yale Court. Mr. Cicalese expressed his concerns about safety and felt that existing regulations were not being properly enforced.

The speakers referenced a prior meeting held on December 16th where these concerns were initially discussed with Lt. McManus, the police chief, and other borough officials. It was also mentioned that a similar effort to change local ordinances had occurred approximately five years prior.

The discussion served to clarify the legal framework distinguishing state hunting laws from municipal ordinances. It also educated the public and the council on the proper channels for reporting suspected illegal activity. The outcome could influence future council decisions regarding hunting on borough property and reinforce the current enforcement strategy of relying on immediate reporting to the local police or the state's hotline.

- Lt. Sean McManus provided an overview of New Jersey's six deer hunting seasons, the types of weapons permitted bows, crossbows, muzzleloaders, shotguns, and the regulations for each.
- Lt. McManus stated that in his career covering the area since 2008, there had never been a hunting accident where a person was struck, nor had any property like a house or car been damaged by a hunter.
- Ms. Mills explained that deer hunting is a critical management tool, preventing overpopulation which leads to increased motor vehicle accidents and disease. She also highlighted the "Hunters Helping the Hungry" program, which provides venison to local food banks.
- Resident Anthony Cicalese reported incidents of firearms being discharged at late hours 11:30 PM and early mornings 5:30 AM behind his home. He argued that the problem was not legal hunting but illegal activity, and that the current enforcement and reporting system was ineffective at catching the perpetrators.
- Law enforcement representatives Lt. McManus and Officer Mauer instructed residents to call the state hotline 1-877-WARNDEP or the local police department immediately to report such incidents. They clarified that their offices were not manned 24/7, but the dispatch center and local police were.
- Officer Mauer confirmed that the Tinton Falls Police Department responds immediately to all calls of shots fired and that he served as a direct contact for Fish and Wildlife, even on his days off. He noted most such calls turned out to be fireworks.
- Resident and hunter Ken Anderson, who lived adjacent to the area of complaint, stated that he was outside frequently at all hours and had not heard any of the shots Mr. Cicalese described.
- Residents and hunters, Mr. Anderson and Mr. Patterson stated that legal hunters followed the rules and were not the source of the problems being described. They commented that they had not witnessed the alleged illegal activity and reinforced the idea that hunting was a safe and traditional activity that provided food and ecological benefits.

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- Ms. Mills and Lt. McManus clarified that a municipal ordinance could not ban hunting boroughwide, as this is regulated by state law. An ordinance could only restrict hunting on borough-owned property.
- Ms. Mills argued that changing an ordinance to further restrict the discharge of firearms would only penalize legal hunters and would not deter individuals already engaged in illegal activity.

Proclamation celebrating the 100th Birthday of Anthony Joseph Mondoro, Sr.
Mayor Clay summarized the proclamation for Mr. Mondoro, Sr., celebrating his 100th birthday.



Recess break from 8:10pm to 8:13pm

Engineer's Report- Thomas Neff

Mr. Neff provided an update on the County Bridge project on Riverdale Avenue East. He reported that the county engineer indicated all pile driving and sheeting installation is complete, which was the most disruptive work causing loud banging that residents heard over the weekend. The remaining work for the next few weeks will mostly involve pouring concrete. The final phase will occur last weekend in February with a full shutdown to physically replace the bridge structure, which will impact residents in that area with the road being closed for the full weekend. Mr. Neff noted that if more information becomes available, they will provide another update

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Interim Business Administrator & Director of Finance- Thomas Fallon

Mr. Fallon commented on Resolution R-26-044 as allowing for a cost-of-living adjustment for the Borough LOSAP program contributions for volunteer EMS squad members. He explained that this contribution serves as a small way to thank the volunteers for their dedication and commitment, acknowledging their sacrifice of personal time to ensure the safety and wellbeing of the community.

Mayor Risa Clay

Mayor Clay reported: **Reclamation Center Updates:** The borough has made significant progress with two major improvements. First, they now have an understanding that when work is taking place or if anything breaks at the Reclamation Center, officials will reach out directly to the mayor and borough engineer to proactively inform residents about potential upticks in odors. Second, they have rolled out an online reporting system where residents can enter a report online, get a report number, and track the complaint, providing better real-time data monitoring. These are improvements the borough has been working on for years.

Public Works Department Snow Response: Mayor Clay praised the Public Works Department's response to a major storm, noting that despite some individual complaints about specific issues, the department performed excellently overall. She characterized it as an intense storm that was difficult to manage.

Police and EMS Performance: The mayor commended both the police department and EMS for working in dangerous conditions during the storm. She also noted improved enforcement of parking ordinances, which had been an issue in the past, with officers going out and speaking to residents and parents, receiving good feedback.

New Historic Commission Display: The borough has installed a brand-new display in the hall right outside the courtroom, created by the historic commission. The display features items dating back hundreds of years related to the town's history. The mayor mentioned they would have a brief discussion about it after the meeting to help people understand what it represents.

Director of Law – Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

-Ms. Hutchinson had no report.

-Mr. Alessi reported that they had a very successful meeting with the Monmouth County Reclamation Center and are starting to see results. He thanked residents for being patient as well as county officials, the Monmouth County Health Department, and the State Health Department. A positive outcome was that they will start featuring updates on their website about any improvements or changes to the reclamation center's business. Mr. Alessi mentioned they discovered that early or sometime in December, there was a malfunction with something at the facility that happened to line up with when they were getting a lot of phone calls and emails from residents. Going forward, they plan to get this information out to residents as much as possible so there are no surprises. Mr. Alessi reported that the last Planning Board meeting was canceled. For the next meeting, there are a couple of resolutions and one piece of new business - a minor subdivision for a residential property. He thanked the Department of Public Works for their work during the recent storm, noting that they work around the clock.

-Ms. Buckley thanked the council president for hosting the public discussion earlier that evening, noting that it was helpful to bring all parties together in one room at one time. She then announced her new role as the library liaison and the next library meeting was scheduled for Thursday at 7:30 PM.

-Mr. Neis reported the Zoning Board is scheduled to meet this Thursday at 7:30pm at this location.

-Mr. Parikh thanked residents who attended the Fish and Wildlife presentation, emphasizing the importance of ensuring people in town feel safe and heard. He also expressed appreciation for the DPW staff and first responders for their excellent work during recent storms, noting that he and his neighbors were pleasantly surprised by how well the roads were maintained. He announced he is the Liaison for the Tinton Falls Historical Commission, with his first meeting scheduled for February 9th at the Crawford House. He mentioned they would be discussing planning for the nation's 250th anniversary and how the town will participate, promising to provide updates at the next council meeting. For upcoming Board of Education meetings, Mr. Parikh announced he would be attending two meetings: the Tinton Falls Board of Education meeting on February 19th and the Monmouth Regional Board of Education meeting on February 17th. He encouraged families interested in understanding what's happening in the schools or who have concerns to join him at these meetings.

-Mr. Nesci discussed the Shade Tree Commission's activities and upcoming events in his council report. The Tinton Falls Earth Day Festival is scheduled for April 25th with festival planning in its infancy stages. Vendor recruitment efforts will focus on organizations like master gardeners, eco-friendly businesses, and outreach programs, with encouragement to secure participation early. Community Forestry initiatives are recognized to earn Sustainable New Jersey certificate points, which support grants and other opportunities. Additionally, a liaison role between the Environmental and Shade Tree Commissions will be established to improve communication.

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ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1539 ORDINANCE SETTING SALARIES FOR DEPARTMENT HEADS, STATUTORY EMPLOYEES, MAYOR AND COUNCIL**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday February 17, 2026.

Mr. Alessi offered a motion to introduce Ordinance No. 2025-1539 seconded by Mr. Neis.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: None

ORDINANCE NO. 2026-1539

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**ORDINANCE SETTING SALARIES FOR DEPARTMENT
HEADS, STATUTORY EMPLOYEES, MAYOR AND COUNCIL**

WHEREAS, both the general municipal law (N.J.S.A. 40A:9-165) and the Faulkner Act (N.J.S.A. 40:69A-43a and 180) require that certain salaries be adopted by ordinance; and

WHEREAS, the Borough of Tinton Falls (“the Borough”) does currently have an ordinance establishing these salaries, which is updated and adopted annually; and

WHEREAS, the Borough is restrained in establishing certain salaries pursuant to the terms of pre-existing collective bargaining agreements and New Jersey law impacting statutory employees.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the following management salaries be established effective January 1, 2026 as follows:

SECTION ONE – STATUTORY EMPLOYEES

Chief Financial Officer (Director of Audits, Accounts & Controls)	\$218,600
Borough Clerk	\$102,000
Tax Assessor	\$142,500
Tax Collector	\$113,200

SECTION TWO – DEPARTMENT HEADS

Director of Public Works	\$163,250
Director of Law	\$176,800
Special Counsel to the Borough	\$ 12,000
Chief of Police	\$217,500

SECTION THREE – MAYOR AND COUNCIL

Mayor	\$ 7,100
Council President	\$ 6,100
Councilmembers	\$ 5,600

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SECTION FOUR – REPEALER

Any ordinances, or portions thereof, which are inconsistent with the provisions of this ordinance shall hereby be repealed to the extent of any such inconsistency.

SECTION FIVE – EFFECTIVE DATE

This ordinance shall take effective upon publication pursuant to law and the General Revised Ordinances of the Borough of Tinton Falls.

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **ORDINANCE NO. 2026-1538 AN ORDINANCE AMENDING SECTION 2-12 OF THE BOROUGH CODE, ENTITLED “PUBLIC SAFETY,” TO CHANGE THE ADMINISTRATIVE FEE CHARGED FOR SPECIAL DUTY ASSIGNMENTS**

Mr. Parikh offered a motion to open the Public Hearing on Ordinance No. 2025-1538, seconded by Mr. Alessi.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments, Mr. Alessi offered a motion to close the Public Hearing on Ordinance No. 2025-1538, seconded by Mr. Neis.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Parikh offered a motion to adopt Ordinance No. 2025-1538, seconded by Mr. Neis.

ROLL CALL

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

PUBLIC DISCUSSION

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

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.

Jim Clerico, Tinton Falls – Mr. Clerico asked about the bridge construction which Mr. Neff responded to his questions. Mr. Clerico stated DPW staff did a great job with snow removal after the recent storm. Mr. Clerico questioned a \$126 permit fee for replacing his water heater, asking three main questions: why did he have to pay a fee at all for a home safety improvement, where the money goes to the town or an independent inspector, and seeking general understanding of municipal administration. Mr. Neff explained that permit fees are standard statewide, based on construction cost percentage, and building departments are supposed to be self-sustaining, with fees paying for plan review and inspection

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services by town employees. Mr. Clerico also suggested cleaning out the storm drains of leaves in his neighborhood to prevent flooding.

Sharon Learn, Tinton Falls – Ms. Learn noted the professionalism of the Council and was thankful for the quick snow removal after the storm. She uses Borough’s webpage as a news source and encourages others to check the website for Borough updates. She expressed concerns about constitutional issues and hoped officials would share in her concern too.

Anthony Cicalese, Tinton Falls – Mr. Cicalese commented about firearm discharge ordinances and the 450-foot distance requirements. Mr. Cicalese reported ongoing problems with firearm discharges behind residents' homes. He emphasized that the problems stem from people who don't care about regulations and go directly behind us on borough owned, open space and fire their weapons. He clarified that he was not blaming legal hunters. He noted that seven surrounding communities Middletown, Red Bank, Eatontown prohibit firearm discharge entirely, while Ocean Township has more restrictive hunting regulations requiring 25+ acre parcels under single ownership. Mr. Cicalese suggested the town could implement a "control hunt" system. Mr. Starkey stated the 450-foot distance requirement is state law and regulation not the towns. Mr. Cicalese would like to discuss possible changes to the Ordinance for easier enforcement.

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

ROLL CALL

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

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER - None

RESOLUTIONS - None

CONSENT AGENDA

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

ROLL CALL

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

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-040

**RESOLUTION DECLARING FEBRUARY AS BLACK HISTORY MONTH
IN THE BOROUGH OF TINTON FALLS**

WHEREAS, in 1915, Dr. Carter Godwin Woodson, noted scholar and son of former slaves, who founded the Association for the Study of African American Life and History, initiated Black History Week, February 12, 1926, which was celebrated for many years by African Americans in the United States; and

WHEREAS, President Gerald R. Ford officially recognized Black History Month in 1976, calling upon the public to “seize the opportunity to honor the too-often neglected”; and

WHEREAS, since 1976, every President has adopted the month of February as Black History Month, an annual celebration of African American achievements and roles in U.S. History; and

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WHEREAS, Black History Month is a time to reflect on the burdens of racial prejudice and explore, understand, and appreciate the identities and cultures across and within the African diaspora; and

WHEREAS, the Borough of Tinton Falls recognizes the injustices that African Americans have endured and commends the African American community for the continuous pursuit of overcoming those injustices and changing the course and nature of history; and

WHEREAS, we honor the prominent leaders and activists who have paved the way for equality and justice, calling our Borough's attention to the continued need to battle racism and to build an equitable society.

THEREFORE, be it Resolved that Borough of Tinton Falls, declares February 2026 as Black History Month, and honors the contributions and sacrifices made in building pride in Black History and educating all Americans, as well as many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

THEREFORE, be it further Resolved, that we join other organizations throughout the state of New Jersey and this country to use this occasion to raise awareness of the hardships African Americans have endured, celebrate the milestones that have been achieved, and continue the unrelenting pursuit of equality and justice for all.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-041

**RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF
\$14,660,000 BOND ANTICIPATION NOTES OF THE BOROUGH OF TINTON FALLS, IN
THE COUNTY OF MONMOUTH, NEW JERSEY TO THE MONMOUTH COUNTY
IMPROVEMENT AUTHORITY, AND DETERMINING VARIOUS MATTERS IN
CONNECTION THEREWITH**

WHEREAS, the Borough of Tinton Falls, in the County of Monmouth, New Jersey (the "Borough") has heretofore adopted, from time to time, various bond ordinances (the "Bond Ordinances") authorizing various capital improvements, and the issuance and sale, from time to time, of its bonds and bond anticipation notes in order to finance such capital improvements; and

WHEREAS, the Bond Ordinances authorize the Chief Financial Officer to sell any bond anticipation notes thereunder at public or private sale, as determined by the Chief Financial Officer; and

WHEREAS, the Borough has applied to The Monmouth County Improvement Authority (the "MCIA") to participate in its pooled governmental note financing program (the "Program"); and

WHEREAS, under the Program, the MCIA will issue and sell its pooled notes (the "MCIA Notes"), which MCIA Notes will be secured by (i) payments by various governmental entities located in Monmouth County (including the Borough) under various notes issued by such entities to the MCIA and (ii) the unconditional guaranty of the County of Monmouth (the "County"); and

WHEREAS, on January 14, 2026, the New Jersey Local Finance Board held a hearing and issued positive findings in respect of the issuance of the MCIA Notes by the MCIA; and

WHEREAS, the Borough wishes to participate in the Program, and to issue and sell all or a portion of its bond anticipation notes to the MCIA; and

WHEREAS, the Borough will receive a proposal for the purchase of such bond anticipation notes from the MCIA, which purchase will be effected through a note purchase agreement to be entered into between the Borough and the MCIA; and

WHEREAS, the Borough acknowledges that the MCIA intends to execute a contract of purchase with an underwriter pertaining to the sale of the MCIA Notes, the proceeds of which shall be used by the MCIA, inter alia, to purchase such bond anticipation notes of the Borough; and

WHEREAS, the Borough now wishes to authorize the issuance and sale of its bond anticipation notes, and the issuance and sale of all or a portion thereof to the MCIA;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, as follows:

SECTION 1. The Chief Financial Officer is hereby authorized to cause all or a portion of its bond anticipation notes (the "Program Notes") to be issued and sold to the MCIA in accordance with the Program.

SECTION 2. The terms and conditions of the sale of the Program Notes to the MCIA shall be set forth in a Note Purchase Agreement to be dated on or about the date of pricing of the MCIA Notes, between the MCIA and the Borough. The execution and delivery by the Mayor, the Business Administrator or the Chief Financial

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Officer of the Borough (each, an “Authorized Officer”) of the Note Purchase Agreement, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer’s execution thereof.

SECTION 3. The Borough hereby authorizes the use of certain information concerning the Program Notes and the Borough in the Preliminary Official Statement and final Official Statement of the MCIA, to be used in connection with the marketing and sale of the MCIA Notes.

SECTION 4. The execution and delivery by an Authorized Officer of a Continuing Disclosure Agreement, if any, to be dated as of the date of closing of the MCIA Notes, between the Borough and the trustee for the MCIA Notes, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer’s execution thereof.

SECTION 5. A portion of the proceeds of sale of the Program Notes to the MCIA may be retained by the MCIA as payment for the Borough’s allocable share of issuance expenses and expenses related to the County Guaranty. Any Authorized Officer is hereby authorized and directed to pay all of the costs associated with the sale and issuance of the Program Notes.

SECTION 6. The Authorized Officers and any other officer of the Borough, and the staff and consultants of the Borough, are hereby authorized and directed to take all actions and execute any other agreement which may be necessary or convenient to effectuate the terms of this resolution in connection with the issuance, sale and delivery of the Program Notes, which includes the review and delivery of a preliminary official statement and official statement on behalf of the Borough, and the execution of the Note Purchase Agreement, the Continuing Disclosure Agreement, if any, and any other agreement to be executed in connection with the issuance of the Program Notes or the MCIA Notes.

SECTION 7. This resolution shall take effect immediately.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-042

**RESOLUTION AUTHORIZING AND RATIFYING
COUNTERCLAIMS IN STATE COURT TAX APPEALS**

WHEREAS, several commercial property owners in the Borough have filed appeals, or are anticipated to file appeals, with the New Jersey State Tax Court for calendar year 2026; and

WHEREAS, the Borough Tax Assessor has recommended that the governing body authorize the filing of counterclaims to certain of the appeals and ratify the filing of counterclaims for those appeals in which counterclaims have already been filed;

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

1. The Borough Conflict Tax Attorney is hereby authorized to file counterclaims in tax court cases as recommended by the Borough Tax Assessor and, to the extent any counterclaims have already been filed by current or predecessor counsel for the Borough, such counterclaim authority is hereby ratified.
2. A certified copy of this Resolution shall be provided to both the Borough tax assessor and Borough conflict tax attorney.

**BOROUGH OF TINTON FALLS
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R-26-043

**RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO
CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN
THE BOROUGH OF TINTON FALLS**

WHEREAS, The Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

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WHEREAS, the Borough of Tinton Falls is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

**BOROUGH OF TINTON FALLS
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R-26-044

**RESOLUTION MAKING COST OF LIVING
ADJUSTMENT FOR THE BOROUGH’S LOSAP PROGRAM**

WHEREAS, the Borough of Tinton Falls has had a Length of Service Awards Program (“LOSAP”) in place since July 22, 2003, upon adoption of Ordinance No. 03-1100 to provide a small incentive for emergency service volunteers; and

WHEREAS, LOSAP provides for annual contributions to eligible volunteer members of the Borough’s emergency medical services, which for 2024 was set at a rate of \$1,855.41; and

WHEREAS, the Division of Local Government Services has authorized a maximum contribution increase for those serving in 2025 of 3.3% or \$61.23 for a total 2025 contribution of \$1,916.64; and

WHEREAS, the Borough Council has determined to set the 2025 maximum LOSAP contribution to \$1,916.64 to continue to recruit and retain emergency service volunteers.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that it hereby sets the 2025 LOSAP contribution rate at \$1,916.64 for each eligible member of the Borough’s emergency medical service squads.

**BOROUGH OF TINTON FALLS
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R-26-045

**RESOLUTION - RELEASING PERFORMANCE BOND UPON POSTING OF MAINTENANCE BOND -
CONTRACT #24-5 T.R. WENIGER, INC - LELAND TERRACE PUMP STATION UPGRADES**

WHEREAS, the Contractor, T.R. Weniger, Inc. has completed all of the work in accordance with Contract #24-5 Leland Terrace Pump Station Upgrades as certified by the Borough Engineer's letter dated January 20, 2026, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Performance Bond of T.R. Weniger, Inc. be and hereby is released upon the posting of the Maintenance Bond in the amount specified in the Contract documents, and

BE IT FURTHER RESOLVED, that said Maintenance Guarantee period shall run from January 8, 2026, the date set forth on said as approved by the Borough Engineer and shall expire on January 8, 2028.

**BOROUGH OF TINTON FALLS
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R-26-046

RESOLUTION AUTHORIZING EXTENSION OF AFFORDABILITY CONTROLS

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

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

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

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

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

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

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

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

WHEREAS, the Borough Planning Board adopted a Resolution dated May 28, 2025 approving the Housing Plan Element and Fair Share Plan and the Borough Council adopted a Resolution endorsing the Housing Element and Fair Share Plan, which in part, included the extension of affordability controls as a compliance mechanism to meet the Borough's Fourth Round prospective need obligation; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough authorize the Deed Extension Program in order to ensure the previously approved affordable housing units within the Borough remain in the Borough's inventory of affordable housing and to limit the amount of new development arising from the Borough's Fourth Round affordable housing in order to obtain compliance certification from the Court thereby protecting the Borough from exclusionary zoning litigation until July 1, 2035.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, that it hereby authorizes the Borough to pay the unit owners eligible for the deed extension program the amount authorized by the applicable Uniform Housing Affordability Controls, N.J.A.C 5:8026-1 et. seq., as amended.

BE IT FURTHER RESOLVED THAT the Mayor, Business Administrator, and Borough's Special Counsel are hereby authorized to execute any and all documents required to effectuate and implement the Deed Extension Program.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-047

**RESOLUTION AUTHORIZING CONSENT ORDER FOR THE BOROUGH'S FOURTH ROUND
AFFORDABLE HOUSING OBLIGATION**

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

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

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

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

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24 dated December 13, 2024 and pursuant to that Directive, a municipality seeking a certification of compliance with the Act is

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required to file a legal action in the form of a declaratory judgment complaint within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

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

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

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

WHEREAS, the Borough Planning Board adopted a Resolution dated May 28, 2025 approving the Housing Plan Element and Fair Share Plan and the Borough Council adopted a Resolution endorsing the Housing Element and Fair Share Plan addressing the compliance mechanisms to meet the Borough’s affordable housing obligation; and

WHEREAS, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s HESP and FSHC and the Borough having agreed to h to amicably resolve the issues set forth in the challenge through a Consent Order pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough to approve the Consent Order with Fair Share Housing Center consistent with its HESP to ensure in order to obtain compliance certification from the Court thereby protecting t he Borough from exclusionary zoning litigation until July 1, 2035.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, that it hereby authorizes the Borough to enter into a Consent Order with Fair Share Housing Center consistent with its approved Fourth Round Housing Element and Fair Share Plan.

BE IT FURTHER RESOLVED THAT the Mayor, Business Administrator, and/or Borough’s Special Counsel are hereby authorized to execute any and all documents required to effectuate and implement the Deed Extension Program.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-26-048

RESOLUTION – APPROVAL OF BILLS – February 3, 2026

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending February 3, 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	6,875,588.13
SEWER UTILITY	453,833.29
TRUST FUNDS	21,118.88
ADDITIONS	1,583.62
TOTAL	<u>\$7,352,123.92</u>

ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: None

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TIME: 8:43pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Michael J. Nesci, Council President

APPROVED AT A MEETING HELD ON: