

**REGULAR MEETING
OCTOBER 7, 2025
BOROUGH COUNCIL**

Council President Dr. Dobrin 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 January 7, 2025.”

ROLL CALL (Regular Meeting)

PRESENT: Ms. Buckley, Mr. Nesci, Mr. Parikh, Dr. Dobrin
ABSENT: Mr. Alessi
ALSO PRESENT: Michelle Hutchinson, Borough Clerk
Kevin Starkey, Director of Law
Risa Clay, Mayor
Charles Terefenko, Business Administrator
Thomas Fallon, Director of Finance
Thomas Neff, Borough Engineer

All present stood for a salute to the Flag.

APPROVAL OF MINUTES

Ms. Buckley offered a motion to approve September 2, 2025, Regular Meeting Minutes seconded by Mr. Parikh.

ROLL CALL

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

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

Certificates of Recognition were read, and presented by Mayor Clay to: Alexa Rosenthal



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Borough Engineer – Thomas Neff

Mr. Neff commented on two ordinances for introduction Ordinance 2025-1534 which changes Clover Street to no parking on one side of the street and Ordinance 2025-1535 which updates road opening process and the contractor will have to pave the entire street, bringing this to current standards.

Director of Finance- Thomas Fallon

Mr. Fallon had no report.

Business Administrator – Charles Terefenko

Mr. Terefenko thanked everyone for their help with the successful 75th Anniversary event and listed all the sponsors and their contributions to the event. The Crawford House is sponsoring Jubilee October event every Saturday from 9:00am to 12:00pm. There is a community cleanup event with DPW on October 18th from 9:00am to 12:00pm meeting at the Pine Brook triangle. The Trunk or Treat event is on October 25th at Sycamore Park from 4:30pm to 8:30pm. Working with NJ Film Ready Program to give local businesses notoriety with information to be sent out shortly from the public information office. DCA grant application deadline is October 31st.

Mayor's Report- Risa Clay

On the 17th of September Mayor Clay participated in a meet the mayor's program sponsored by NJ Chamber of Commerce; the 26th participated in preschool story time at the Tinton Falls Public Library; the 27th attended the PTA Color Runoff and officiated a wedding in the afternoon. Mentioned October is National Principle's month acknowledged the hard work in running a school. On October 2nd Mayor Clay attended *Coffee with a Cop* and thanked the police department for their many community initiatives. On October 4th attended the Northside Fire/EMS North 70th Anniversary event which was very well attended. Mayor Clay continues with her weekly office hours and meetings with residents.

Director of Law – Kevin Starkey

Mr. Starkey had no report.

Borough Clerk – Michelle Hutchinson

-Ms. Hutchinson had no report.

-Ms. Buckley reported the next Environmental Commission meeting is October 23rd at 7:00pm. The ERI Survey will be available to everyone to complete and ask all residents to participate in the survey.

-Mr. Nesci had no report.

-Mr. Parikh reported attending the Tinton Falls Board of Education meeting on September 25th noting a dialogue between the school and MRHS Board of Education regarding more commercially viable transportation with the goal of cheaper transportation for Tinton Falls students. The next meeting of the Board of Education is scheduled for October 23rd. Reminded seniors of the Stay NJ rebate program and the end of the month deadline. Hope everyone enjoyed their holidays.

-Dr. Dobrin reported the Tinton Falls Library is continuing with many activities. It is a true success with very dedicated staff.

ORDINANCES FOR INTRODUCTION

Ms. Hutchinson read the title of the Ordinance: **2025-1534 AN ORDINANCE AMENDING SECTION 7-3.4 OF THE BOROUGH CODE TO DESIGNATE THE NORTH SIDE OF CLOVER STREET AS A NO PARKING ZONE**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday October 21, 2025.

Mr. Nesci offered a motion to introduce Ordinance No. 2025-1534 seconded by Ms. Buckley.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: Mr. Alessi

ORDINANCE NO. 2025-1534

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

AN ORDINANCE AMENDING SECTION 7-3.4 OF THE BOROUGH CODE TO DESIGNATE THE NORTH

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SIDE OF CLOVER STREET AS A NO PARKING ZONE

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

SECTION 1. Section 7-3.4 of the Borough Code, entitled “Parking Prohibited At All Times on Certain Streets,” is hereby amended to add the following streets, in an appropriate alphabetical location in the Section.

§7-3.4 Parking Prohibited At All Times on Certain Streets.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Clover Street	North	Entire length

SECTION 2. Upon the effective date of this Ordinance, the Department of Public Works is authorized and directed to install signage on Clover Street, as appropriate to give effect to this Ordinance.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

SECTION 4. This Ordinance shall take effective immediately upon final passage and publication as provided by law.

Ms. Hutchinson read the title of the Ordinance: **2025-1535 ORDINANCE AMENDING SECTION 15-1 OF THE BOROUGH CODE ENTITLED “EXCAVATION OF STREETS, CURBS AND SIDEWALKS”**

Ms. Hutchinson stated that the public hearing would be scheduled for Tuesday October 21, 2025.

Mr. Parikh offered a motion to introduce Ordinance No. 2025-1535 seconded by Ms. Buckley.

ROLL CALL

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

ABSTAIN: None

NAYS: None

ABSENT: Mr. Alessi

ORDINANCE NO. 2025-1535

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**ORDINANCE AMENDING SECTION 15-1 OF THE BOROUGH CODE
ENTITLED “EXCAVATION OF STREETS, CURBS AND SIDEWALKS”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that:

SECTION 1. Section 15-1 of the Borough Code of Tinton Falls, entitled “Excavation of Streets, Curbs and Sidewalks,” shall be amended in the manner indicated below (~~strike throughs~~ to be deleted; underlined portion to be added), and shall read as follows:

§ 15-1. EXCAVATION OF STREETS, CURBS AND SIDEWALKS.

§ 15-1.1. Permit Required; Exceptions.

- a. It shall be unlawful for any person, corporation, or other legal entity to dig up or excavate any street, avenue, alley, lane, highway, road, sidewalk, curb, pavement or any part thereof, within the Borough Right of Way for any purpose whatever, unless and until a written application as hereinafter provided is first submitted to and a permit is granted by the ~~Administrator~~ Borough Engineer.

§ 15-1.2. Application for Permit; Issuance; Fee.

- a. Any written application for a street excavation shall be ~~made in quadruplicate~~, completed and signed by the applicant, and shall delineate and accurately describe the section or sections to be dug up or excavated and the purpose, nature, scope, area and extent of the work, the length of time the work will require, suitable drawings depicting the proposed work, the name of the person, firm or corporation who will perform the work and the time when the restoration hereinafter provided will be completed.
- b. The applicant shall list on the application the name, address and emergency telephone numbers of at least two persons responsible to be called at all times in case emergency problems or situations arise at the

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construction or maintenance site. A copy of this information will be provided to the Police Department (via the ~~Administrator's~~ **Engineer's** Office) prior to the commencement of any work at the site. If for any reason, no person is available at the emergency telephone numbers or a person fails to cooperate with a request from the Police Department or Department of Public Works to correct a hazardous situation, the Borough shall have the authority to correct any hazardous condition or situation at the work site. In such event, the applicant shall be responsible to reimburse the Borough for all expenses incurred for such correction.

- c. Upon receipt of such application, the ~~Administrator~~ **Borough Engineer** will forward a copy ~~each~~ to the Director of the Department of Public Works ~~and the Borough Engineer~~. If no objections to the issuance of such ~~street road~~ opening permit ~~shall~~ have been received within five days, the ~~Administrator~~ **Borough Engineer** shall issue such ~~street road~~ opening permit provided, however, that the applicant shall have first delivered to the ~~Administrator~~ **Borough Engineer** the appropriate fees and guarantees set forth herein.
- d. In the event the ~~Administrator~~ **Borough Engineer** receives objections from ~~the Borough Engineer or the~~ Director of the Department of Public Works with respect to the issuance of a ~~street road~~ opening permit within the five-day period aforesaid, then and in that event no permit shall be issued by the ~~Administrator~~ **Borough Engineer** until such time or upon such conditions as the ~~Administrator~~ **Borough Engineer** may impose.
- e. Fees. The Permit Fee fees shall be as follows: ~~A fee of \$38 shall be paid by applicant for the first 100 square feet or less to be excavated. There shall be an additional \$10 for each 100 square feet or portion thereof above the initial 100 square feet.~~
 1. For general excavations and disturbances - \$200 for the first 100 square feet of area disturbed, plus \$25 additional for each 100 square feet, or fraction thereof, of area disturbed.
 2. For utility infrastructure installations, repairs, upgrades, or replacements - \$200, plus \$0.50 per linear foot of utility main installed, repaired, upgraded, or replaced. For the purposes of the fee calculation, lineal footage of directional drilling, micro-tunneling, Jack and Bore, moling or other trenchless installation shall be included.

These fees shall apply to each application submitted and are not refundable. ~~\$10 of the fee will be placed in an escrow account for payment to a GPS/GIS entry and management entity. \$3 of the fee will be placed in an escrow account to be utilized for a computerized document management system.~~

~~There shall also be an inspection fee of \$100. The inspection fee will be waived in the case of repair of existing sidewalk. The calculation of the fees may be determined by the Department of Public Works or the Borough Engineer.~~

- f. In case of emergency, an emergency permit may be issued by the Police Department of the Borough, after which an application for a permit, as hereinbefore required, shall be made to the ~~Director of Public Works, or his designated representative~~ **Borough Engineer**, within two business days after the work has been commenced.

§ 15-1.3. Cash Repair Deposit ~~and Inspection Fee.~~

- a. In addition to the ~~application and inspection~~ **permit** fee as set forth in subsection 15-1.2e, the application for a permit to perform work under this section shall be accompanied by a repair deposit. Such repair deposit shall take the form of cash or check, payable to the Borough of Tinton Falls, and shall be received by the ~~Administrator~~ **Borough Engineer** prior to the issuance of any permit. Any repair deposit made hereunder shall serve as security for the repair of the road surface and/or off-road ground surface disturbed to a condition comparable to that present prior to the excavation in the event the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and/or the excavation work performed in accordance with the permit.

The amount of repair deposit to be collected in addition to the permit fee ~~and inspection fees~~ shall be:

1. ~~Areas where there is no permanent hard surface:~~
 - (a) ~~Repair Deposit — \$5 per square foot to be excavated, provided that the minimum deposit shall be \$250.~~
2. ~~Areas where the surface or treatment to be excavated is brick, asphalt, bituminous concrete, wood block or other permanent surface or treatment:~~
 - (a) ~~Repair Deposit — \$10 per square foot, provided that the minimum deposit shall be \$250. Calculation of all fees may be determined by the Department of Public Works or the Borough Engineer.~~

1. Disturbance Area:

- (a) Less than 100 square feet: \$1,000

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(b) 100 square feet, but less than 500 square feet: \$2,000

(c) 500 square feet or more: \$2,000 plus \$5 per square foot for each square foot in excess of 500

- b. The repair deposit shall be held by the Borough for a period of one year and shall be utilized if necessary for the repair, resurfacing, restoration or paving of the area excavated, pursuant to the permit. Should such work not be necessary during the one-year period, the deposit shall be returned to the applicant. Final inspection of the excavation site may be performed by the Department of Public Works or the Borough Engineer. In lieu of the deposit by cash or certified check, the applicant may deposit a surety bond of equal amount and approved as to form by the Director of Law. Where several permits are desired throughout the year, a blanket bond in a sum to be fixed by the ~~Administrator~~ **Borough Engineer** based on the estimated number of permits to be issued, may be given in lieu of a separate bond or deposit for each separate ~~deposit~~ **permit**, the bond shall be renewed annually. No such permit shall be or become effective unless and until the deposit herein required is made. Any permit issued may be on such other reasonable terms and conditions as the Borough may require in the public interest.
- c. Any such deposit shall be retained by the Borough ~~of~~ **for** a period of one year from the date of the completion by the applicant of the work of restoring to at least its original condition and appearance any section or sections so excavated with the stabilized base course **and surface course** level and shall be made flush with the existing pavement, and shall be, until that time, security for any restoration herein provided as well as security for any other damage or loss the Borough may incur or become subject to by reason of such excavation or any work connected therewith.
- d. In the event any restoration herein provided is not completed with the time and upon the terms and conditions set forth in the application or the permit, or in the event such restoration is done otherwise than in good and workmanlike and approved manner and in accordance with standard practice, or in the event the Borough incurs or is or will become subject to any damage or other loss by reason of the work or excavation, then the deposit may be used and applied by the Borough to the Borough's work of restoration or to any such damage or loss and if the deposit is insufficient to answer therefore, then the applicant shall be and become liable to the Borough for any excess of the cost thereof over the deposit, and in the event the deposit is entirely sufficient therefore and there is any surplus, the Borough shall repay to the applicant any such surplus or balance remaining of the deposit.
- e. No deposit herein provided shall be returned unless and until the Director of Public Works, Borough Engineer, or suitable designee shall have first inspected the work and restoration thereof and has determined that the same has been performed in compliance with this chapter, evidence of such determination to be in the form of a certification signed by the Department of Public Works or Borough Engineer, a copy of which shall remain on file with the ~~Administrator~~ **Borough Engineer**.

§ 15-1.4. Backfill and Restoration of Surface.

It shall be the duty of the applicant to restore the street surface in the following manner and to maintain all proper safeguards relating to the opening or excavation to protect the public from damage or injury resulting from same.

- a) All trench openings shall be neatly saw cut, unless specifically allowed, in writing by the Public Works Department **or Borough Engineer** for unusual circumstances.
- b) ~~The type of material used for backfilling shall be as specified by the Borough Engineer to ensure the restoration of a street or road to its prior condition. For the purpose of establishing specifications for the restoration, the specifications promulgated by the Department of Transportation of the State of New Jersey shall serve as a guideline for street restoration.~~ **The trench must be of suitable width to obtain proper mechanical compaction. All backfill is to be done with quarry process stone Type I-5 or DGA, or other suitable material if approved by the Borough Engineer, for the full depth of the trench. First lift of fill, twelve inches above pipe, shall be compacted using a Jumping Jack or Vibratory Tamper. Successive lifts (no greater than twelve inches) shall be compacted by mechanical means such as tamping, vibrating or rolling. A vibrating plate tamper is not acceptable. Following compaction, the permittee shall install no less than six inches of dense graded aggregate followed by eight inches of bituminous stabilized base course to the top of the trench (installed in two lifts). If the distance from the edge of the excavation work area to the existing curb or roadway edge is less than two feet, the permittee shall be required to excavate to the curb and evenly install six inches of dense graded aggregate followed by eight inches of bituminous stabilized base course in the entire area.**
- c) Tack coat should be applied to the edges of the street opening just prior to placement of the bituminous **base course and** surface course. Placement of the tack coat shall be in accordance with the latest revision of the State of New Jersey Standard Specifications for Road and Bridge Construction.
- d) It shall be the duty of each person, corporation, partnership, firm and their contractor or agents to notify the Borough ~~Administrator~~ **Engineer** prior to the backfilling of the opening or excavation, and of the date such work will be done, so that the Borough Engineer or agent of the Borough may, in his discretion, inspect all aspects of the street restoration, etc., and to file a written report to be used in the determination of the return of the repair deposit. **The Borough Engineer, Department of Public Works, and Police**

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Department Traffic Safety Officer must be notified a minimum of 48 hours in advance of any excavation.

- e) The partially restored pavement (stabilized base course level with the existing pavement ~~as described in subsection 15-1.3e~~) shall be allowed to settle for no less than 90 days and no more than 180 days. ~~Upon the completion of the settling period, the opened or excavated area shall be milled and repaved with NJDOT Mix 1-5 utilizing an infrared restoration process.~~ If at any time during the settlement period, the trench becomes unacceptable as determined by the Director of Public Works **or Borough Engineer**, the permittee shall be notified of the condition requiring repair, and such repair shall be performed within 24 hours of such notification by the Director of Public Works **or Borough Engineer**. If the repair is not made in the time specified, the Borough may make the repair and any cost thereof will be charged against the permittee's cash repair deposit and/or maintenance bond. At the end of the period of time of settlement required by the Department of Public Works **or Borough Engineer**, an inspection shall be performed by the Department.
- f) **Applicant must install and maintain temporary line striping and pavement markings throughout the settlement period.**
- g) **Upon the completion of the settling period, the opened or excavated area shall be milled and repaved with no less than two inches of NJDOT Mix 1-5 or 9.5M64 surface course utilizing an infrared restoration process along all joints. The base pavement shall be swept, and tack coat should be applied to the milled surface and edges of the street opening just prior to placement of the bituminous surface course. Placement of the tack coat shall be in accordance with the latest revision of the State of New Jersey Standard Specifications for Road and Bridge Construction.**
- h) **All excavations, unless regulated under Subsection 15-1.4.i below or otherwise permitted by the Borough, shall require milling and restoration of the excavation work area extending from the curb or edge of pavement to the center line of the road or a minimum of one foot beyond the outer edges of the excavation, whichever is greater.**
- i) **In the case of utility work undertaken by a public or private utility or developer, which work involves placing of new or replacing or repairing existing utility infrastructure, including but not limited to gas lines, water lines, electrical lines, communication and data lines, and sewer lines, where the area to be excavated (including horizontal directional drilling, moling, jack and bore, or tunneling) is greater than 50 linear feet, upon completion or within a reasonable amount of time as determined by the Borough Engineer, the permittee shall mill and repave the entire pavement surface from edge to edge or curb to curb for the full length of the excavation, in accordance with the restoration requirements herein. When the limits of restoration include an intersection with pedestrian sidewalks, barrier free accessible curb ramps shall be installed in accordance with the requirements contained herein.**
- j) **Excavations along the center line of the street for more than 50 linear feet shall require full-width milling of the street surface.**
- k) **The Borough Engineer has the discretion to extend, modify, or revise milling limits to accommodate existing pavement and drainage conditions.**
- l) **Excavated or disturbed concrete sidewalks shall be replaced with a minimum of 4 inches of crushed stone and four inches of 4,500 psi concrete. Concrete driveways or aprons shall be replaced with a minimum of 4 inches of crushed stone and six inches of 4,500 psi concrete with 6x6 welded wire mesh reinforcement.**
- m) **All disturbed areas outside of pavement or concrete shall be replaced with a minimum of 4 inches of borrow topsoil, a residential grass seed mix, fertilizer, and straw.**
- n) The permittee shall be required to replace any facilities including but not limited to curb, pavement, sidewalk, line striping, etc. that are affected by the excavation and restoration work.
- o) **Unless otherwise specified herein, all restoration of pavement, drainage facilities, curbs, sidewalks, driveway aprons, accessible curb ramps, and any other street improvement shall conform to the NJDOT Standard Specifications, NJDOT Standard Details for Road and Bridge Construction, and the United States Access Board Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.**
- p) **No Borough road shall be closed to traffic without prior written consent of the Police Department. In the event that a road is closed, uniformed police may be required to act as traffic directors. Maintenance and protection of pedestrian and traffic control is the responsibility of the applicant and must conform to NJDOT and MUTCD standards along with the requirements of the local municipality. All costs of providing uniformed police shall be the responsibility of the permittee or the owners. In the event that a detour is deemed necessary by the permittee, application shall be made to the Police Department, who shall determine the necessity for such detour and the route to be followed. In emergency situations, notification by phone to the Police Department shall be done prior to the start of work.**

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§ 15-1.5. Opening of Newly Paved Streets Restricted.

No permit shall be issued which would allow an opening or excavation of a paved or improved street surface less than five years old unless the applicant clearly demonstrates to the Borough Engineer that public health or safety requires the proposed work to be permitted or unless an emergency condition exists. If a permit is issued pursuant hereto to open any repaved street less than five years old, an enhanced restoration may be required for said opening permit at the discretion of the Borough Engineer. Enhanced restoration may include half width to full width milling and repaving to minimize the deleterious effects of the pavement disturbance.

§ 15-1.6. Removal and Protection of Utilities.

The permittee shall first obtain the appropriate utility markouts as required by law. The permittee shall not interfere with any existing utility without the written consent of the utility company or person owning the utility. If it becomes necessary to remove an existing utility, this shall be done by its owner. No utility owned by the Borough shall be moved to accommodate the permittee unless the cost of such work is borne by the permittee. The cost of moving privately owned utilities shall be similarly borne by the permittee unless it makes other arrangements with the owner of the utility. The permittee shall support and protect, by timbers or otherwise, all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them under, over, along or across the work, in accordance with applicable statutory provisions. In case any pipes, conduits, poles, wires or apparatus should be damaged, they shall be repaired by the agency or owner and the expense of such repairs shall be borne by permittee, and his or its bond shall be liable therefore. The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer, gas pipe, electric conduit or other utility, and its bond shall be liable therefore. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

§ 15-1.7. Conditions: Guarding of Excavations.

No excavation shall remain open overnight, and any excavation shall be properly secured and marked with appropriate devices at all times **in accordance with the Manual on Uniform Traffic Control Devices.**

§ 15-1.8. Temporary Patching.

The permittee may be required to place a temporary surface over openings made in paved traffic lanes if the road must be reopened before the normal completion of work. The fill below the bottom of the existing pavement shall be tamped into place, properly graded and topped with a minimum of four inches of **hot mix** bituminous patch material which is suitable to maintain the opening in good condition until permanent restoration can be made, but in no case shall temporary patch be used for more than seven days. **Cold patch is not a permitted patch material, temporary or permanent.**

§ 15-1.9. Care of Excavated Material.

All material excavated from trenches and piled adjacent to the trench or in any street shall be piled and maintained in such manner so as not to endanger those working in the trench, pedestrians or users of the streets and so that as little inconvenience as possible is caused to those using streets and adjoining property. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, such as might be the case in a narrow street, the Borough shall have the authority to require that the permittee haul the excavated material to a storage site and then return it to the trench site at the time of backfilling. It shall be the permittee's responsibility to secure the necessary permission and to make all necessary arrangements for all required storage and disposal sites.

§ 15-1.10. Damage to Existing Improvements.

All damage done to existing improvements during the progress of the excavation work shall be repaired by the permittee. Materials for such repairs shall conform to the requirements of any applicable code or ordinance. If, upon being ordered, the permittee fails to furnish the necessary labor and materials for such repairs, the Department of Public Works shall require the labor and materials to be furnished and the cost shall be charged against the permittee, and the permittee shall also be liable on his or its bond therefor.

§ 15-1.11. Cleanup.

As the excavation work progresses, all streets and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Department of Public Works **or Borough Engineer.** From time to time as may be ordered by the Department of Public Works **or Borough Engineer.** and in any event, immediately after completion of the work, the permittee shall at his or its own expense clean up and remove all refuse and unused materials of any kind resulting from the work; and upon failure to do so within 24 hours after having been notified to do so by the Borough, the work may be done by the Borough and the cost thereof charged to the permittee, and the permittee shall also be liable for the cost thereof under the surety bond provided hereunder.

§ 15-1.12. Liability of Borough.

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This section shall not be construed as imposing upon the Borough or any official or employee any liability or responsibility for damages to any person injured by the performance of any excavation work for which an opening or excavation permit is issued hereunder; nor shall the Borough or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspections authorized hereunder, the issuance of any permit or the approval of any opening or excavation work.

§ 15-1.13. Penalties.

The penalties for violation of this section shall be proscribed as set forth in Chapter 1-5 (General Penalties) in the Tinton Falls Revised General Ordinances.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ORDINANCES FOR FINAL CONSIDERATION

Ms. Hutchinson read the title of the Ordinance: **2025-1533 ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN BOROUGH-OWNED LAND NO LONGER NEEDED FOR PUBLIC USE TO CONTIGUOUS PROPERTY OWNERS IN ACCORDANCE WITH LOCAL LANDS AND BUILDING LAW, N.J.S.A. 40A:12-1, ET SEQ.**

Mr. Nesci offered a motion to open the Public Hearing on Ordinance No. 2025-1533, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING OPEN

There being no comments, Mr. Parikh offered a motion to close the Public Hearing on Ordinance No. 2025-1533, seconded by Ms. Buckley.

ROLL CALL

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

PUBLIC HEARING CLOSED

Mr. Nesci offered a motion to adopt Ordinance No. 2025-1533, seconded by Ms. Buckley.

ROLL CALL

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

Ms. Hutchinson read the title of the Ordinance: **2025-1530 BOND ORDINANCE PROVIDING FOR THE BOROUGH'S 2025-2026 ROAD IMPROVEMENT PROGRAM, APPROPRIATING \$4,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,700,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF TINTON FALLS, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

The public hearing for this ordinance was previously held on September 2, 2025.

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Mr. Nesci offered a motion to adopt Ordinance No. 2025-1530, seconded by Mr. Parikh.

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Alessi

PUBLIC DISCUSSION

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: Mr. Alessi

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

Angie Swaroop, Tinton Falls – Ms. Swaroop requested clarification on the due date for the grant deadline. Mr. Terefenko will confirm his information received from DCA.

Mitch Kulberg, Tinton Falls – Mr. Kulberg stated the 75th Anniversary event was fantastic and thanked everyone involved. He was thankful the pothole he mentioned previously was repaired and liked the ordinance concerning full width paving of the road. Reminded residents of the election on November 4th and mail in ballots are out and provided dates of early voting. The League of Women Voters is hosting a Mayor/Council forum event on October 15th with more information on their website.

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: Mr. Alessi

PUBLIC DISCUSSION CLOSED

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Mr. Parikh started planning for the 250th celebration and will share details soon.

RESOLUTIONS - None

CONSENT AGENDA

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

ROLL CALL

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Alessi

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BOROUGH COUNCIL**

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-178

**RESOLUTION ADOPTING THE MONMOUTH COUNTY
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2026**

WHEREAS, the Borough Council recognizes the threat that natural hazards pose to people and property within the Borough of Tinton Falls, NJ; and

WHEREAS, the County of Monmouth has prepared a multi-hazard mitigation plan, hereby known as Monmouth County Multi-Jurisdictional Hazard Mitigation Plan 2026, in accordance with federal and state laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and New Jersey P.L. 2023, CHAPTER 313 approved January 16, 2024.

WHEREAS, the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan 2026, identifies current and future natural hazard risks, and assesses the vulnerability of facilities, infrastructure, and populations, and defines mitigation goals and actions to reduce or eliminate long term risk to people and property in (local government) from the impacts of future natural hazards and disasters; and

WHEREAS, adoption by the Borough Council demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan 2026.

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

Section 1. In accordance with (local rule for adopting resolutions), the Borough Council adopts the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan 2026. While content related to the Borough of Tinton Falls may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the Borough of Tinton Falls to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator, Tinton Falls Office of Emergency Management, and any appropriate municipal departments.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-179

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A MORTGAGE FOR THE SALE OF BLOCK
10.02, LOT 18 AND ESTABLISHING TERMS AND CONDITIONS**

WHEREAS, the Borough Council has authorized the sale of vacant property known as Block 10.02, Lot 18 to Christopher Rue and Daniel McGurk, for the purchase price of \$13,400.00; and

WHEREAS, the Borough has agreed to accept a mortgage from the Buyers, as authorized by N.J.S.A. 40A:12-13, and is required to establish the terms and conditions of said mortgage by adoption of an appropriate resolution; and

WHEREAS, the terms of said mortgage shall be that the initial principal amount shall be \$13,400.00, and that annual payments shall be made on May 1st of each year, beginning on May 1, 2026, to include five (5) payments of principal and interest at a rate of 6.0%, with the final payment due on May 1, 2030;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the Mayor and Director of Law are authorized to execute any documents necessary to complete the mortgage based on the terms and conditions set forth herein.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-180

**RESOLUTION AUTHORIZING PURCHASE UNDER
PASSAIC VALLEY SEWERAGE COMMISSION
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM**

WHEREAS, several of the Borough's sanitary sewer pump stations need to have their Raco Verbatim Cellularm dialer replaced due to failing intermittently and replaced with Primex Pump Watch IONs; and

WHEREAS, the Borough of Tinton Falls is a current member of the Passaic Valley Sewerage Commission North Jersey Wastewater Cooperative Pricing System as approved by Resolution #R-19-066; and

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WHEREAS, Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846 is a valid vendor on the Passaic Valley Sewerage Commission North Jersey Wastewater Cooperative Pricing, for the purchase of Primex Pump Watch ION for each of the following pump stations, Enclave, Heritage, Jumping Brook, Nutmeg, Rutgers, Sam Drive, Squankum, Wardell and Woodland Manor for the total purchase price in the amount of \$96,667.46; and

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

WHEREAS, Thomas P. Neff, Borough Engineer, recommends this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase under the valid Passaic Valley Sewerage Commission North Jersey Wastewater Cooperative Pricing:

I hereby certify funds are available from: Sewer Capital Outlay

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-181

**RESOLUTION TO OFFER A MODIFIED INCENTIVE UNDER THE STATE HEALTH
BENEFITS PROGRAM**

WHEREAS, the Borough of Tinton Falls, recognizes the need to offer more affordable health care options to its’ full-time employees through the State of New Jersey’s Health Benefit Plan program; and

WHEREAS, the State Health Benefits Department offers tiered-network medical plans otherwise known as Aetna’s Liberty Plus Plan and Horizon Blue Cross Blue Shield of New Jersey’s OMNIA Plan, and allows municipalities to offer their employees an incentive to join said plans; and

WHEREAS, the Borough of Tinton Falls, agrees to voluntarily participate in the modified Financial Incentive Program granting financial incentives to subscribers who select enrollment into a tiered-network medical plan.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that we will hereby manage and administer this incentive program. The terms of the Incentive Program described above shall include:

- 1. The Incentive Program shall be available to subscribers who are first time enrollees in a tiered-network medical plan beginning Plan Year 2026 and continuing for one year through December 31, 2026, respectively;
- 2. The Incentive Program does not extend to participants enrolled under P.L. 2005, c. 375 (certain over-age adult children) and COBRA;
- 3. Participation is voluntary at the option of the employer;
- 4. The financial incentive for eligible employees shall be: \$1,000 at any level of coverage (Single, Member/Spouse, Family, Parent/Child) when changing to a tiered-network plan;
- 5. The incentive amount shall be paid within the respective Plan Year and is reportable income; and
- 6. The incentive shall be forfeited and returned to the employer if the subscriber fails to remain enrolled for at least one plan year, except that if a subscriber is made ineligible for healthcare through layoff, involuntary separation, reduction to part-time status, or classification into an ineligible position. If a subscriber voluntarily retires or changes health plans due to a catastrophic or emergency health need as determined by the employer within the year, then the incentive shall be forfeited on a pro-rata basis.

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

R-25-182

RESOLUTION - REFUNDING TAX OVERPAYMENT

WHEREAS, an overpayment of 2025 3rd quarter taxes on the following property has been paid in error creating an overpayment by the Homeowner and the Mortgage Company.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Segal, Malia 22 Spring Court Tinton Falls, NJ 07724	75	23	\$1,895.30

and,

WHEREAS, said error has resulted in an overpayment of the 2025 3rd quarter taxes in the amount of \$1,895.30 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 \$1,895.30 is hereby approved for the aforementioned property.

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I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overpayment to be \$1,895.30.

BOROUGH OF TINTON FALLS **R-25-183**
COUNTY OF MONMOUTH

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

WHEREAS, overbillings and overpayments of 2025 Taxes have been made as a result of Senior Citizen and Veteran deductions for the year of 2025.

<u>Name</u>	<u>BLOCK</u>	<u>LOT</u>	<u>CANCEL</u>	<u>REFUND</u>	<u>TOTAL</u>
(HEREBY ATTACEHD AND MADE PART OF THIS RESOLUTION)	VARIOUS		\$750.00	N/A	\$750.00

and,

WHEREAS, said deductions resulted in overbillings and overpayments of the 2025 taxes in the amount of \$750.00 as certified by the Borough Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the taxes amounting to \$750.00 be cancelled for the year 2025 and that refunds in the amount of \$0.00 are hereby approved for the attached properties.

I, Carol Hussey, Tax Collector of the Borough of Tinton Falls, hereby certify the amount of overbilling to be \$750.00 and the amount of overpayment to be \$0.00.

BOROUGH OF TINTON FALLS **R-25-184**
COUNTY OF MONMOUTH

RESOLUTION – APPROVAL OF BILLS – October 7, 2025

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending October 7, 2025; and

WHEREAS, the Borough Council has reviewed said claims.

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

SUMMARY

GENERAL	3,835,518.46
SEWER UTILITY	292,071.17
GENERAL CAPITAL	153,196.01
GRANT FUND	8,178.39
TRUST FUNDS	41,486.16
DOG TRUST FUND	6,231.72
ESCROW	60,437.93
	<u>1,466,399.51</u>
TOTAL	5,863,519.35

CERTIFICATION OF FUNDS:

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ADJOURNMENT

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

ROLL CALL

AYES: All in Favor

NAYS: None

ABSTAIN: None

ABSENT: Mr. Alessi

TIME: 8:00pm

Respectfully Submitted,

Michelle Hutchinson, Borough Clerk

Dr. Lawrence A. Dobrin, Council President

APPROVED AT A MEETING HELD ON: November 10, 2025.