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**Borough of Tinton Falls
Council Meeting-Courtroom
556 Tinton Avenue
Tinton Falls, NJ 07724**

**AGENDA
BOROUGH COUNCIL
REGULAR MEETING
MARCH 03, 2026**

Regular Meeting to begin at 7:30 PM

Notice: Please silence your cell phones. If you need to make a call, kindly make your call outside of the meeting room.

CALL TO ORDER

Open Public Meeting Statement: Call to Order – 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

SALUTE TO FLAG

APPROVAL OF MINUTES

- 1. February 3, 2026 Regular Meeting Minutes**

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

- 2. Certificate of Recognition Beatriz Oesterheld**
- 3. Certificate of Recognition Carney Family**
- 4. Oaths of Office - Borough of Tinton Falls Police Department**
 - Promotional Oaths of Office**
 - Lieutenant- Matthew Yurcisin**
 - Sergeant- Michael Sevilla**
 - Oaths of Office**
 - Patrolman - Logan Keefer**
 - Patrolman - David Nase**
 - Patrolman- Justin Orosz**

ORDINANCES FOR INTRODUCTION

- 5. 2026-1543 Affordable Housing Ordinance Implementing The Fourth Round Housing Plan Element And Fair Share Plan**

ORDINANCES FOR FINAL CONSIDERATION

- 6. 2026-1540 An Ordinance Amending Chapter 7 Of The Borough Code, Entitled “Traffic” To Amend The Locations Where Left Turns Are Prohibited**
- 7. 2026-1541 An Ordinance Amending Chapter 10 Of The Borough Code, Entitled “Park Rules And Regulations,” To Clarify The Times Of Operation For Parks And Public Playgrounds**
- 8. 2026-1542 An Ordinance Authorizing The Borough To Purchase Block 91, Lot 1, Also Known As 1900 Wayside Road, For Recreation And Open Space Preservation Purposes**

PUBLIC DISCUSSION

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

RESOLUTIONS

CONSENT AGENDA

- 9.** R-26-058 Resolution Declaring March As Women's History Month In The Borough Of Tinton Falls
- 10.** R-26-059 Resolution Authorizing A Cooperative Project Agreement With The County Of Monmouth Under Its Municipal Land Preservation Incentive Program For The Acquisition Of Real Property Known And Designated As Block 91, Lot 1 (1900 Wayside Road) On The Official Tax Map Of The Borough Of Tinton Falls, Monmouth County, New Jersey
- 11.** R-26-060 Resolution Approving the 2025 LOSAP Certification List for Qualification of Tinton Falls EMS Squad North
- 12.** R-26-061 Resolution Authorizing The Purchase Of SDL (Spatial Data Logic) Software Services For Hosting Support And License Fees
- 13.** R-26-062 Resolution Refunding 2026 1st Quarter Tax Overpayments – Various Properties -\$11,686.68
- 14.** R-26-063 Resolution Refunding Escrow Amazon.Com Services, LLC
- 15.** R-26-064 Resolution Authorizing Approval of Bills \$3,789,294.26

EXECUTIVE SESSION (if applicable)

ADJOURNMENT

Items on the Borough Council Agenda are subject to change at any time prior to and during this meeting.



BOROUGH OF TINTON FALLS

Certificate of Recognition

Awarded to

Beatriz Oesterheld

In recognition of Beatriz Oesterheld, Executive Director and CEO of the Community Affairs and Resource Center, for her dedicated leadership and service to minority communities across Monmouth and Ocean counties, and for her support of VNACJ–Community Health Center, the Latin American Association, the Governor’s Council for Disability, and the Interagency Lead Task Force, as well as her role in transforming CARC into a responsive, community-based organization.

Risa Clay, Mayor



By the Mayor of Tinton Falls
March 3, 2026



BOROUGH OF TINTON FALLS

Certificate of Recognition

Awarded to

The Carney Family

In recognition of your generosity, stewardship, and partnership in preserving the historic Carney Farm, the Borough extends its deepest gratitude. Your commitment ensures that this cherished 13-acre property will remain protected as open space and recreational land for the enjoyment of our community today and for generations to come.

Risa Clay, Mayor



By the Mayor of Tinton Falls
March 3, 2026

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
ORDINANCE NO: 2026-1543**

**AFFORDABLE HOUSING ORDINANCE IMPLEMENTING THE FOURTH ROUND
HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

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

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

WHEREAS, the DCA Report calculated Tinton Falls's Fourth Round fair share obligations as follows: Present Need (Rehabilitation) Obligation of 413 units and a Fourth Round Prospective Need (New Construction) Obligation of 203 affordable housing units; and

WHEREAS, the Borough of Tinton Falls (the "Borough" or "Tinton Falls") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action bearing the caption, In the Matter of the Borough of Tinton Falls. Superior Court of New Jersey, Law Division, Docket No. MON-L-296-25 on January 21, 2025; and

WHEREAS, the Borough having filed its Housing Element and Fair Share Plan on May 29, 2025 (the "HEFSP"); and

WHEREAS, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough's HEFSP on August 31, 2025; and

WHEREAS, the Court having entered into an Order requiring the Borough to adopt Fourth Round implementing ordinances in conformance with the Amended FHA by March 16, 2026; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough to adopt the Fourth Round implementing ordinances in order to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation for ten years until 2035.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls, County of Monmouth, State of New Jersey, that it hereby repeals Chapter 43 Affordable Housing, Section 43-1 through 43-17 and replaces it with the following:

§43-1

A. Introduction & Applicability

1. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in Borough of Tinton Falls consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-302 et seq., as well as the Department of Community Affairs, Division of Local Planning Services (“LPS”) at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing (“COAH”) at N.J.A.C. 5:93 and 5:97, the Uniform Housing Affordability Controls (“UHAC”) at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan (“HEFSP”).
2. This Ordinance is intended to ensure that very low-, low- and moderate-income units (“affordable units”) are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to the provisions set forth below in item 5.c. below.
3. The Tinton Falls Land Use Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
4. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
5. Applicability
 - a. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality’s most recently adopted HEFSP.
 - b. This Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
 - c. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year

compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

§43-2

B. Definitions

As used herein the following terms shall have the following meanings:

“Accessory apartments” means a residential dwelling unit that provides complete independent living facilities with a private entrance for one or more persons, consisting of provisions for living, sleeping, eating, sanitation, and cooking, including a stove and refrigerator, and is located within a proposed preexisting primary dwelling, within an existing or proposed structure that is an accessory to a dwelling on the same lot, constructed in whole or part as an extension to a proposed or existing primary dwelling, or constructed as a separate detached structure on the same lot as the existing or proposed primary dwelling. Accessory apartments are also referred to as “accessory dwelling units”.

“Act” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-302 et seq.

“Adaptable” means constructed in compliance with the technical design standards of the barrier free subcode adopted by the Commissioner of Community Affairs pursuant to the “State Uniform Construction Code Act,” P.L.1975, c. 217 (C.52:27D-119 et seq.) and in accordance with the provisions of section 5 of P.L.2005, c. 350 (C.52:27D-123.15).

“Administrative agent” means the entity approved by the Division responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

“Affirmative Marketing Plan” means the municipally adopted plan of strategies from which the administrative agent will choose to implement as part of the Affirmative Marketing requirements.

“Affirmative Marketing Process” or “Program” means the actual undertaking of Affirmative Marketing activities in furtherance of each project with very low- low- and moderate-income units.

“Affordability assistance” means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

“Affordability average” means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

“Affordable housing development” means a development included in a municipality’s housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

“Affordable Housing Dispute Resolution Program” or “the Program” refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

“Affordable Housing Monitoring System” or “AHMS” means the Department’s cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

“Affordable Housing Trust Fund” or “AHTF” means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the “Neighborhood Preservation Nonlapsing Revolving Fund” and “Balanced Housing” mean the AHTF.

“Affordable unit” means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds.

“Age-restricted housing” means a housing unit that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that: 1. All the residents of the development where the unit is situated are 62 years or older; 2. At least 80 percent of the units are occupied by one person that is 55 years or older; or 3. The development has been designated by the Secretary of HUD as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-1 et seq.).

“Assisted living residence” means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor. Apartment units must offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

“Barrier-free escrow” means the holding of funds collected to adapt affordable unit entrances to be accessible in accordance with N.J.S.A. 52:27D-311a et seq. Such funds shall be held in a municipal affordable housing trust fund pursuant to N.J.A.C. 5:99-2.6.

“Builder’s remedy” means court-imposed site-specific relief for a litigant who seeks to build affordable housing for which the court requires a municipality to utilize zoning techniques,

such as mandatory set-asides or density bonuses, including techniques which provide for the economic viability of a residential development by including housing that is not for low- and moderate-income households.

“Certified household” means a household that has been certified by an administrative agent as a very-low-income household, a low-income household, or a moderate-income household.

“CHOICE” means the no-longer-active Choices in Homeownership Incentives for Everyone Program, as it was authorized by the Agency.

“COAH” or the “Council” means the Council on Affordable Housing established in, but not of, DCA pursuant to the Act and that was abolished effective March 20, 2024, pursuant to section 3 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1).

“Commissioner” means the Commissioner of the Department of Community Affairs.

“Compliance certification” means the certification obtained by a municipality pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1), that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next round begins, which is also known as a “judgment of compliance” or “judgment of repose.” The term “compliance certification” shall include a judgment of repose granted in an action filed pursuant to section 13 of P.L.1985, c. 222 (C.52:27D-313).

“Construction” means new construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217(N.J.S.A. 52:27D-119 et seq.).

“County-level housing judge” means a judge appointed pursuant to section 5 at P.L. 2024, c. 2, to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal Fair Share plans and housing elements with the Act.

“DCA” and “Department” mean the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Department” means the New Jersey Department of Community Affairs.

“Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

“Development fee” means money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

“Dispute Resolution Program” means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-313.2).

“Division” means the Division of Local Planning Services within the Department of Community Affairs.

“Emergent opportunity” means a circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

“Equalized assessed value” or “EAV” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

“Equity share amount” means the product of the price differential and the equity share, with the equity share being the whole number of years that have elapsed since the last non-exempt sale of a restricted ownership unit, divided by 100, except that the equity share may not be less than five percent and may not exceed 30 percent.

“Exit sale” means the first authorized non-exempt sale of a restricted unit following the end of the control period, which sale terminates the affordability controls on the unit.

“Exclusionary zoning litigation” means litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder’s remedy.

“Extension of expiring controls” means extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

“Fair share obligation” means the total of the present need and prospective need, including prior rounds, as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

“Fair share plan” means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

“FHA” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-302 et seq.

“Green Building Strategies” means the strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

“HMFA” or “the Agency” means the New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.).

“Household income” means a household’s gross annual income calculated in a manner consistent with the determination of annual income pursuant to section 8 of the United States Housing Act of 1937 (Section 8), not in accordance with the determination of gross income for Federal income tax liability.

“Housing element” means the portion of a municipality’s master plan adopted in accordance with the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-28.b(3) and the Act consisting of reports, statements proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at N.J.S.A. 52:27D-304.1.

“Housing region” means a geographic area established pursuant to N.J.S.A. 52:27D-304.2b.

“Inclusionary development” means a residential housing development in which a substantial percentage of the housing units are provided for a reasonable income range of low- and moderate- income households.

“Judgment of compliance” or “judgment for repose” means a determination issued by the Superior Court approving a municipality’s fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

“Low-income household” means a household with a household income equal to 50 percent or less of the regional median income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Mixed use development” means any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities maybe considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

“Moderate-income household” means a household with a household income in excess of 50 percent but less than 80 percent of the regional median income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“MONI” means the no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

“Municipal housing liaison” or “MHL” means an appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

“Municipal affordable housing trust fund” means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

“Municipal development fee ordinance” means an ordinance adopted by the governing body of a municipality that authorizes the collection of development fees.

“New construction” means the creation of a new housing unit under regulation by a code enforcement official regardless of the means by which the unit is created. Newly constructed units are evidenced by the issuance of a certificate of occupancy and may include new residences created through additions and alterations, adaptive reuse, subdivision, or conversion of existing space, and moving a structure from one location to another.

“New Jersey Affordable Housing Trust Fund” means an account established pursuant to N.J.S.A. 52:27D-320.

“New Jersey Housing Resource Center” or “Housing Resource Center” means the online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 et seq.

“95/5 restriction” means a deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

“Non-exempt sale” means any sale or transfer of ownership of a restricted unit to one’s self or to another individual other than the transfer of ownership between spouses or civil union partners; the transfer of ownership between former spouses or civil union partners ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the

transfer of ownership through an executor's deed to a class A beneficiary; and the transfer of ownership by court order.

"Nonprofit" means an organization granted nonprofit status in accordance with section 501(c)(3) of the Internal Revenue Code.

"Non-residential development" means:

Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;

Hotels, motels, vacation timeshares, and child-care facilities; and

The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A.52:27D-330 et seq.

"Non-residential development fee" means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

"Order for repose" means the protection a municipality has from a builder's remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

"Payment in lieu of constructing affordable units" means the prior approval of the payment of funds to the municipality by a developer when affordable units were not produced on a site zoned for an inclusionary development. The statutory permission for payments in lieu of constructing affordable units was eliminated per P.L. 2024, c.2.

"Prospective need" means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

"Qualified Urban Aid Municipality" means a municipality that meets the criteria established pursuant to N.J.S.A. 52:27D-304.3.c(1).

"Person with a disability" means a person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

"Price differential" means the difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the

controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

“Prior round unit” means a housing unit that addresses a municipality’s fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality’s fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a prior round unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

“Program” means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 of P.L.2024, c. 2 (C.52:27D-313.2).

“Random selection process” means a lottery process by which currently income-eligible applicant-households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except in the case of a veterans’ preference where such an agreement exists; for purposes of matching household income and size with an appropriately priced and sized affordable unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

“RCA administrator” means an appointed municipal employee who is responsible for oversight and/or administration of affordable units and associated revenues and expenditures within the municipality that were funded through regional contribution agreements.

“RCA project plan” means a past application, submitted by a receiving municipality in an RCA, delineating the manner in which the receiving municipality intended to create or rehabilitate low- and moderate-income housing.

“Receiving municipality” means, for the purposes of an RCA, a municipality that contractually agreed to assume a portion of another municipality’s fair share obligation.

“Reconstruction” means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard

abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

“Recreational facilities and community centers” means any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including, but not limited to, ballfields, meeting halls, and classrooms, accommodating either organized or informal activity.

“Regional contribution agreement” or “RCA” means a contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into and was approved by COAH and/or Superior Court prior to July 18, 2008, to transfer a portion of a municipality’s affordable housing obligation to another municipality within its housing region.

“Regional median income” means the median income by household size for an applicable housing region, as calculated annually in accordance with N.J.A.C. 5:80-26.3.

“Rehabilitation” means the repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. With respect to units in assisted living residences, rent does not include charges for food and services.

“Residential development fee” means money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of this subchapter but does not include a market-rate unit that was financed pursuant to UHORP, MONI, or CHOICE.

“Spending plan” means a method of allocating funds contained in an affordable housing trust fund account, which includes, but is not limited to, development fees collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq., for the purpose of meeting the housing needs of low- and moderate-income individuals.

“State Development and Redevelopment Plan” or “State Plan” means the plan prepared pursuant to sections 1 through 12 of the “State Planning Act,” P.L.1985, c. 398 (C.52:18A-196 et al.), designed to represent a balance of development and conservation objectives best suited to meet the needs of the State, and for the purpose of coordinating planning activities and establishing Statewide planning objectives in the areas of land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination pursuant to subsection f. of section 5 of P.L.1985, c. 398 (C.52:18A-200).

“Supportive housing household” means a very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs

housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney–Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant’s self-identification of household members on the affordable housing application.

“Supportive housing sponsoring program” means grant or loan program which provided financial assistance to the development of the unit.

“Supportive housing unit” means a restricted rental unit, as defined by N.J.S.A. 34:1B-21.24, that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. Supportive housing units are also referred to as permanent supportive housing units.

“Transitional housing” means temporary housing that: (1) includes, but is not limited to, single-room occupancy housing or shared living and supportive living arrangements; (2) provides access to on-site or off-site supportive services for very low-income households who have recently been homeless or lack stable housing; (3) is licensed by the department; and (4) allows households to remain for a minimum of six months.

“Treasurer” means the Treasurer of the State of New Jersey.

“UHAC” means the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.

“UHORP” means the Agency’s Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

“Unit type” means type of dwelling unit with various building standards including but not limited to single-family detached, single-family attached/townhouse, stacked townhouse (attached building containing 2 units each with separate entrances), duplex (detached building containing 2 units each with separate entrances), triplex (3 units each with separate entrance), quadplex (4 units each with separate entrance), multifamily / flat (2 or more units with a shared entrance). Inclusion of a garage, or not, shall not define the unit type.

“Very-low-income household” means a household with a household income less than or equal to 30 percent of the regional median income.

“Very-low-income housing” means housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

“Very-low-income unit” means a restricted unit that is affordable to a very-low-income household.

“Veteran” means a veteran as defined at N.J.S.A. 54:4-8.10.

“Veterans’ preference” means the agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors and is considered a major system for rehabilitation.

§43-3

C. Monitoring and Reporting Requirements

1. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:
 - a. The municipality shall provide electronic monitoring data with the Department pursuant to P.L 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (AHMS). All monitoring information required to be made public by the FHA shall be available to the public on the Department’s website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>.
 - b. On or before February 15 of each year, the municipality shall provide annual reporting of its municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended, for the previous year from January 1st to December 31st.
 - c. On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

§43-4

D. Municipality-wide Mandatory Set-Aside

1. A development, other than single-family detached, providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or

density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.

2. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
3. All such affordable units shall be governed by this ordinance the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
4. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
5. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
6. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
7. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall round the set-aside upward to construct a whole additional affordable unit.

§43-5

E. New Construction (per N.J.A.C. 5:93 as may be updated per various sections in N.J.A.C. 5:97 and N.J.S.A. 52:27D-302 et seq.). Per the definition of “New Construction,” this section governs the creation of new affordable housing units regardless of the means by which the units are created. Newly constructed units may include new residences constructed or created through other means.

1. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
2. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Issued a Temporary or Final Certificate of Occupancy	Minimum Percentage of Affordable Units Issued a Temporary or Final Certificate of Occupancy
25+1	10

50	50
75	75
90	100

3. Design. The following design requirements apply to affordable housing developments, excluding prior round units.
 - a. Design of 100 percent affordable developments:
 - i. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - ii. Each bedroom in each restricted unit must have at least one window.
 - iii. Restricted units must include adequate air conditioning and heating.
 - b. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
 - i. Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - ii. Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - iii. Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - iv. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - v. Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
 - vi. Each bedroom in each restricted unit must have at least one window.
 - vii. Restricted units must be of the same unit type as market-rate units within the same building.

- viii. Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
- c. Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
 - i. Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - ii. Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - iii. Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - iv. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - v. Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
 - vi. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - vii. Each bedroom in each restricted unit must have at least one window; and
 - viii. Restricted units must include adequate air conditioning and heating.
- 4. Utilities.
 - a. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.

- b. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).
5. Low/moderate split and bedroom distribution.
- a. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
 - b. In each affordable housing development, at least 50% of the restricted units within each bedroom distribution rounded up to the nearest whole number shall be very low- or low-income units.
 - c. Within rental developments, of the total number of affordable rental units, at least 13%, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development.
 - d. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
 - i. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - ii. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - iii. The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded down, of the total number of low- and moderate-income units.
 - iv. At least 30% of all low- and moderate-income units, rounded up shall be two-bedroom units.
 - v. At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units.
 - vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
 - e. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.

6. Accessibility requirements.

- a. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
- b. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multifloor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - iv. An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;
 - v. If not all of the foregoing requirements in b.i. through b.iv. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
 - vi. An accessible entranceway as set forth in P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - (a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (b) To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - (c) The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - (d) The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.

- (e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
- vii. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is “site-impracticable” to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

§43-6

F. Affordable Housing Programs

1. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, “All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions.” The following are many of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
2. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).
 - a. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
 - i. Units are subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968).
 - ii. Units may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services.
 - iii. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - iv. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.

- v. Occupancy shall not be restricted to youth under 18 years of age.
- vi. In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
- vii. The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - (a) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan approved by the sponsoring program;
 - (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- viii. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.
- ix. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- x. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
 - (a) An Affirmative Marketing Plan in accordance with D1 above; and
 - (b) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- xi. The sponsor/owner shall complete annual monitoring as directed by the MHL.

§43-7

G. Regional Income Limits.

1. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
2. Regional income limits are based on regional median income, which is established by a regional weighted average of the “median family incomes” published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.

3. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

H. Maximum Initial Rents And Sales Prices.

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
2. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
3. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60% of regional median income.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median income, and each affordable housing development must achieve an affordability average that does not exceed 55% for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
6. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
 - a. A studio or efficiency unit shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household;
 - c. A two-bedroom unit shall be affordable to a three-person household;

- d. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - e. A four-bedroom unit shall be affordable to a six-person household.
8. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
 - a. A studio or efficiency unit shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - c. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
 9. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
 10. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented. The initial rent for a restricted rental unit shall be calculated so the eligible monthly housing expenses/income, including an allowance for tenant-paid utilities does not exceed 30 percent of gross income of and the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented.
 11. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing Low-Income Housing Tax Credits.

§43-8

I. Affirmative Marketing.

1. The municipality shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 and is required to be followed throughout the period of deed restriction.
3. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.
 - a. Where the municipality has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
 - b. There shall be a regional preference for all households that live and/or work in Housing Region 4 comprising Monmouth, Mercer and Ocean Counties.
 - c. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - d. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.
5. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent shall consider the use of language translations where appropriate.
6. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the

developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.

7. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph.
8. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
9. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
10. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner, with the exception of Affirmative Marketing for resales.

J. Selection of Occupants of Affordable Housing Units.

1. The Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
2. A pool of interested households will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.16.

K. Occupancy Standards.

1. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - a. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - b. Provide a bedroom for every two adult occupants;
 - c. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 - d. Avoid placing a one-person household into a unit with more than one bedroom.

L. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
2. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).

3. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
4. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
5. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 - a. If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 - b. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
6. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
7. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
8. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
9. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.

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M. Price Restrictions for Restricted Ownership Units and Resale Prices.

1. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
 - a. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 - b. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C 5:80-26.7.

- i. If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
 - ii. If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
 - c. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - i. those that render the unit suitable for a larger household or the addition of a bathroom.
 - ii. The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
 - d. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

N. Buyer Income Eligibility.

1. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30% of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to

50% of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80% of median income.

2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.
3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

O. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.

With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.7(c).

P. Control Periods for Restricted Rental Units.

1. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432, and amended December 20, 2004, 36 N.J.R. 5713 and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.
2. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
3. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
4. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.
5. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
6. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
7. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - a. Sublease or assignment of the lease of the unit;
 - b. Sale or other voluntary transfer of the ownership of the unit;
 - c. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or

- d. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

Q. Rent Restrictions for Rental Units; Leases and Fees.

1. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
2. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
3. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
 - a. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
4. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
5. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
6. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
7. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
8. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.

R. Tenant Income Eligibility.

1. Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
 - a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median income by household size.
 - b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median income by household size.

- c. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median income by household size.
2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
3. The applicant shall file documentation sufficient to establish the existence of any of the circumstances in 2.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

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S. Municipal Housing Liaison.

1. The Municipal Housing Liaison shall be approved by municipal resolution.
2. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in in N.J.A.C. 5:99-1 et seq.
3. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:
 - a. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
 - b. The oversight of the Affirmative Marketing Plan and affordability controls.
 - c. When applicable, overseeing and monitoring any contracting Administrative Agent.
 - d. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.

- e. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
- f. Coordinating meetings with affordable housing providers and administrative agents, as needed.
- g. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
- h. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
- i. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.
- j. Listing on the municipal website contact information for the MHL and Administrative Agents.

§43-11

T. Administrative Agent.

1. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
2. The fees for administrative agents shall be paid as follows:
 - a. Administrative agent fees related to rental units shall be paid by the developer/owner.
 - b. Administrative agent fees related to initial sale of units shall be paid by the developer.
 - c. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - d. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
3. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
4. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
 - a. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - b. Affirmative marketing:

- i. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - ii. Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
- c. Household certification.
- i. Soliciting, scheduling, conducting and following up on interviews with interested households.
 - ii. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - iii. Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
 - iv. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.
 - v. Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
 - vi. Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
- d. Affordability controls.
- i. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
 - ii. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
 - iii. Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - iv. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
- e. Records retention.
- i. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
 - ii. Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.

- f. Resales and re-rentals.
 - i. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - ii. Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
- g. Processing requests from unit owners.
 - i. Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
 - ii. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
 - iii. Notifying the municipality of an owner's intent to sell a restricted unit.
 - iv. Making determinations on requests by owners of restricted units for hardship waivers.
- h. Enforcement.
 - i. Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - ii. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - iii. Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
 - iv. Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - v. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
- i. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

U. Responsibilities of The Owner of a development containing affordable units.

1. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the administrative agent:
 - a. Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - b. The total number of units in the project and the number of affordable units.
 - c. The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - d. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 - e. A projected construction schedule.
 - f. The location of any common areas and elevators.
 - g. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
2. In addition to A above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
 - a. Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
 - b. Provide to the administrative agent a description of any applicable fees.
 - c. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 - d. Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.
 - e. Provide to the administrative agent a proposed form of lease for any rental units.
 - f. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
 - g. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.

3. In addition to A, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
 - a. Proposed pricing for all units, including any purchaser options and add-on items.
 - b. Condominium or homeowner association fees and any other applicable fees.
 - c. Estimated real property taxes.
 - d. Sewer, water, trash disposal, and any other utility assessments.
 - e. Flood insurance requirement, if applicable.
 - f. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

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V. Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 - a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - i. A fine of not more than \$500 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - ii. In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - iii. In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

3. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
4. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
 - a. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - b. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
 - c. Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - d. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any

- prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.
- e. Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
 - f. The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
5. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.
 6. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
 7. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a county-level housing judge.
 8. Appeals

- a. Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

§43-13

Appeals from all decisions of an Administrative Agent designated pursuant to this Chapter shall be filed with the Superior Court of New Jersey, Monmouth County.

BE IT FURTHER ORDAINED that Chapter 23 Development Fees Section 23-1 through Section 23-12 are hereby repealed and replaced with the following:

§23-1

W. Development Fees.

1. Purpose

- a. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.
- b. The definitions set forth in Section 43-2 are applicable to Chapter 23.

§23-2

2. Basic Requirements

- a. The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund.
- b. The municipality shall not spend development fees until the court has approved a plan for spending such fees.

§23-3

3. Residential Development Fees

a. Imposed fees

- i. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.0% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be

calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.

- ii. When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b. Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
 - iii. Additions or improvements to existing homes, or the construction of accessory buildings such as a garage or tool shed or landscaping improvements, other than where a building may be converted to provide an additional dwelling unit, shall be exempt from this fee. Where a building is converted so as to provide one or more additional dwelling units in the building or on the lot, the fee to be paid shall be based on the increase in the property's equalized/assessed value.
 - iv. Nonprofit organizations constructing residential projects which have received tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code,

providing current evidence of that status is submitted to the Municipal Clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.

- v. Federal, state, county and local governments shall be exempted from paying a development fee.
- vi. No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

§23-4

4. Non-Residential Development Fees

a. Imposition of fees

- i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- ii. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b. Eligible exactions, ineligible exactions and exemptions for non-residential development

- i. The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
- ii. The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

c. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF “State of New Jersey Non-Residential Development

Certification/Exemption.” Any exemption claimed by a developer shall be substantiated by that developer.

- d. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- e. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

§23-5

5. Collection Procedures

- a. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, “State of New Jersey Non-Residential Development Certification/Exemption,” to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- d. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- e. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- f. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with

the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).

- h. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.
6. Appeal of development fees
- a. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - b. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§23-6

7. Affordable Housing Trust Fund
- a. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
 - b. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - i. Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - ii. Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - iii. Rental income from municipally operated units;
 - iv. Repayments from affordable housing program loans;
 - v. Recapture funds;

- vi. Proceeds from the sale of affordable units; and
 - vii. Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
- c. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- d. Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
- i. Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - ii. Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - iii. Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - iv. Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - v. Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - vi. Revocation of compliance certification or a judgment of compliance and repose;
 - vii. Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
 - viii. Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- e. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

§23-7

8. Use of Funds

- a. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be

used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.

- b. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
- c. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
 - ii. Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.
- d. No more than 20% of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

§23-8

9. Monitoring

- a. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds

collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

10. Ongoing Collection of Fees

- a. The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
- b. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).

11. Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

Repealer

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

Severability

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Effective Date

This ordinance shall take effect upon its passage and publication, as required by law.

Introduced:

Adopted:

MICHAEL J. NESCI
COUNCIL PRESIDENT

RISA CLAY
MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW

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

ORDINANCE NO. 2026-1540

**AN ORDINANCE AMENDING CHAPTER 7 OF THE BOROUGH CODE,
ENTITLED “TRAFFIC” TO AMEND THE LOCATIONS
WHERE LEFT TURNS ARE PROHIBITED**

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

SECTION 1. Chapter 7 of the Borough Code, entitled “Traffic” is hereby amended in Section 7-10.1, “Left Turn Prohibition,” to read as follows (underlined portions to added; ~~strikethroughs~~ to be deleted):

§ 7-10.1. Left Turn Prohibition.

No person shall make a left turn at any of the locations described below:

Location
Commerce Bank <u>TD Bank, Block 8, Lot 1.01</u>
Block 8, Lot 1.01, From the driveway of the premises onto Shrewsbury Avenue
Block 8, Lot 1.01, Into and out of the premises to and from the Patterson Avenue Driveway located closest to Shrewsbury Avenue
Hope Road — Ingress and egress <u>driveways</u> of Hope Road Professional Plaza, Block 115, Lot 3.01, at Hope Road
Into and out of the proposed Tormee Way at Shafto Road (County Road 547)
Shrewsbury Avenue (CR13) — No person shall make a left turn of a vehicle traveling north on County Road 13 (Shrewsbury Avenue) onto Patterson Avenue between the hours of 5:00 p.m. and 7:00 p.m., Monday through Friday, except for school buses which are hereby exempted from this prohibition
Entrance to proposed road into Parkview Townhouses from Shafto Road (also known as Monmouth County Rout 547), which proposed road is presently designated as Oak Leaf Lane
Entrance to proposed road into Dan's Tree Service Surgeons from Shafto Road (also known as Monmouth County Route 547), which proposed road is presently designated as Dan's Tree Service Surgeons driveway
<u>Egress driveway from 5030 Shafto Road Warehouse, Block 115, Lot 14.02, onto Shafto Road (County Route 547)</u>

Egress driveway from 1470 Shafto Road Warehouse, Block 115, Lot 11.01, onto Shafto Road (County Route 547)

Wawa Way onto Shafto Road (County Route 547)

Ingress and egress driveways of the Bayshore Companion Dog Club, Block 143, Lot 13, at Shafto Road (County Route 547)

Egress driveway from the George Wall car dealership, Block 18.02, Lot 1.03, onto Sycamore Avenue (County Route 13A)

Egress driveway from McDonald's, Block 15.03, Lot 1.01, onto Shrewsbury Avenue (County Route 13)

Egress driveway from CJ McCloone's, Block 14.04, Lot 70.01, onto Shrewsbury Avenue (County Route 13)

Spark Car Wash, Block 1.01, Lot 5.01

Egress driveway onto Clinton Place

Ingress and egress driveways at Shrewsbury Avenue (County Route 13)

Ingress and egress driveways of the Extra Space self-storage facility, Block 113.02, Lot 5.03 at Wayside Road (County Route 38)

SECTION 2. Repealer.

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

SECTION 3. Severability.

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

SECTION 4. Effective Date.

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

Introduced:

Adopted:

MICHAEL J. NESCI, COUNCIL PRESIDENT

RISA CLAY, MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW

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

ORDINANCE NO. 2026-1541

**AN ORDINANCE AMENDING CHAPTER 10 OF THE BOROUGH CODE,
ENTITLED “PARK RULES AND REGULATIONS,” TO CLARIFY THE TIMES OF
OPERATION FOR PARKS AND PUBLIC PLAYGROUNDS**

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

SECTION 1. Chapter 10 of the Borough Code, entitled “Park Rules and Regulations” is hereby amended in Section 10-3, “Times of Operation,” to read as follows (underlined portions to added; ~~strikethroughs~~ to be deleted):

§ 10-3 TIMES OF OPERATION

- A. All parks and public playgrounds ~~not equipped with lights~~ shall be closed to the public for all purposes one hour after sundown on each day, except as specifically set forth herein.
- B. ~~Hoekhockson Park and Sycamore Recreation Complex are Borough facilities with lit athletic fields.~~ Any park or public playground equipped with lights, including field lights or walkway lights but excluding building and parking lot lights, shall remain open until 10:30 p.m., so long as the lights remain lit.
- C. Field lighting in parks can remain on until 10:30 p.m. ; ~~new innings may not be started after 10:00 p.m. Any play will be discontinued by 10:00 p.m.~~
- D. No person, organization, league, or team shall, without authorized permit, enter into or remain in a public park except during the hours the park is open to the general public. With an authorized permit, portable lighting may be erected or constructed within a public park by an organization, league or person for applicants that meet the rules, regulations and guidelines for use of the requested area.
- E. Any section or part of any park may be declared closed to the public by the Department of Recreation at any time and for any interval of time either temporarily or at regular and stated intervals and either entirely or merely to certain uses as deemed reasonably necessary.
- F. The Borough of Tinton Falls, through the Department of Recreation, reserves the right to deny and/or cancel use of its fields/facilities at any time at its sole discretion. If such denial or cancellation is for reasons other than violations of the Borough's rules and regulations concerning field usage, the Borough shall refund any outstanding fees to the applicant.

SECTION 2. Repealer.

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

SECTION 3. Severability.

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

SECTION 4. Effective Date.

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

Introduced:

Adopted:

MICHAEL J. NESCI, COUNCIL PRESIDENT

RISA CLAY, MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW

ORDINANCE NO. 2026-1542

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**AN ORDINANCE AUTHORIZING THE BOROUGH TO PURCHASE
BLOCK 91, LOT 1, ALSO KNOWN AS 1900 WAYSIDE ROAD, FOR RECREATION
AND OPEN SPACE PRESERVATION PURPOSES**

WHEREAS, the Borough of Tinton Falls has established an Open Space Dedicated Trust Fund, which authorizes the Borough to utilize the Trust Fund to preserve open space and enhance recreational opportunities; and

WHEREAS, the Estate of Carney owns real property known as Block 91, Lot 1 on the Official Tax Map of the Borough, also known as 1900 Wayside Road, which consists of approximately 13.18 acres (the “Property”); and

WHEREAS, the Borough desires to enter into an agreement for the purchase of the Property for an agreed purchase price of \$3,000,000, with 75% of the purchase price being derived from the County of Monmouth’s Open Space Trust Fund and 25% being derived from the Borough’s Open Space Trust Fund; and

WHEREAS, the Borough’s acquisition of the Property by ordinance is authorized by the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

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

1. The Borough hereby authorizes the purchase of Block 91, Lot 1, for a total purchase price of \$3,000,000.
2. The Mayor is authorized to execute, and the Borough Clerk to attest, to all transaction documents necessary to acquire the Property, consistent with the foregoing recitals, the form and substance of which shall be subject to the review and approval of the Borough’s Director of Law.
3. The Mayor is authorized to execute, and the Borough Clerk to attest, to all documents required by the Monmouth County Municipal Land Preservation Incentive Program in order to obtain Monmouth County’s share of the purchase price for the Property.
4. The Mayor, Borough Clerk, Borough Director of Law, Borough Administrator and Chief Financial Officer are hereby authorized to execute, file, and accept any and all such documents and undertake any and all actions as may be reasonably necessary to effectuate the terms hereof, including the completion of closing and accepting title to the Property.
5. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

6. This Ordinance shall take effect upon its passage and publication according to law.

Introduced:

Adopted:

MICHAEL J. NESCI
COUNCIL PRESIDENT

RISA CLAY
MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW

**RESOLUTION DECLARING MARCH AS WOMEN’S HISTORY MONTH
IN THE BOROUGH OF TINTON FALLS**

WHEREAS, women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, women have served our country courageously in the military; and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Tinton Falls, that March is designated as “Women’s History Month” and encourages the people of Tinton Falls to observe March as Women’s History Month with Appropriate Programs, Ceremonies, and Activities.

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held on March 3, 2026.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of March 2026.

Michelle Hutchinson
Borough Clerk

**RESOLUTION AUTHORIZING A COOPERATIVE PROJECT
AGREEMENT WITH THE COUNTY OF MONMOUTH UNDER ITS
MUNICIPAL LAND PRESERVATION INCENTIVE PROGRAM FOR THE
ACQUISITION OF REAL PROPERTY KNOWN AND DESIGNATED AS
BLOCK 91, LOT 1 (1900 WAYSIDE ROAD) ON THE OFFICIAL TAX MAP
OF THE BOROUGH OF TINTON FALLS, MONMOUTH COUNTY, NEW
JERSEY**

WHEREAS, the Borough of Tinton Falls (the “Borough”) has adopted ORD #2026-1542 for the acquisition of Block 91, Lot 1 (1900 Wayside Road), for a purchase price of \$3,000,000.00; and

WHEREAS, the Borough has sought out additional funding sources in addition to its dedicated Open Space Trust Fund to offset the acquisition cost; and

WHEREAS, the County of Monmouth (the “County”) recently initiated a program (the “MUNICIPAL LAND PRESERVATION INCENTIVE PROGRAM” or “PROGRAM”) to expand park, historic preservation, and open space opportunities for Monmouth County residents by providing funding to assist municipalities with park and open space acquisition; and

WHEREAS, under the PROGRAM, the County will fund up to 75% of the acquisition cost, which amounts to \$2,250,000.00; and

WHEREAS, the County PROGRAM requires entering into a Cooperative Project Agreement memorializing the terms and conditions of the County’s participation in a municipal acquisition project; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A65-1, et seq., (the “Act”) permits units of local government to share services for particular purposes and to effectuate agreements for any service of circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Borough and the County are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey law to enter into a Cooperative Project Agreement pursuant to the Act; and

WHEREAS, the County, through its dedicated Open Space Trust Fund, has the ability and desire to incentivize the funding of municipal land acquisition for the purposes of open space preservation; and

WHEREAS, the County and the Borough have negotiated a Cooperative Project Agreement, in a form substantially similar to that which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Monmouth County Board of County Commissioners, the Monmouth County Board of Recreation Commissioners, Mayor Risa Clay and the Borough Council of the Borough of Tinton Falls, have an interest in preserving open space in Tinton Falls and throughout Monmouth County, with the goal of improving the quality of life for all residents, and are in full support of this agreement to facilitate the acquisition of Block 91, Lot 1 (1900 Wayside Road) in the Borough of Tinton Falls.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.

2. The Cooperative Project Agreement shall be open to public inspection in the Clerk’s office and shall take into effect upon adoption of a resolution and execution of the agreement by both the Monmouth County Board of County Commissioners and the Borough Council of Tinton Falls.
3. The Mayor and Clerk are hereby authorized to execute a Cooperative Project Agreement in a form substantially similar to that which is annexed hereto as EXHIBIT A.
4. Thomas Fallon, the Acting Borough Administrator, is authorized to provide additional information and furnish such documents as may be required to facilitate the acquisition and act as the principal contact person and correspondent for the Borough of Tinton Falls.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. The County of Monmouth
- b. Tinton Falls Acting Business Administrator
- c. Tinton Falls Chief Financial Officer

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held on March 3, 2026.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of March 2026.

Michelle Hutchinson
Borough Clerk

**PROJECT AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND THE BOROUGH
OF TINTON FALLS
FOR THE PRESERVATION OF REAL PROPERTY
KNOWN AND DESIGNATED AS BLOCK 91, LOT 1 (1900 WAYSIDE ROAD) ON THE
OFFICIAL TAX MAP OF THE BOROUGH OF TINTON FALLS, MONMOUTH COUNTY,
NEW JERSEY**

This PROJECT AGREEMENT entered into this _____ day of March, 2026

BETWEEN

The **COUNTY OF MONMOUTH**, hereinafter referred to as the COUNTY and having offices
at the Hall of Records, One East Main Street, Freehold, NJ 07728.

AND

The **BOROUGH OF TINTON FALLS**, hereinafter referred to as the BOROUGH and having offices at
Borough Hall, 556 Tinton Avenue, Tinton Falls, NJ 07724.

PURPOSE OF PROJECT AGREEMENT

To acquire real property known as **KNOWN AND DESIGNATED AS BLOCK 91, LOT 1 (1900 WAYSIDE ROAD) ON THE OFFICIAL TAX MAP OF THE BOROUGH OF TINTON FALLS, MONMOUTH COUNTY, NEW JERSEY** hereinafter referred to as the “Property”, which will preserve the open space, and conserve the natural resources of said Property.

WITNESSETH

WHEREAS, the Property is owned by the Estate of Elizabeth A. Carney, with a mailing address of c/o Mary Elizabeth Quinn, Executrix, 70 Ridge Road, Rumson, NJ 07760; and

WHEREAS, any correspondence or communication as to the COUNTY regarding the AGREEMENT shall be directed to the Monmouth County Park System, 805 Newman Springs Road, Lincroft, NJ 07738, Attention: Andrew Spears, Director; and

WHEREAS, any correspondence or communication as to the BOROUGH regarding this AGREEMENT shall be directed to the Borough Hall, 556 Tinton Avenue, Tinton Falls, NJ 07724, Attn: Thomas Fallon, Acting Borough Administrator; and

WHEREAS, the COUNTY has established the Monmouth County Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund for funding COUNTY open space preservation, natural resources conservation and public park and recreation projects; and

WHEREAS, the BOROUGH has established the Tinton Falls Borough Open Space Trust Fund for funding BOROUGH open space preservation, natural resources, conservation and public park and recreation projects within the BOROUGH; and

WHEREAS, both the COUNTY and the BOROUGH recognize the importance of preserving the Property in perpetuity for open space preservation, natural resources conservation and public park and recreation purposes; and

WHEREAS, the COUNTY and the BOROUGH recognize the value of cooperating with one another to preserve and protect the Property; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the COUNTY and the BOROUGH agree as follows:

A. Obligations of the COUNTY:

1. The COUNTY shall, upon receipt of an accepted written Formal Offer presented by the BOROUGH to the Estate of Elizabeth A. Carney, owner of the Property, shall bring this matter before the Monmouth County Board of Recreation Commissioners for recommendation by adopted Resolution and then before the Monmouth County Board of

County Commissioners for authorization by adopted Resolution to participate in said land preservation project.

2. Upon authorization by adopted Resolution, the COUNTY shall encumber funds from its Open Space Trust Fund to cover 75% of the accepted Formal Offer or \$2,250,000 for the fee simple purchase of the Property.
3. Upon authorization by adopted Resolution, the COUNTY shall assign counsel to work with the BOROUGH'S attorney to enter into a Contract for Sale of Property with the owner(s) of the Property.
4. Upon signing of a Contract with the BOROUGH and the owner(s) of the Property, the Monmouth County Park System may, by mutual agreement commence due diligence by commissioning a:
 - a. Title search and title commitment certified to both the COUNTY and the BOROUGH.
 - b. Preliminary Assessment/Site Investigation (PA/SI) certified to both the COUNTY and the BOROUGH.
 - c. Survey of the Property, certified to both the COUNTY and the BOROUGH.
5. Upon satisfactory completion of due diligence, the COUNTY will coordinate a closing of title with the BOROUGH'S attorney and the landowner(s) attorney and will accept a Deed of Conservation and Public Access Easement from the landowner(s) into the COUNTY over the entire Property.
6. The COUNTY will provide its cost-share for the acquisition of the Property at closing, as established by this PROJECT AGREEMENT.
7. Upon receipt of a Deed of Conservation and Public Access Easement, the COUNTY will have same recorded by the County Clerk.
8. The Deed of Conservation and Public Access Easement will be entered into the Land Register of public parkland, as maintained by the Monmouth County Park System.
9. The Property will be entered into COUNTY'S Recreation and Open Space Inventory (ROSI) as maintained by the NJDEP Green Acres Program.

B. Obligations of the BOROUGH:

1. The BOROUGH shall commission at least one (1) full narrative appraisal of the Property by an appraiser on the list of appraisers approved by the Green Acres Program.

2. The BOROUGH shall enter into negotiations with the landowner(s) and present a written Formal Offer for the acquisition of the Property on behalf of the BOROUGH and the COUNTY.
 3. Upon receipt of the accepted Formal Offer the BOROUGH shall adopt an ordinance/Resolution authorizing the acquisition of the Property from the landowner(s).
 4. The BOROUGH shall encumber funds from its Open Space Trust Fund or other funding methods to cover 25% of the accepted Formal Offer or \$750,000, its cost-share to acquire the Property.
 5. The BOROUGH shall assign counsel to work with the COUNTY'S counsel and the attorney for the landowner(s) to get under a Contract for Sale of Property for the acquisition of the Property.
 6. Upon signing of a Contract with the COUNTY and the landowner(s) of the Property, the BOROUGH may, by mutual agreement commence due diligence by commissioning a:
 - a. Title search and commitment certified to both the COUNTY and the BOROUGH
 - b. Preliminary Assessment/Site Investigation (PA/SI) certified to both the COUNTY and the BOROUGH.
 - c. Survey of the Property, certified to both the COUNTY and the BOROUGH.
 7. Upon satisfactory completion of due diligence, the BOROUGH will coordinate a closing of title with the COUNTY and the landowner(s) attorney and will accept a Deed that conveys fee simple interest to the BOROUGH from the landowner(s).
 8. The BOROUGH will provide its cost-share for the acquisition of the Property at closing, as established by this PROJECT AGREEMENT.
 9. Upon receipt of a Deed, the BOROUGH will have same recorded by the County Clerk.
 10. The Property will become part of the park system of the BOROUGH and will be entered into the BOROUGH'S Recreation and Open Space Inventory (ROSI) as maintained by the NJDEP Green Acres Program.
- C. Agreement as to terms individually, jointly and severally by each party, COUNTY and/or BOROUGH.
1. The parties agree upon appropriate signature and acknowledgement according to law as authorized by each governing body at a public meeting held by each, that the conditions and terms are intended to be included by reference in the Deed of Conservation Easement referred to herein and are intended to survive the closing of title.

2. This Agreement is binding upon all parties who sign same and all who succeed to their rights and responsibilities.
3. The parties further agree that each public entity that executes this Agreement has the legal authority to bind by and through its governing body to sign this Agreement and to take action as herein set forth to be provided by an appropriate resolution or ordinance of each public entity adopted at a public meeting.

IN WITNESS WHEREOF, the parties have caused these presents to be signed, sealed and acknowledged this day and year first written above.

BOROUGH OF TINTON FALLS

COUNTY OF MONMOUTH

Risa Clay, Mayor

Director, Board of County Commissioners

Michelle Hutchinson, Borough Clerk

Clerk, Board of County Commissioner

Reviewed as to form by:

Reviewed as to form by:

Kevin N. Starkey, Esq., Borough Attorney

Allen Weiss, Esq., Special Counsel

**RESOLUTION APPROVING THE 2025 LOSAP CERTIFICATION LIST FOR QUALIFICATION OF
TINTON FALLS EMS SQUAD NORTH**

WHEREAS, pursuant to N.J.S.A. 40A:14-191 and N.J.A.C. 5:30-14.10(b), emergency service organizations participating in a Length of Service Awards Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year; and

WHEREAS, the certification shall be based on records maintained by the emergency service organization in accordance with the sponsoring agency’s adopted point system; and

WHEREAS, the required certification has been presented by the Tinton Falls EMS Squad North to the sponsoring agency, the Borough of Tinton Falls; and

WHEREAS, the Local Plan Administrator has reviewed the annual list, requested supporting documentation from Tinton Falls EMS Squad North as necessary to substantiate the information provided, and is satisfied that the list is complete and accurate; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls, that the certified list of volunteer members of the Tinton Falls EMS Squad North who have qualified for credit under LOSAP for year 2025 is hereby approved; and

BE IT FURTHER RESOLVED, that the approved certification list shall be posted at the office of the Borough Clerk, and at the facility of the Tinton Falls EMS Squad North, for a period of 30 days to allow sufficient time for membership review.

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held March 3, 2026.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of March 2026.

Michelle Hutchinson
Borough Clerk

**RESOLUTION AUTHORIZING THE PURCHASE OF SDL (SPATIAL DATA LOGIC)
SOFTWARE SERVICES FOR HOSTING SUPPORT AND LICENSE FEES**

WHEREAS, the Borough has a need to extend the original contract between Spatial Data Logic (SDL) for services related to the hosting, maintenance, and support of certain proprietary multi-departmental municipal management software programs; and

WHEREAS, this contract will take effect on January 1, 2026, and will run through December 31, 2028;
and

WHEREAS, this purchase is permitted under 40A:11-5 (dd) of the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes this purchase

I hereby certify that funds are available contingent on appropriations
in budget years 2026, 2027, and 2028:

Thomas P. Fallon, Chief Financial Officer

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held March 3, 2026.
WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of March 2026.

Michelle Hutchinson
Borough Clerk

BOROUGH OF TINTON FALLS - 2026 1st QTR. TAX OVERPAYMENTS							
BLOCK	LOT	REFUND TO:	IN REFERENCE TO:	TOTAL TAXES OVERPAID	Q T R	FIRST PAYMENT MADE BY	SECOND PAYMENT MADE BY
52.02	27	CERTIFID 3601 SOUTH CONGRESS AVE SUITE D200 AUSTIN, TX 78704	WAY, JOHN W. TO 11 CARLTON DR CUSTOM HOME 11 CARLTON DRIVE	2,120.11	1	TITLE COMPANY	MORTGAGE COMPANY
61.04	47	DALY, LORIANN 110 APPLE ORCHARD DRIVE TINTON FALLS, NJ 07724	DALY, LORIANN 110 APPLE ORCHARD DRIVE	2,430.49	1	TITLE COMPANY	MORTGAGE COMPANY
106.07	14.01	KEENAN, DAVID L 69 SQUANKUM ROAD TINTON FALLS, NJ 07724	KEENAN, LEONE M. & DAVID L SQUANKUM ROAD	3,080.57	1	TITLE COMPANY	MORTGAGE COMPANY
129.08	39	PROPERTY TRANSFER SERVICES INC 1013 HIGHWAY 88 POINT PLEASANT, NJ 08742	MOSENTHINE, JACQUELINE TO ANDERSON, CARLA 7 BASSET COURT	1,399.71	1	TITLE COMPANY	MORTGAGE COMPANY
147.01	13	PARTNERS TITLE 1512 HIGHWAY 138 WALL, NJ 07719	LANGAN, THOMAS JAMES & MARIE ANN 44 WYNCREST LANE	2,655.80	1	TITLE COMPANY	MORTGAGE COMPANY
				11,686.68			

RESOLUTION – REFUNDING ESCROW – AMAZON.COM SERVICES, LLC

WHEREAS, the following listed applicant has posted consultant escrow fees in conjunction with various Land Use applications in accordance with the Borough of Tinton Falls Land Use Ordinance, and

WHEREAS, the Planning Board Secretary, Trish Zibrin, has certified the applicant’s account is deemed closed and no additional funds for consultants will be required,

WHEREAS, the Director of the Department of Audit, Accounts & Control has certified funds are available for release.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that the consultant escrow fees, plus any accrued interest, are hereby authorized to be released for the following applicant:

**AMAZON.COM SERVICES, LLC
AMA4310CO
\$553.33**

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held March 3, 2026.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day March of 2026.

Michelle Hutchinson
Borough Clerk

RESOLUTION – APPROVAL OF BILLS – March 3, 2026

WHEREAS, the Borough of Tinton Falls received certain claims against it by way of vouchers received during the period ending March 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	3,741,749.48
SEWER UTILITY	7,817.47
GRANT FUND	14,749.12
TRUST FUNDS	3,684.44
ESCROW	16,083.75
ADDITIONS	5,210.00
TOTAL	<u>\$3,789,294.26</u>

CERTIFICATION OF FUNDS:

Thomas P. Fallon, Chief Financial Officer

Michael J. Nesci, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Neis						
Mr. Parikh						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held March 3, 2026.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of March 2026.

Michelle Hutchinson
Borough Clerk

Batch Id: KRS Batch Type: C Batch Date: 03/03/26 Checking Account: 001 CLEARING G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account	Account Type	Status	Seq	Acct
03/03/26 ADP00001 ADP, LLC P.O. BOX 830272								
25-00050	01/08/26	25 2025 4Q YEAR END TAX REPORTING	1,501.20	5-05-55-502-000-294	Budget	Aprv	1	1
			<u>1,501.20</u>	Sewer: Other				
03/03/26 ALLEG001 ALLEGIANCE TRUCKS CORPORATE BILLING, LLC								
26-00126	01/13/26	1 TUBE, FUEL SUPPLY	47.74	6-01-26-300-000-201	Budget	Aprv	16	1
				Ctrl Maint: Motor Vehicle - Streets				
26-00126	02/06/26	2 MODULE, INJECTOR DRIVER	2,232.59	6-01-26-300-000-201	Budget	Aprv	17	1
				Ctrl Maint: Motor Vehicle - Streets				
26-00126	02/06/26	3 CORE	306.25	6-01-26-300-000-201	Budget	Aprv	18	1
			<u>2,586.58</u>	Ctrl Maint: Motor Vehicle - Streets				
03/03/26 AMAZO002 AMAZON CAPITAL SERVICES P.O. BOX 035184								
26-00309	01/27/26	1 CARHARTT FLEECE	339.96	6-05-55-502-000-132	Budget	Aprv	74	1
				Sewer: Uniform Clothing & Access.				
26-00309	01/27/26	2 SWEATSHIRT	49.96	G-02-41-806-014-004	Budget	Aprv	75	1
				Grant: Clean Comm. 2025: Other				
26-00309	01/27/26	3 ENVELOPES	12.95	6-01-26-290-000-191	Budget	Aprv	76	1
				Streets: Signs				
26-00309	01/27/26	4 CARDSTOCK	14.93	6-01-26-290-000-191	Budget	Aprv	77	1
				Streets: Signs				
26-00309	01/27/26	5 LABEL MAKER	54.99	6-05-55-502-000-101	Budget	Aprv	78	1
				Sewer: Office Supplies				
26-00309	01/27/26	6 AIR FRESHENER	7.89	6-05-55-502-000-101	Budget	Aprv	79	1
				Sewer: Office Supplies				
26-00309	01/27/26	7 DRYING MAT	8.49	6-05-55-502-000-101	Budget	Aprv	80	1
				Sewer: Office Supplies				
26-00309	01/27/26	8 CARPET ODOR ELIMINATOR	23.79	6-05-55-502-000-101	Budget	Aprv	81	1
				Sewer: Office Supplies				
26-00309	01/27/26	9 FEBREEZE	25.96	6-05-55-502-000-101	Budget	Aprv	82	1
				Sewer: Office Supplies				
26-00309	01/27/26	10 BASKETBALL HOOP	79.99	6-01-26-305-000-294	Budget	Aprv	83	1
				Sanitation: Other				
26-00319	01/27/26	1 AIBOB OFICE CHAIR MAT	39.09	6-01-25-240-000-101	Budget	Aprv	85	1
				Police: Office Supplies				
26-00350	02/02/26	1 b1afi1i B3 Pro LDAC	103.42	6-01-20-100-001-177	Budget	Aprv	87	1
				Admin Info Tech: Technology Maintenance				
26-00350	02/02/26	2 HUALEU 1FT XLR to rca	9.90	6-01-20-100-001-177	Budget	Aprv	88	1
				Admin Info Tech: Technology Maintenance				
26-00350	02/02/26	3 JBL PRO CSA2300Z	1,010.00	6-01-20-100-001-177	Budget	Aprv	89	1
				Admin Info Tech: Technology Maintenance				
26-00350	02/02/26	4 SOULION R50 Speaker	104.70	6-01-20-100-001-177	Budget	Aprv	90	1
				Admin Info Tech: Technology Maintenance				
26-00350	02/02/26	5 JBL Pro LCT 81C/T Pair	558.00	6-01-20-100-001-177	Budget	Aprv	91	1
				Admin Info Tech: Technology Maintenance				
26-00350	02/02/26	6 SAMSUNG Business QE50T	548.79	6-01-20-100-001-177	Budget	Aprv	92	1
				Admin Info Tech: Technology Maintenance				

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
26-00350	02/02/26	7 Creality K2 Plus	1,119.00	6-01-20-100-001-177 Admin Info Tech: Technology Maintenance	Budget	Aprv	93	1
26-00350	02/20/26	8 DISCOUNT	5.17-	6-01-20-100-001-177 Admin Info Tech: Technology Maintenance	Budget	Aprv	94	1
26-00366	02/03/26	1 Office Supplies	170.88	6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	96	1
26-00370	02/03/26	1 Office Supplies	98.08	6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	97	1
26-00405	02/06/26	1 REFLECTIVE VEST	99.96	G-02-41-806-014-004 Grant: Clean Comm. 2025: Other	Budget	Aprv	102	1
26-00405	02/06/26	2 BUSINESS CARD BOOK	16.14	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	103	1
26-00405	02/06/26	3 BUSINESS CARD BOOK	9.99	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	104	1
26-00405	02/06/26	4 STAPLE REMOVER	5.99	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	105	1
26-00405	02/06/26	5 MOUSE PAD	12.88	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	106	1
26-00405	02/06/26	6 BUSINESS CARD BOX	11.99	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	107	1
26-00405	02/06/26	7 COFFEE POT	99.99	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	108	1
26-00405	02/06/26	8 FILTER	9.94	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	109	1
26-00405	02/06/26	9 DESK RISER	24.99	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	110	1
26-00422	02/06/26	1 Office Supplies	64.65	6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	111	1
26-00455	02/09/26	1 SMEAD FILE FOLDERS GREEN 50	72.68	6-01-25-240-000-101 Police: Office Supplies	Budget	Aprv	113	1
26-00455	02/09/26	2 SMEAD FILE FOLDERS BLUE 50	43.54	6-01-25-240-000-101 Police: Office Supplies	Budget	Aprv	114	1
26-00455	02/09/26	3 PENDALEX HANGING FOLDERS	97.96	6-01-25-240-000-101 Police: Office Supplies	Budget	Aprv	115	1
26-00478	02/10/26	1 Sharpie Marker	4.09	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	123	1
26-00478	02/10/26	2 3 Pack Notebook	14.99	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	124	1
26-00478	02/10/26	3 5 Subject Notebooks	20.94	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	125	1
26-00478	02/10/26	4 1 Subject Notebooks	12.99	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	126	1
26-00478	02/10/26	5 Pilot G2 Pens	13.79	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	127	1
26-00478	02/10/26	6 Sharpie Tank Highlighters	6.63	6-01-20-100-000-101 Admin: Office Supplies	Budget	Aprv	128	1
26-00506	02/12/26	1 RECORDS ROOM- LIGHT BULBS	45.40	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	158	1
26-00506	02/12/26	2 FOLDERS	8.18	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	159	1
26-00511	02/12/26	1 OFFICE SUPPLIES	70.32	6-01-28-370-000-244 Recreation: Special Events	Budget	Aprv	163	1

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26-00511	02/12/26	2 EXPO LOW ODOR DRY ERASE MARKER	14.36	6-01-28-370-000-244 Recreation: Special Events	Budget	Aprv	164	1
26-00511	02/12/26	3 EXPO LOW ODOR DRY ERASE MARKER	19.75	6-01-28-370-000-244 Recreation: Special Events	Budget	Aprv	165	1
26-00515	02/13/26	1 OFFICE SUPPLIES	46.59	6-01-22-195-000-101 UCC: Office Supplies	Budget	Aprv	172	1
26-00515	02/13/26	2 OFFICE FILING CHAIR	169.00	6-01-22-195-000-295 UCC: Office Equipment/Furniture	Budget	Aprv	173	1
26-00530	02/17/26	1 OFFICE SUPPLIES	134.15	6-01-21-185-000-101 Zoning: Office Supplies	Budget	Aprv	181	1
26-00549	02/18/26	1 WRENCH SET	24.99	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	185	1
26-00549	02/18/26	2 LIGHT BULBS	6.68	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	186	1
26-00549	02/18/26	3 CHUCH KEY HOLDER	8.99	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	187	1
			<u>5,568.14</u>					
	03/03/26	ASBUR001 ASBURY PARK PRESS		GANNETT NY/NJ LOCALiQ				
26-00573	02/18/26	1 BID #26-2 NOTICE TO BIDDERS	123.44	6-01-20-152-000-120 Central Svc: Advertising	Budget	Aprv	204	1
			<u>123.44</u>					
	03/03/26	ATLAS001 ATLAS WELDING SUPPLY CO., INC.		808 BROOK ROAD				
26-00124	01/13/26	1 CYLINDER RENTAL JAN 2026	136.18	6-01-26-300-000-115 Ctrl Maint: Welding Supplies	Budget	Aprv	15	1
26-00334	01/29/26	1 WELDING GAS- PLOWS	747.25	6-01-26-300-000-115 Ctrl Maint: Welding Supplies	Budget	Aprv	86	1
			<u>883.43</u>					
	03/03/26	ATTM0011 AT&T MOBILITY NATIONAL ACCTS.		SEI PROCESSING				
25-02478	09/23/25	1 RAM-138-S-SNM5PL-V7B1U	9,139.80	G-02-41-807-000-002 Grant: Recycling Tonnage/Equipment	Budget	Aprv	2	1
			<u>9,139.80</u>					
	03/03/26	AVAKI001 LEON S. AVAKIAN, INC.		788 WAYSIDE ROAD				
26-00553	02/18/26	1 PB2025-03	715.00	STA4336CO STAVOLA-1810 & 1820 WAYSIDE	Project	Aprv	190	1
			<u>715.00</u>					
	03/03/26	AXONE001 AXON ENTERPRISE, INC.		P.O. BOX 29661				
26-00543	02/17/26	1 FIRST PAYMENT PER AGREEMENT	12,229.08	6-01-25-240-000-154 Police: Equipment Maintenance	Budget	Aprv	182	1
			<u>12,229.08</u>					
	03/03/26	CARUS001 CARUSO & BAXTER PA		1129 BROAD STREET				
26-00317	01/27/26	4 PAYMENT #3 - INV. 2/18/2026	1,484.50	6-01-20-155-000-142 Law: Consultants - Legal	Budget	Aprv	84	1
			<u>1,484.50</u>					
	03/03/26	CENTR023 CENTRAL JERSEY REGISTRAR ASSOC		LOURDES RUIZ, CJRA TREASURER				
26-00502	02/12/26	1 Central Jersey Registrar Assoc	40.00	6-01-20-120-000-127	Budget	Aprv	152	1

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			40.00	Clerk: Dues				
26-00525	02/17/26	03/03/26 CERTI016 CERTIFID 1 REFUND TAX OVERPAYMENTS	2,120.11	3601 SOUTH CONGRESS AVENUE 6-01-99-999-000-205 Tax Overpayments	Budget	Aprv	176	1
			2,120.11					
26-00174	01/13/26	03/03/26 CHAMP001 CHAMPION ELEVATOR 3 CHAMPION JAN 2026	472.50	6 STATE ROUTE 173 6-01-26-310-000-154 Bldg/Grds: Equipment Maintenance	Budget	Aprv	66	1
			472.50					
26-00464	02/09/26	03/03/26 COMCA002 COMCAST 1 PAYMENT #2 - FEBRUARY, 2026	64.14	P.O. BOX 70219 6-01-31-450-000-213 Telecommunications: Telephone	Budget	Aprv	116	1
26-00588	02/20/26	1 PAYMENT #2 - FEBRUARY, 2026	214.63	6-01-31-450-000-213 Telecommunications: Telephone	Budget	Aprv	232	1
26-00589	02/20/26	1 PAYMENT #2 - FEBRUARY, 2026	283.70	6-01-31-450-000-213 Telecommunications: Telephone	Budget	Aprv	233	1
26-00590	02/20/26	1 PAYMENT #2 - FEBRUARY, 2026	505.37	6-01-31-450-000-214 Telecommunications: Telephone - Police	Budget	Aprv	234	1
			1,067.84					
26-00526	02/17/26	03/03/26 DALYL005 DALY, LORIANN 1 REFUND TAX OVERPAYMENTS	2,430.49	110 APPLE ORCHARD DRIVE 6-01-99-999-000-205 Tax Overpayments	Budget	Aprv	177	1
			2,430.49					
26-00568	02/18/26	03/03/26 DAVEB005 DAVE & BUSTER'S OF NJ, LLC 1 2026 SUMMER CAMP OPTIONAL TRIP	659.76	1221 S. BELT LINE ROAD 6-01-28-370-000-241 Recreation: Summer Programs	Budget	Aprv	202	1
			659.76					
26-00546	02/18/26	03/03/26 DAVIS015 DAVISON, EASTMAN, MUNOZ, PAONE 1 PB2025-07	350.00	P.A. SER4348CO SERENA ENTERPRISES-3 CNTR PLAZ	Project	Aprv	183	1
26-00547	02/18/26	1 PB2024-02	157.50	DAR4286CU DARGIS, OLIVIA-MINOR SUBDIV	Project	Aprv	184	1
			507.50					
26-00177	02/05/26	03/03/26 DYNAM001 DYNAMIC TESTING SERVICE 4 JAN TESTING FOR 2026	475.00	230 MAIN STREET 6-01-26-290-000-140 Streets: Physicals	Budget	Aprv	67	1
			475.00					
26-00504	02/12/26	03/03/26 EAGLE001 EAGLE POINT GUN SHOP 1 AE9FP 21 CASES	4,478.67	T.J. MORRIS & SON 6-01-25-240-000-107 Police: Ammo	Budget	Aprv	153	1
26-00504	02/12/26	2 P9HST2 3 CASES	1,188.66	6-01-25-240-000-107 Police: Ammo	Budget	Aprv	154	1
26-00504	02/12/26	3 223A 10 CASES	3,642.40	6-01-25-240-000-107	Budget	Aprv	155	1

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26-00504	02/12/26	4 AE40R3	303.06	Police: Ammo 6-01-25-240-000-107	Budget	Aprv	156	1
26-00504	02/12/26	5 P40HS3G	479.29	Police: Ammo 6-01-25-240-000-107	Budget	Aprv	157	1
			<u>10,092.08</u>	Police: Ammo				
	03/03/26	GRAIN001 GRAINGER		GRAINGER				
26-00137	01/13/26	1 LED UNDERCABINET FIXTURE	110.10	6-01-26-300-000-101	Budget	Aprv	19	1
				Ctrl Maint: Office Supplies				
26-00137	01/25/26	2 PLUG-INLIMITSWITCH	228.71	6-01-26-300-000-202	Budget	Aprv	20	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00137	01/25/26	3 WELLER SOLDERING IRON	43.46	6-01-26-300-000-182	Budget	Aprv	21	1
				Ctrl Maint: Shop Tools				
26-00137	01/25/26	4 SAFETY GLOVES	10.76	6-01-26-300-000-181	Budget	Aprv	22	1
				Ctrl Maint: General Hardware-Minor Tools				
26-00137	01/29/26	5 PRESSURE ASSIST FLUSHING SYSTE	613.98	5-01-26-310-000-117	Budget	Aprv	23	1
				Bldg/Grds: Building Materials & Supplies				
26-00137	01/29/26	6 PRESSURE ASSIST FLUSHING SYSTE	204.66	5-01-26-310-000-117	Budget	Aprv	24	1
				Bldg/Grds: Building Materials & Supplies				
			<u>1,211.67</u>					
	03/03/26	HUNTE002 HUNTER JERSEY PETERBILT		PO BOX 1054				
26-00138	01/13/26	1 SPRING-AIR	280.70	6-01-26-300-000-202	Budget	Aprv	25	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00138	01/25/26	2 SHIPPING	22.99	6-01-26-300-000-202	Budget	Aprv	26	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00138	02/09/26	3 PART RETURN	164.06	5-01-26-300-000-202	Budget	Aprv	27	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00138	02/09/26	4 MODULE, DOSER PUMP	1,405.83	6-01-26-300-000-202	Budget	Aprv	28	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00138	02/09/26	5 CORE	250.00	6-01-26-300-000-202	Budget	Aprv	29	1
				Ctrl Maint: Motor Vehicle-Sanitation				
26-00138	02/09/26	6 SENSOR, PRESSURE	116.62	6-01-26-300-000-202	Budget	Aprv	30	1
				Ctrl Maint: Motor Vehicle-Sanitation				
			<u>1,912.08</u>					
	03/03/26	HUTCH002 HUTCHINS HVAC, INC		601 UNION AVE				
26-00508	02/12/26	1 EMERGENCY SERVICE: NO HEAT	174.42	6-01-26-310-000-154	Budget	Aprv	160	1
				Bldg/Grds: Equipment Maintenance				
			<u>174.42</u>					
	03/03/26	INST0001 INSTITUTE FOR PROFESSIONAL DEV		17 HATHAWAY PLACE				
26-00493	02/11/26	1 REGISTRATION FOR WEBINAR:	100.00	6-01-20-152-000-136	Budget	Aprv	142	1
				Central Svc: Schooling/Training				
			<u>100.00</u>					
	03/03/26	IPPPR001 IPP PRESSWORKS		1879 OLD CUTHBERT ROAD				
26-00254	01/22/26	1 BLUE THUNDER TOTE BAG	3,221.40	G-02-41-806-014-004	Budget	Aprv	73	1
				Grant: Clean Comm. 2025: Other				
			<u>3,221.40</u>					

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	03/03/26	JCPL0001 JCP&L		BUILDINGS				
26-00482	02/11/26	1 PAYMENT #1 - JANUARY, 2026	6,782.59	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	131	1
26-00483	02/11/26	1 PAYMENT #1 - JANUARY, 2026	1,644.17	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	132	1
26-00484	02/11/26	1 PAYMENT #1 - JANUARY, 2026	4.65	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	133	1
26-00485	02/11/26	1 PAYMENT #1 - JANUARY, 2026	282.60	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	134	1
26-00486	02/11/26	1 PAYMENT #1 - JANUARY, 2026	6.31	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	135	1
26-00488	02/11/26	1 PAYMENT #1 - JANUARY, 2026	1,032.21	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	137	1
26-00492	02/11/26	1 PAYMENT #1 - JANUARY, 2026	31.06	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	141	1
26-00586	02/19/26	1 PAYMENT #1 - JANUARY, 2026	0.00	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	214	1
26-00586	02/19/26	2 100-012-263-073	957.28	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	215	1
26-00586	02/19/26	3 100-012-337-836	231.97	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	216	1
26-00586	02/19/26	4 100-013-983-984	288.77	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	217	1
26-00586	02/19/26	5 100-015-448-242	28.85	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	218	1
26-00586	02/19/26	6 100-015-448-341	56.87	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	219	1
26-00586	02/19/26	7 100-015-448-416	48.66	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	220	1
26-00586	02/19/26	8 100-015-448-648	419.15	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	221	1
26-00586	02/19/26	9 100-030-315-079	259.86	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	222	1
26-00586	02/19/26	10 100-030-696-478	17.34	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	223	1
26-00586	02/19/26	11 100-074-802-370	4.65	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	224	1
26-00586	02/19/26	12 100-156-264-192	758.78	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	225	1
26-00586	02/19/26	13 100-073-060-350	7.27	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	226	1
26-00586	02/19/26	14 100-059-018-828	262.06	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	227	1
26-00586	02/19/26	15 100-060-488-234	3,449.05	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	228	1
26-00586	02/19/26	16 100-078-740-139	81.30	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	229	1
26-00586	02/19/26	17 100-073-019-745	142.81	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	230	1
26-00586	02/19/26	18 100-120-626-468	12.06	6-01-31-430-000-215 Electricity: Electric	Budget	Aprv	231	1
			<u>16,810.32</u>					

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03/03/26 JCPL0002 JCP&L TRAFFIC LIGHTS								
26-00480	02/11/26	1 PAYMENT #1 - JANUARY, 2026	50.89	6-01-31-430-000-216	Budget	Aprv	130	1
				Electricity: Traffic Lighting				
26-00489	02/11/26	1 PAYMENT #1 - JANUARY, 2026	8.88	6-01-31-430-000-216	Budget	Aprv	138	1
				Electricity: Traffic Lighting				
26-00490	02/11/26	1 PAYMENT #1 - JANUARY, 2026	8.31	6-01-31-430-000-216	Budget	Aprv	139	1
				Electricity: Traffic Lighting				
26-00491	02/11/26	1 PAYMENT #1 - JANUARY, 2026	81.49	6-01-31-430-000-216	Budget	Aprv	140	1
				Electricity: Traffic Lighting				
26-00582	02/19/26	1 PAYMENT #1 - JANUARY, 2026	4.93	6-01-31-430-000-216	Budget	Aprv	209	1
				Electricity: Traffic Lighting				
			<u>154.50</u>					
03/03/26 JCPL0003 JCP&L STREET LIGHTS								
26-00479	02/11/26	1 PAYMENT #1 - JANUARY, 2026	51.39	6-01-31-435-000-217	Budget	Aprv	129	1
				Street Lighting: Street Lighting				
26-00584	02/19/26	1 PAYMENT #2 - FEBRUARY, 2026	0.00	6-01-31-435-000-217	Budget	Aprv	210	1
				Street Lighting: Street Lighting				
26-00584	02/19/26	2 ACCT. #100-012-464-382	2,106.12	6-01-31-435-000-217	Budget	Aprv	211	1
				Street Lighting: Street Lighting				
26-00584	02/19/26	3 ACCT. #100-012-464-440	1,199.31	6-01-31-435-000-217	Budget	Aprv	212	1
				Street Lighting: Street Lighting				
26-00584	02/19/26	4 ACCT. #100-012-464-499	7,135.71	6-01-31-435-000-217	Budget	Aprv	213	1
				Street Lighting: Street Lighting				
			<u>10,492.53</u>					
03/03/26 JCPL0004 JCP&L PUMPING STATIONS								
26-00487	02/11/26	1 PAYMENT #1 - JANUARY, 2026	142.60	6-05-55-502-000-214	Budget	Aprv	136	1
				Sewer: Gas & Electric				
26-00578	02/19/26	1 PAYMENT #1 - JANUARY, 2026	524.58	6-05-55-502-000-214	Budget	Aprv	205	1
				Sewer: Gas & Electric				
26-00579	02/19/26	1 PAYMENT #1 - JANUARY, 2026	158.82	6-05-55-502-000-214	Budget	Aprv	206	1
				Sewer: Gas & Electric				
26-00580	02/19/26	1 PAYMENT #1 - JANUARY, 2026	381.46	6-05-55-502-000-214	Budget	Aprv	207	1
				Sewer: Gas & Electric				
26-00581	02/19/26	1 PAYMENT #1 - JANUARY, 2026	1,826.80	6-05-55-502-000-214	Budget	Aprv	208	1
				Sewer: Gas & Electric				
			<u>3,034.26</u>					
03/03/26 JCPL0005 JCP&L AFFORDABLE HOUSING								
26-00465	02/09/26	1 PAYMENT #2 - FEBRUARY, 2026	34.25	T-03-56-860-000-001	Budget	Aprv	117	1
				Afford Housing: Developer Fees				
			<u>34.25</u>					
03/03/26 JERSE006 JERSEY COAST POLICE K-9 ASSOC. 113 WINDJAMMER DRIVE								
26-00572	02/18/26	1 MICHAEL PYZIK DUES 2026	100.00	6-01-25-240-000-127	Budget	Aprv	203	1
				Police: Dues				
			<u>100.00</u>					
03/03/26 KEENA005 KEENAN, DAVID L 69 SQUANKUM ROAD								
26-00527	02/17/26	1 REFUND TAX OVERPAYMENTS	3,080.57	6-01-99-999-000-205	Budget	Aprv	178	1

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			3,080.57	Tax Overpayments				
25-03238	03/03/26 12/19/25	LEXIN002 LEXINGTON INSURANCE CO. 1 RETENTION/COINSURANCE	1,650.60	SUMMIT RISK SERVICES, INC. T-03-56-858-000-001 Self Ins Trust: Self Insurance	Budget	Aprv	7	1
			1,650.60					
26-00170	03/03/26 01/13/26	MAZZA002 MAZZA MULCH, INC 2 MAZZA BRUSH JAN 2026	1,817.00	3230A SHAFTO ROAD T-03-56-857-000-002 Gen Trust: Recycling	Budget	Aprv	65	1
			1,817.00					
26-00375	03/03/26 02/03/26	MGLPR001 MGL PRINTING SOLUTIONS 1 Minute Book(s)-HB2 Legal	320.00	154 SOUTH STREET 6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	98	1
26-00375	02/03/26	2 Minute Paper Legal Size	164.00	6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	99	1
26-00375	02/03/26	3 Freight	36.00	6-01-20-120-000-101 Clerk: Office Supplies	Budget	Aprv	100	1
			520.00					
26-00122	03/03/26 01/13/26	MONMO022 MONMOUTH BUILDING CENTER, CORP 1 DURACELL 9V	9.99	777 SHREWSBURY AVE 6-01-26-310-000-181 Bldg/Grds: General Hardware-Minor Tools	Budget	Aprv	10	1
26-00122	01/26/26	2 NUTSETTER IPS	7.99	6-01-26-310-000-181 Bldg/Grds: General Hardware-Minor Tools	Budget	Aprv	11	1
26-00122	01/26/26	3 NEBO ULTRA-THIN POCKET LIGHT	22.99	6-01-26-310-000-181 Bldg/Grds: General Hardware-Minor Tools	Budget	Aprv	12	1
26-00122	01/26/26	4 TOILET SUPPLY	5.69	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	13	1
26-00122	01/26/26	5 TOILET CONN 1/2	18.99	6-01-26-310-000-117 Bldg/Grds: Building Materials & Supplies	Budget	Aprv	14	1
			65.65					
26-00466	03/03/26 02/09/26	MORGA001 MORGAN PRINTING 1 POLICE BUSINESS CARDS	180.00	333 SOUTH PINE AVENUE 6-01-25-240-000-101 Police: Office Supplies	Budget	Aprv	118	1
26-00512	02/12/26	1 TAX COLLECTOR STUBS	177.50	6-01-20-145-000-102 Revenue: Forms	Budget	Aprv	166	1
26-00512	02/12/26	2	177.50	6-05-55-502-000-101 Sewer: Office Supplies	Budget	Aprv	167	1
26-00514	02/13/26	1 2 REAMS, LETTERHEAD	70.00	6-01-43-490-000-161 Court: Printing	Budget	Aprv	168	1
26-00514	02/13/26	2	70.00	6-01-42-490-000-161 Court: I/L: Printing	Budget	Aprv	169	1
26-00514	02/13/26	3 2 BOXES ENVELOPES	45.00	6-01-43-490-000-161 Court: Printing	Budget	Aprv	170	1
26-00514	02/13/26	4	45.00	6-01-42-490-000-161 Court: I/L: Printing	Budget	Aprv	171	1
			765.00					

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account	Account Type	Status	Seq	Acct
26-00599	02/20/26	03/03/26 MRTAX MONMOUTH REGIONAL HIGH SCHOOL 1 2025-2026 TX LVY DUE: 3/1/26	1,201,618.92	ONE NORMAN J FIELD WAY 6-01-99-999-002-206 School Taxes Payable - MRHS	Budget	Aprv	243	1
			<u>1,201,618.92</u>					
26-00516	02/13/26	03/03/26 NFPA0001 NFPA FULFULLMENT CENTER 1 MEMBERSHIP RENEWAL	225.00	11 TRACY DRIVE 6-01-25-265-000-127 Fire: Dues	Budget	Aprv	174	1
			<u>225.00</u>					
26-00597	02/20/26	03/03/26 NJAME003 NJ AMERICAN WATER (monthly) 1 PAYMENT #2 - FEBRUARY, 2026	26.00	AFFORDABLE HOUSING T-03-56-860-000-001 Afford Housing: Developer Fees	Budget	Aprv	241	1
			<u>26.00</u>					
26-00551	02/18/26	03/03/26 NJEME001 NJ EMERGENCY MANAGEMENT ASSOC. 1 NJEMA MEMBERSHIP RENEWAL	75.00	P.O. BOX 77329 6-01-25-252-000-127 OEM: Dues	Budget	Aprv	188	1
			<u>75.00</u>					
26-00497	02/12/26	03/03/26 NJNAT002 NJ NATURAL GAS (monthly) 1 PAYMENT #1 - JANUARY, 2026	67.95	P.O. BOX 11743 6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	143	1
26-00498	02/12/26	1 PAYMENT #1 - JANUARY, 2026	67.95	6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	144	1
26-00499	02/12/26	1 PAYMENT #1 - JANUARY, 2026	65.00	6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	145	1
26-00500	02/12/26	1 PAYMENT #1 - JANUARY, 2026	295.91	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	146	1
26-00501	02/12/26	1 PAYMENT #1 - JANUARY, 2026	0.00	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	147	1
26-00501	02/12/26	2 664 TINTON AVENUE - LIBRARY	81.59	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	148	1
26-00501	02/12/26	3 556 TINTON AVENUE - OLD DPW	1,511.64	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	149	1
26-00501	02/12/26	4 556 TINTON AVENUE - BUTLER BLD	932.00	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	150	1
26-00501	02/12/26	5 CREDIT	592.26	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	151	1
26-00592	02/20/26	1 PAYMENT #1 - JANUARY, 2026	60.54	6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	236	1
26-00593	02/20/26	1 PAYMENT #2 - FEBRUARY, 2026	58.70	6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	237	1
26-00594	02/20/26	1 PAYMENT #1 - JANUARY, 2026	55.00	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	238	1
26-00595	02/20/26	1 PAYMENT #1 - JANUARY, 2026	2,658.31	6-01-31-446-000-218 Gas: Natural Gas	Budget	Aprv	239	1
26-00596	02/20/26	1 PAYMENT #1 - JANUARY, 2026	58.32	6-05-55-502-000-214 Sewer: Gas & Electric	Budget	Aprv	240	1
			<u>5,320.65</u>					
		03/03/26 NJNAT003 NJ NATURAL GAS (MONTHLY)		AFFORDABLE HOUSING				

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account	Account Type	Status	Seq	Acct Description
26-00591	02/20/26	1 PAYMENT #1 - JANUARY, 2026	156.59	T-03-56-860-000-001	Budget	Aprv	235	1
			<u>156.59</u>	Afford Housing: Developer Fees				
	03/03/26	NJPLA001 NJ PLANNING OFFICIALS		P.O. BOX 7113				
26-00211	01/16/26	1 NEW BOARD MEMBER TRAINING	95.00	6-01-21-185-000-136	Budget	Aprv	69	1
			<u>95.00</u>	Zoning: Schooling/Training				
	03/03/26	ONECA001 ONE CALL CONCEPTS, INC.		7223 PARKWAY DRIVE				
26-00423	02/06/26	2 ONE CALL JAN 2026	232.20	6-05-55-502-000-123	Budget	Aprv	112	1
			<u>232.20</u>	Sewer: Fees & Permits				
	03/03/26	PANNI001 PANNIER		345 OAK ROAD				
25-02744	10/27/25	1 GEL COAT LAMINATE PANELS	738.00	G-02-41-832-000-001	Budget	Aprv	3	1
				NJ Historic Trust Grant				
25-02744	10/27/25	2 ALUMINUM CANTILEVERED EXHIBIT	1,280.00	G-02-41-832-000-001	Budget	Aprv	4	1
				NJ Historic Trust Grant				
25-02744	10/27/25	3 ESTIMATED SHIPPING	220.00	G-02-41-832-000-001	Budget	Aprv	5	1
			<u>2,238.00</u>	NJ Historic Trust Grant				
	03/03/26	PARLA006 PARLAND, DONNELL		3120 WEST BANGS AVENUE				
26-00013	01/07/26	1 RECREATION BASKETBALL INSTRUCT	2,400.00	6-01-28-370-000-243	Budget	Aprv	8	1
			<u>2,400.00</u>	Recreation: Winter Programs				
	03/03/26	PARTN010 PARTNERS TITLE		1512 HIGHWAY 138				
26-00529	02/17/26	1 REFUND TAX OVERPAYMENTS	2,655.80	6-01-99-999-000-205	Budget	Aprv	180	1
			<u>2,655.80</u>	Tax Overpayments				
	03/03/26	PROPE016 PROPERTY TRANSFER SERVICES, INC		1013 HIGHWAY 88				
26-00528	02/17/26	1 REFUND TAX OVERPAYMENTS	1,399.71	6-01-99-999-000-205	Budget	Aprv	179	1
			<u>1,399.71</u>	Tax Overpayments				
	03/03/26	PUMPI001 PUMPING SERVICES, INC.		201 LINCOLN BLVD.				
26-00144	01/13/26	1 LABOR: NORTHJERSEY WASTE WATER	1,292.76	6-05-55-502-000-190	Budget	Aprv	31	1
				Sewer: Station Repairs				
26-00144	02/11/26	2 THREE PHASE VOLT MONITOR	548.10	6-05-55-502-000-190	Budget	Aprv	32	1
			<u>1,840.86</u>	Sewer: Station Repairs				
	03/03/26	RHSPR001 R & H SPRING INC.		4806 WEST HURLEY POND ROAD				
26-00253	01/22/26	1 REPAIRS TO S-10: LABOR	1,430.00	6-01-26-300-000-154	Budget	Aprv	70	1
				Ctrl Maint: Equipment Maintenance				
26-00253	02/10/26	2 REPAIRS TO S-10: PARTS	1,512.38	6-01-26-300-000-154	Budget	Aprv	71	1
				Ctrl Maint: Equipment Maintenance				
26-00253	02/10/26	3 SHOP SUPPLIES	71.50	6-01-26-300-000-154	Budget	Aprv	72	1
				Ctrl Maint: Equipment Maintenance				

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			3,013.88					
03/03/26 RICOH001 RICOH USA, INC.				P.O. BOX 41564				
25-03097	12/07/25	1 MONTHS, FORTH QUARTER, 2025	593.58	5-01-20-120-000-171	Budget	Aprv	6	1
			593.58	Clerk: Rented Equipment				
03/03/26 SEACO001 SEACOAST CHEVROLET				3410 SUNSET AVE				
26-00147	01/13/26	1 (S) PUMP	169.64	6-01-26-300-000-203	Budget	Aprv	33	1
				Ctrl Maint: Motor Vehicle - Police				
26-00147	01/25/26	2 (S) SEAL	7.48	6-01-26-300-000-203	Budget	Aprv	34	1
				Ctrl Maint: Motor Vehicle - Police				
26-00147	02/10/26	3 DUCT	102.78	6-01-26-300-000-203	Budget	Aprv	35	1
				Ctrl Maint: Motor Vehicle - Police				
26-00147	02/10/26	4 (S) BELT	52.43	6-01-26-300-000-203	Budget	Aprv	36	1
				Ctrl Maint: Motor Vehicle - Police				
26-00147	02/10/26	5 (S) BELT KIT	67.34	6-01-26-300-000-203	Budget	Aprv	37	1
				Ctrl Maint: Motor Vehicle - Police				
26-00147	02/10/26	6 (S) BELT	29.50	6-01-26-300-000-203	Budget	Aprv	38	1
			429.17	Ctrl Maint: Motor Vehicle - Police				
03/03/26 SHORE013 SHORE LOCK AND DOOR LLC				143 RIVEREDGE ROAD				
26-00477	02/10/26	1 REPIARS TO PURCHASING & POLICE	0.00	6-01-20-100-001-177	Budget	Aprv	119	1
				Admin Info Tech: Technology Maintenance				
26-00477	02/11/26	2 ELECTRIC STRIKE 001	250.00	6-01-20-100-001-177	Budget	Aprv	120	1
				Admin Info Tech: Technology Maintenance				
26-00477	02/11/26	3 SERVICE CALL	105.00	6-01-20-100-001-177	Budget	Aprv	121	1
				Admin Info Tech: Technology Maintenance				
26-00477	02/11/26	4 HOURS, LABOR	380.00	6-01-20-100-001-177	Budget	Aprv	122	1
			735.00	Admin Info Tech: Technology Maintenance				
03/03/26 SPATIO01 SPATIAL DATA LOGIC				P.O. BOX 8089				
26-00604	02/25/26	1 LICENSING & HOSTING FOR 2026	58,236.67	6-01-20-100-001-177	Budget	Aprv	244	1
			58,236.67	Admin Info Tech: Technology Maintenance				
03/03/26 STTC001 SERVICE TRUCK TIRE INC				2255 AVENUE A				
26-00148	01/13/26	3 MOUNT/DISMOUNT	200.00	6-01-26-300-000-198	Budget	Aprv	39	1
				Ctrl Maint: Tire Repairs & Supplies				
26-00148	01/25/26	4 VALVE	50.00	6-01-26-300-000-198	Budget	Aprv	40	1
				Ctrl Maint: Tire Repairs & Supplies				
26-00148	01/25/26	5 FLAT REPAIR LABOR	50.00	6-01-26-300-000-198	Budget	Aprv	41	1
				Ctrl Maint: Tire Repairs & Supplies				
26-00148	01/25/26	6 FLAT REPAIR	25.00	6-01-26-300-000-198	Budget	Aprv	42	1
				Ctrl Maint: Tire Repairs & Supplies				
26-00148	01/25/26	7 LUG22 MM DEEP DRIVE RETREAD	427.64	6-01-26-300-000-196	Budget	Aprv	43	1
				Ctrl Maint: Tires & Tubes - Sanitation				
26-00148	01/25/26	8 LUG23 MRT XDHT RETREAD	522.58	6-01-26-300-000-196	Budget	Aprv	44	1
				Ctrl Maint: Tires & Tubes - Sanitation				
26-00148	01/25/26	9 REPAIR W/ RETREAD BEAD REPAIR	13.50	6-01-26-300-000-198	Budget	Aprv	45	1

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account	Account Type	Status	Seq	Acct
26-00148	01/25/26	10 MRT REPAIR W/ RETREAD	67.50	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	46	1
26-00148	01/25/26	11 MOUNT/DISMOUNT	250.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	47	1
26-00148	01/25/26	12 SCRAP TIRE	100.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	48	1
26-00148	01/25/26	13 IMPORT WHEEL WHITE	175.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	49	1
26-00148	01/25/26	14 VALVE	50.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	50	1
26-00148	01/25/26	15 MM11R225 RDMSTR RM234	445.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-196	Budget	Aprv	51	1
26-00148	01/25/26	16 LUG22 MM DEEP DRIVE	838.32	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-196	Budget	Aprv	52	1
26-00148	01/25/26	17 12R225 CASING	280.00	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-196	Budget	Aprv	53	1
26-00148	01/25/26	18 SCRAP TIRE DISPOSAL	80.00	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-198	Budget	Aprv	54	1
26-00148	02/11/26	19 FLAT REPAIR LABOR	50.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	55	1
26-00148	02/11/26	20 FLAT REPAIR MATERIALS	25.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	56	1
26-00148	02/11/26	21 MOUNT/DISMOUNT	250.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	57	1
26-00148	02/11/26	22 RDMSTR RM230HH+	575.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-196	Budget	Aprv	58	1
26-00148	02/11/26	23 LUG22 MM DEEP DRIVE	855.28	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-196	Budget	Aprv	59	1
26-00148	02/11/26	24 MRT REPAIR W/ RETREAD	22.50	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-196	Budget	Aprv	60	1
26-00148	02/11/26	25 MRT REPAIR W/ RETREAD C-40	48.65	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-196	Budget	Aprv	61	1
26-00148	02/11/26	26 SCRAP TIRE DISPOSAL	20.00	Ctrl Maint: Tires & Tubes - Sanitation 6-01-26-300-000-198	Budget	Aprv	62	1
26-00148	02/11/26	27 VALVE	50.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-198	Budget	Aprv	63	1
26-00148	02/11/26	28 128S 3PMSF COOPER	390.00	Ctrl Maint: Tire Repairs & Supplies 6-01-26-300-000-195	Budget	Aprv	64	1
			<u>5,860.97</u>	Ctrl Maint: Tires & Tubes - Streets				
26-00365	02/03/26	03/03/26 TAYL0001 TAYLOR'S TOWING 1 TOW YIMMI TOOL BOX	350.00	PO BOX 2517 6-01-26-300-000-296	Budget	Aprv	95	1
			<u>350.00</u>	Ctrl Maint: Machinery & Equipment				
26-00188	01/13/26	03/03/26 TAYL0002 TAYLOR FENCE CO., INC. 1 REPAIRS TO FENCE @ ENCOMPASS	165.53	P.O. BOX 126 6-01-26-305-000-181	Budget	Aprv	68	1
			<u>165.53</u>	Sanitation: General Hardware-Minor Tools				
		03/03/26 TINTO002 TINTON FALLS BASKETBALL ASSOC.		26 SAM DRIVE				

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account	Account Type	Status	Seq	Acct
26-00510	02/12/26	1 BASKETBALL REFEREE FEES	1,800.00	6-01-28-370-000-243 Recreation: Winter Programs	Budget	Aprv	161	1
26-00510	02/12/26	2 BASKETBALL REFEREE FEES	1,800.00	6-01-28-370-000-243 Recreation: Winter Programs	Budget	Aprv	162	1
			<u>3,600.00</u>					
	03/03/26	TINTO003 TINTON FALLS SCHOOL		658 TINTON AVENUE				
26-00598	02/20/26	1 2025-2026 TX LVY DUE: 3/13/26	2,377,823.50	6-01-99-999-001-206 School Taxes Payable - TFBOE	Budget	Aprv	242	1
			<u>2,377,823.50</u>					
	03/03/26	TMASS001 T & M ASSOCIATES		11 TINDALL ROAD				
26-00552	02/18/26	1 PB2025-03	186.50	STA4336CO STAVOLA-1810 & 1820 WAYSIDE	Project	Aprv	189	1
26-00554	02/18/26	1 PB2025-03	1,946.00	STA4336CO STAVOLA-1810 & 1820 WAYSIDE	Project	Aprv	191	1
26-00555	02/18/26	1 PB2023-02	786.50	STA4251CO STAVOLA RLTY-CENTRE PLAZA	Project	Aprv	192	1
26-00556	02/18/26	1 PB2025-01	505.00	STA4326CO STAVOLA-1819 WAYSIDE	Project	Aprv	193	1
26-00557	02/18/26	1 PB2025-06	2,429.00	MID4347CO MID-MON/SUDLER-AMEND SITE PLAN	Project	Aprv	194	1
26-00558	02/18/26	1 PB2025-07	873.50	SER4348CO SERENA ENTERPRISES-3 CNTR PLAZ	Project	Aprv	195	1
26-00559	02/18/26	1 PB2025-08	318.50	MON4355CU MOESC SCHOOL-100 TORNILLO-CAP	Project	Aprv	196	1
26-00560	02/18/26	1 BA2025-04	4,668.50	JET4328CO JET RED-275 SHARK-BULK VAR/SIT	Project	Aprv	197	1
26-00561	02/18/26	1 BA2023-12	1,205.50	THE4241CU THE WALL-700 SHREWS-CONCEPTUAL	Project	Aprv	198	1
26-00562	02/18/26	1 BA2025-09	455.00	7604353CO 760 HOPE, LLC-PRELIM&FINAL SIT	Project	Aprv	199	1
26-00563	02/18/26	1 BA2025-03	706.00	STA4336CO STAVOLA-1810 & 1820 WAYSIDE	Project	Aprv	200	1
26-00564	02/18/26	1 PB2025-03	781.25	STA4336CO STAVOLA-1810 & 1820 WAYSIDE	Project	Aprv	201	1
			<u>14,861.25</u>					
	03/03/26	TREAS001 TREASURER, STATE OF NEW JERSEY		DIVISION OF REVENUE				
26-00383	02/06/26	1 DEP AIR QUALITY PERMIT	235.00	6-01-26-310-000-123 Bldg/Grds: Fees & Permits	Budget	Aprv	101	1
			<u>235.00</u>					
	03/03/26	TREAS007 TREASURER, COUNTY OF MONMOUTH		C/O MOCERT COORDINATOR				
26-00517	02/13/26	1 2026 MUNICIPAL ASSESSMENT	2,500.00	6-01-25-240-000-127 Police: Dues	Budget	Aprv	175	1
			<u>2,500.00</u>					
	03/03/26	VERIZ014 VERIZON		(FIOS)				
26-00120	01/13/26	3 PAYMENT #2 - FEBRUARY, 2026	155.28	6-01-31-440-000-213 Telephone: Telephone	Budget	Aprv	9	1
			<u>155.28</u>					

Check No.	Check Date	Vendor # Name		Street 1 of Address to be printed on Check
PO #	Enc Date	Item Description	Payment Amt	Charge Account Description

	Account Type	Status	Seq	Acct
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	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
Checks:	62	244	3,784,084.26

There are NO errors or warnings in this listing.

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	1,248.16	0.00	0.00	1,248.16
SEWER UTILITY FUND	5-05	<u>1,501.20</u>	<u>0.00</u>	<u>0.00</u>	<u>1,501.20</u>
Year Total:		2,749.36	0.00	0.00	2,749.36
CURRENT FUND	6-01	3,740,501.32	0.00	0.00	3,740,501.32
SEWER UTILITY FUND	6-05	<u>6,316.27</u>	<u>0.00</u>	<u>0.00</u>	<u>6,316.27</u>
Year Total:		3,746,817.59	0.00	0.00	3,746,817.59
GRANT FUND	G-02	14,749.12	0.00	0.00	14,749.12
GENERAL TRUST FUND	T-03	3,684.44	0.00	0.00	3,684.44
Total of All Funds:		<u><u>3,768,000.51</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>3,768,000.51</u></u>

Project Description	Project No.	Project Total
760 HOPE, LLC-PRELIM&FINAL SIT	7604353CO	455.00
DARGIS, OLIVIA-MINOR SUBDIV	DAR4286CU	157.50
JET RED-275 SHARK-BULK VAR/SIT	JET4328CO	4,668.50
MID-MON/SUDLER-AMEND SITE PLAN	MID4347CO	2,429.00
MOESC SCHOOL-100 TORNILLO-CAP	MON4355CU	318.50
SERENA ENTERPRISES-3 CNTR PLAZ	SER4348CO	1,223.50
STAVOLA RLTY-CENTRE PLAZA	STA4251CO	786.50
STAVOLA-1819 WAYSIDE	STA4326CO	505.00
STAVOLA-1810 & 1820 WAYSIDE	STA4336CO	4,334.75
THE WALL-700 SHREWS-CONCEPTUAL	THE4241CU	1,205.50
Total of All Projects:		<u>16,083.75</u>

G/L Posting Summary

Account	Description	Debits	Credits
6-01-101-01-000-001	Clearing	761.49	3,742,510.97
6-01-201-20-000-000	Current Appropriations	149,969.65	597.43
6-01-203-55-000-000	Appropriation Reserves	1,412.22	164.06
6-01-205-55-000-000	Tax Overpayments	11,686.68	0.00
6-01-206-55-000-001	School Taxes Payable - TFBOE	2,377,823.50	0.00
6-01-206-55-000-002	School Taxes Payable - MRHS	<u>1,201,618.92</u>	<u>0.00</u>
Totals for Fund 6-01 :		<u>3,743,272.46</u>	<u>3,743,272.46</u>
6-02-101-01-000-001	Cash	0.00	14,749.12
6-02-213-40-000-000	Appropriated Reserves	<u>14,749.12</u>	<u>0.00</u>
Totals for Fund 6-02 :		<u>14,749.12</u>	<u>14,749.12</u>
6-03-101-01-000-001	Cash	0.00	1,817.00
6-03-101-01-000-011	Cash - Self Insurance	0.00	1,650.60
6-03-101-01-000-016	Cash - Affordable Housing	0.00	216.84
6-03-201-20-000-000	Trust Appropriations	<u>3,684.44</u>	<u>0.00</u>
Totals for Fund 6-03 :		<u>3,684.44</u>	<u>3,684.44</u>
6-05-101-01-000-001	Cash	0.00	7,817.47
6-05-201-20-000-000	Sewer Appropriations	6,316.27	0.00
6-05-203-20-000-000	Appropriation Reserves	<u>1,501.20</u>	<u>0.00</u>
Totals for Fund 6-05 :		<u>7,817.47</u>	<u>7,817.47</u>
6-13-101-01-000-001	Cash	0.00	16,083.75
6-13-201-20-000-000	Escrow Checking	<u>16,083.75</u>	<u>0.00</u>
Totals for Fund 6-13 :		<u>16,083.75</u>	<u>16,083.75</u>

Project Description	Project No.	Project Total	
	Grand Total:	<u>3,785,607.24</u>	<u>3,785,607.24</u>

ADDITIONS TO THE 03/03/2026 BILL LIST

<u>Date</u>	<u>Check</u>	<u>Description</u>	<u>Amt Paid</u>
2/11/2026	101427	Freehold Soil Conservation - 2026 Road Program	5,210.00
			<hr/> 5,210.00