

If you have any questions regarding this agenda, please contact the Borough Clerk at 732-542-3400 x260 or boroughclerk@tintonfalls.com



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

**AGENDA
BOROUGH COUNCIL
REORGANIZATION/REGULAR/WORKSHOP MEETING
JANUARY 05, 2021**

Reorganization/Regular/Workshop Meeting to begin at 7:30 PM

Notice: All phones will be muted by the moderator until the public comment sections to avoid background noise. Participants are also asked to mute your phones so there is no background noise during public comment sections.

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, The Newark Star Ledger, and The New Coaster at Least 48 Hours Prior to the Meeting

ROLL CALL - Regular Meeting

SALUTE TO FLAG

COUNCIL REORGANIZATION

- Appointment of Council President
- Appointment of Deputy Council President

MAYOR'S APPOINTMENTS TO THE PLANNING BOARD

- Mayor's Announcement of Class Members

APPROVAL OF MINUTES

1. October 20, 2020 Executive Session Minutes
2. October 20, 2020 Regular Meeting Minutes
3. November 10, 2020 Regular Meeting Minutes

REPORT OF MAYOR/COUNCIL/ADMINISTRATION

ORDINANCES FOR INTRODUCTION

ORDINANCES FOR FINAL CONSIDERATION

PUBLIC DISCUSSION

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

RESOLUTIONS

4. R-21-001 Appointment of Class III Member to the Planning Board
5. R-21-002 Appointing Members to the Zoning Board of Adjustment
6. R-21-003 Appointing Members to the Environmental Commission
7. R-21-004 Appointing Members to the Historic Commission
8. R-21-005 Appointment of Liaison to Committees

CONSENT AGENDA

- 9. R-21-006 2021 Temporary Municipal Budget-** *State Statute provides that a municipality shall adopt a temporary municipal budget within the first thirty days of January to allow for payment of financial obligations prior to adoption of the annual budget.*
- 10. R-21-007 2021 Debt Service Budget -** *State Statute provides that a municipality can adopt a temporary resolution appropriating the permanent debt service requirements for the coming fiscal year.*
- 11. R-21-008 Authorizing Cash Management Plan -** *This resolution amends R-01-003 Authorizing a Cash Management Plan to amend the list of designated depositories for 2021.*
- 12. R-21-009 Authorizing Petty Cash Funds -***This resolution establishes a Petty Cash Account in the amount of \$250.00 within the Department of Audit, Accounts and Control to be administered by the Tax Collector.*
- 13. R-21-010 Resolution Designating the Official Newspapers for the Borough –** *This is an annual Resolution by the Borough designating the official newspapers pursuant to N.J.S.A. 40:53-1.*
- 14. R-21-011 Resolution Authorizing the Award of a "Fair and Open" Contract for RFP #1-21 Borough Engineer -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to T&M Associates in an amount not to exceed \$155,000.*
- 15. R-21-012 Resolution Authorizing the Award of a "Fair and Open" Contract for RFP #2-21 Labor Counsel Services -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Rainone Coughlin Minchello in an amount not to exceed \$40,000.*
- 16. R-21-013 Resolution Authorizing Award of a "Fair and Open" Contract For RFP #3-21 Bond Counsel Services -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Gluck Walrath LLP for the unit price or fixed fee amounts listed and hourly rates in the proposal.*
- 17. R-21-014 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #4-21 Affordable Housing Counsel Services -***The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Pashman, Stein, Walder & Hayden PC in an amount not to exceed \$35,000.*
- 18. R-21-015 Resolution Authorizing the Award of a "Fair and Open" Contract for RFP #5-21 Special/Conflicts Counsel Services -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes awards to McOmber & McOmber, Hill Wallack, LLP, Caruso & Baxter P.A., Shain Schaffer, PC in an amount not to exceed \$30,000.*
- 19. R-21-016 Resolution Authorizing Award of a "Fair and Open" Contract RFP #6-21 Borough Appraiser -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Gagliano & Company in an amount not to exceed \$17,000.*
- 20. R-21-017 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #7-21 Borough Planner -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Leon S. Avakian in an amount not to exceed \$55,000.*
- 21. R-21-018 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #12-21 Zoning Officer -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to T&M Associates in an amount not to exceed \$52,000.*
- 22. R-21-019 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #13-21 Professional Servicing & Maintenance of Sewer System -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Hughes Environmental Services, Inc. in an amount not to exceed \$133,665.80.*
- 23. R-21-020 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #14-21 Professional Auditing Services -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to Suplee, Clooney & Company in an amount not to exceed \$43,000.*
- 24. R-21-021 Resolution Authorizing Award of a "Fair and Open" Contract for RFP #15-21 Financial Consultant Services -** *The Borough solicited proposals and bids were received and documented on December 3, 2020. This resolution authorizes award to NW Financial Group, LLC in an amount not to exceed \$30,000.*
- 25. R-21-022 Resolution Person-To-Person Transfer Plenary Retail Consumption License Liquor License 1336-44-004-014 -** *The licensee, Worldwide Wines, LLC has applied and is qualified to be licensed for the person-to-person transfer according to all statutory, regulatory, and municipal A.B.C. laws and regulations.*
- 26. R-21-023 Resolution Approving Affordability Assistance Manual -** *The Borough wants to set the standards and procedures by which it will make available affordability assistance available to low-and-moderate income households from the Borough's affordable housing trust fund monies and believes it is in the best interest of its residents to approve this policy and procedures manual to effectuate its obligation to provide affordability assistance to qualified households within the Borough of Tinton Falls.*

EXECUTIVE SESSION (if applicable)

ADJOURNMENT TO WORKSHOP MEETING

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, The Newark Star Ledger, and The New Coaster at Least 48 Hours Prior to the Meeting

ROLL CALL - Workshop

WORKSHOP MEETING

UNFINISHED BUSINESS

NEW BUSINESS

Discussion - Firearms Ordinance

ADJOURNMENT

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

WebEx Instructions

For detailed help how to use WebEx with your device, please visit <https://help.webex.com/>

How to Download:

Pc or Mac:

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Smart Phone App:

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Instruction on How to Join a Webex Meeting:


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Meeting Number: 132 791 1173

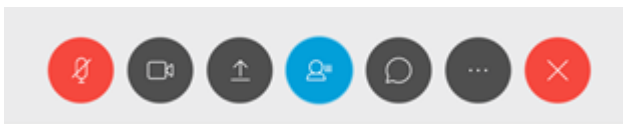
Tips & Tricks

If you are having technical issues connecting to a meeting you may need to clear your systems cache. Press the following two keys: Control F5

Raise Hand:

Use **Raise Hand**  next to your name in the **Participants** panel

Meeting Essentials-The New Control Bar:



1. **Mute:** Clicking on the button will mute/unmute your audio during the meeting.
2. **Start my Video:** Click the camera icon to allow the host and other participants to see you. View the host and participants in full screen.
3. **Share content:** Share your desktop, files, applications, websites, or videos.
4. **Participants:** Clicking on the button will open the participants' window.
5. **Chat:** Clicking on this button will open the chat window. You can then chat with anyone in the meeting or hold private discussions with any participant.
6. **More Options:** The More Options menu allows you to copy the meeting information and configure your audio connections.
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<https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees>

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1-214-459-3653 United States Toll

Access ID/Meeting Number: 132-791-1173

Mute: When dialing in by phone enter *6 to mute or unmute your phone.

RESOLUTION – APPOINTING CLASS III MEMBER TO PLANNING BOARD

BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls that Michael J. Nesci is hereby appointed as the Borough Council’s appointment to the Planning Board as a Class III Member. Term to expire December 31, 2021.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021.

Melissa A. Hesler
Borough Clerk

RESOLUTION – APPOINTING MEMBERS TO ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the following members be appointed to the Borough of Tinton Falls Zoning Board of Adjustment:

John Slazyk	Regular Member	Term to Expire 12/31/2024 (4 Year Term)
Steven R. Porzio	Regular Member	Term to Expire 12/31/2024 (4 Year Term)
William L. Kuzmin	Alternate #1	Term to Expire 12/31/2021 (fills unexpired term)
Emily DeMaio	Alternate Member #2	Term to Expire 12/31/2022 (2 Year Term)

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

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Melissa A. Hesler
Borough Clerk

RESOLUTION – APPOINTING MEMBERS OF ENVIRONMENTAL COMMISSION

BE IT RESOLVED, that the appointment of the below listed persons made by the Mayor be and the same is hereby confirmed. Said terms to be effective as listed below.

Jonathan Cohen Regular Member - Term 01/01/2021 - 12/31/2023
Robert Markoff Regular Member - Term 01/01/2021 - 12/31/2023
Martine Ladd Alt. Member #1 - Term 01/01/2021 - 12/31/2022

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

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Melissa A. Hesler
Borough Clerk

RESOLUTION – APPOINTING MEMBERS OF HISTORIC COMMISSION

BE IT RESOLVED, that the appointment of the below listed persons made by the Mayor be and the same is hereby confirmed. Said terms to be effective as listed below.

Cooper Lewis	Class A Member	fills unexpired term ending 12/31/2022
Stacey Slowinski	Class C Member	fills unexpired term ending 12/31/2022
Kathleen DeAngelo	Alternate Member #2	fills unexpired term ending 12/31/2021
David Tripold	Alternate Member #1	Term 01/01/2021 - 12/31/2022

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

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Melissa A. Hesler
Borough Clerk

RESOLUTION - APPOINTING COUNCIL LIAISONS

BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls appoints the following liaisons for a one-year term to expire December 31, 2021:

Board of Education Liaison	Councilwoman Risa Clay
Environmental Commission Liaison	Councilwoman Tracy A. Buckley
Library Liaison	Councilman Brock Siebert
Historic Commission Liaison	Councilman John Manginelli
Zoning Board Liaison	Councilman John Manginelli

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021.

Melissa A. Hesler
Borough Clerk

RESOLUTION – 2021 TEMPORARY MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40a:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January 2021; and

WHEREAS, the total appropriations in the 2020 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$23,910,589 and \$4,907,200 for the General Budget and Sewer Utility Budget respectively; and

WHEREAS, 26.25% of the total appropriations in the 2020 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2020 budget is the sum of \$6,276,530 and \$1,288,140 for the General Budget and Sewer Utility Budget respectively.

NOW, THEREFORE, BE IT RESOLVED that the following schedule of temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

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WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

TEMPORARY
 APPROPRIATIONS
 2021

GENERAL BUDGET

Division of Administration		
Salaries and Wages	\$	125,000.00
Other Expenses		8,000.00
Information Technology		80,000.00
Human Resources		
Salaries and Wages		35,000.00
Other Expenses		7,000.00
Office of the Mayor		
Salaries and Wages		2,000.00
Other Expenses		2,000.00
Borough Council		
Salaries and Wages		6,000.00
Other Expenses		2,000.00
Municipal Clerk		
Salaries and Wages		45,000.00
Other Expenses		13,000.00
Division of Finance		
Salaries and Wages		60,000.00
Other Expenses		10,000.00
Audit Services		29,000.00
Division of Revenue		
Salaries and Wages		52,000.00
Other Expenses		6,000.00
Office of Tax Assessor		
Salaries and Wages		30,000.00
Other Expenses		20,000.00
Division of Central Services		
Salaries and Wages		20,000.00
Other Expenses		16,000.00
Division of Law		
Other Expenses		300,000.00
Division of Engineering		
Other Expenses		110,000.00
Historical Sites Office		
Other Expenses		2,000.00
Division of Code Enforcement		
Salaries and Wages		20,000.00
Other Expenses		30,000.00
Division of Planning		
Salaries and Wages		10,000.00
Other Expenses		40,000.00

Division of Zoning	
Salaries and Wages	10,000.00
Other Expenses	30,000.00
Division of Housing	
Other Expenses	25,000.00
Insurances	
Liability Insurance	250,000.00
Workers Compensation Insurance	150,000.00
Employee Group Insurance	750,000.00
Police Department	
Salaries and Wages	1,350,000.00
Other Expenses	200,000.00
Municipal Court	
Salaries and Wages	100,000.00
Other Expenses	7,000.00
Public Defender	
Salaries and Wages	6,000.00
Other Expenses	200.00
Division of Emergency Management	
Salaries and Wages	20,000.00
Other Expenses	15,000.00
Division of Health	
Other Expenses	75,000.00
Division of Fire Prevention	
Salaries and Wages	45,000.00
Other Expenses	2,700.00
Prosecutor	
Salaries and Wages	10,000.00
Other Expenses	1,000.00
Division of Streets	
Salaries and Wages	120,000.00
Other Expenses	70,000.00
Division of Sanitation	
Salaries and Wages	320,000.00
Other Expenses	10,000.00
Division of Central Maintenance	
Salaries and Wages	130,000.00
Other Expenses	120,000.00
Division of Buildings and Grounds	
Salaries and Wages	90,000.00
Other Expenses	30,000.00
Shade Tree Commission	
Other Expenses	1,000.00
Environmental Health Services	
Other Expenses	3,100.00
Animal Control Services	
Other Expenses	10,000.00
NJ PEOSHA	

Other Expenses	2,000.00
Contribution to Social Service Agencies	
Other Expenses	6,000.00
Division of Recreation	
Salaries and Wages	90,000.00
Other Expenses	50,000.00
Maintenance of Parks	
Salaries and Wages	125,000.00
Other Expenses	13,000.00
Accumulated Leave Compensation	100,000.00
Construction Code Official	
Salaries and Wages	90,000.00
Other Expenses	3,000.00
Electricity	40,000.00
Street Lighting	25,000.00
Telephone	30,000.00
Water	3,000.00
Natural Gas	10,000.00
Gasoline and Diesel Fuel	75,000.00
Telecommunications	40,000.00
Landfill/Solid Waste Disposal	75,000.00
Social Security System	200,000.00
DCRP	2,000.00
Stormwater Management	
Other Expenses	10,000.00
Recycling Tax	
Other Expenses	1,000.00
Purchase of Automated Refuse Containers	30,000.00
Shared Service - Finance	15,000.00
Shared Service - Municipal Court	75,000.00
	<hr/>
Total General Temporary Budget	<u><u>\$ 6,141,000.00</u></u>

SEWER UTILITY BUDGET

Salaries and Wages	\$ 200,000.00
Other Expenses	1,050,000.00
Social Security System	30,000.00
	<hr/>
Total Sewer Utility Temporary Budget	<u><u>\$ 1,280,000.00</u></u>

RESOLUTION - 2021 DEBT SERVICE

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20th of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2020; and

WHEREAS, principal and interest will be due on various dates from January 1, 2021 to December 31, 2021, inclusive, on bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2021 to December 31, 2021 inclusive:

DEBT SERVICE – CURRENT FUND

Principal on Bonds	\$1,670,000
Interest on Bonds	364,697
Interest on Notes	29,897
	\$2,064,594
	\$2,064,594

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Ms. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January 2021

Melissa A. Hesler
Borough Clerk

RESOLUTION - AMENDING R-01-003 AUTHORIZING CASH MANAGEMENT PLAN

WHEREAS, R-01-003 Authorizing Cash Management Plan was adopted by the Borough Council of the Borough of Tinton Falls on January 2, 2001; and

WHEREAS, the adopted Cash Management Plan included a list of designated depositories of the Borough of Tinton Falls; and

WHEREAS, the Chief Financial Officer has requested that the list of designated depositories be amended as follows:

TD Bank
OceanFirst Bank
N.J. Cash Management Fund

WHEREAS, the banks listed above with the exception of State of NJ Cash Management Fund have filed Chapter 271 Political Contribution Disclosure Forms pursuant to N.J.S.A.19:44A-20.26 (P.L. 2005 c.271, s2). In addition, all banks are protected by the State of New Jersey Governmental Unit Protection Act after filing Chapter 271 Political Contribution Disclosure Forms pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005 c.271, s2).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that Resolution R-01-003 be and is hereby amended as stated above.

BE IT FURTHER RESOLVED, that the Chief Financial Officer and/or designated Borough Officials are hereby authorized to execute any documents and/or contracts as required by the individual depositories.

BE IT FURTHER RESOLVED, that the Borough's authorized signatories are the Mayor, Borough Administrator, Chief Financial Officer and Tax Collector.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

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Melissa A. Hesler
Borough Clerk

RESOLUTION – AUTHORIZING PETTY CASH FUNDS

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that petty cash funds be the same are hereby established for the following Departments in the amounts specified:

Department of Audit, Accounts & Control
(Administered by Tax Collector) \$250.00

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

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WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION – DESIGNATION OF OFFICIAL NEWSPAPERS FOR THE
BOROUGH OF TINTON FALLS**

BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls that the Asbury Park Press, The Coaster and the Newark Star Ledger are hereby designated as the official newspapers for the Borough of Tinton Falls pursuant to N.J.S.A. 40:53-1.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

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Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #1-21 BOROUGH ENGINEER**

WHEREAS, the Borough of Tinton Falls has a need for a professional Borough Engineer for various matters that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from engineering firms for said services, and three (3) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received and it was determined the firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 satisfies the requisites contained in the Request for Proposals to be considered for professional Engineering services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$172 per hour for an amount not to exceed \$155,000 plus miscellaneous reimbursables for engineering services; and

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

1. The firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby retained to provide Borough engineering services at the hourly rate of \$172 for Borough Engineer, as well as other hourly rates listed in their proposal, for an amount not to exceed \$155,000 plus miscellaneous reimbursables for a term expiring December 31, 2021.

2. This contract is awarded through the "fair and open" process in accordance with NJSA 19:44A-20.5 et. seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. A copy of this Resolution as well as the contract and the Determination of Value shall be placed on file with the Borough Clerk of the Borough of Tinton Falls.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability as follows, contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budgets: General Engineering, General Storm water Management, Open Space Fund and Sewer Utility: \$155,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #2-21 LABOR COUNSEL SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional Labor Counsel services for various matters that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from legal firms for said services, and four (4) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received, and it was determined the firm of Rainone Coughlin Minchello, 555 U.S. Highway One South, Suite 440, Iselin, NJ 08830 satisfies the requisites contained in the Request for Proposals to be considered for professional Labor Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$165 per hour for an amount not to exceed \$40,000, plus miscellaneous reimbursables for professional Labor Counsel Services; and

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

1. The firm of Rainone Coughlin Minchello, 555 U.S. Highway One South, Suite 440, Iselin, NJ 08830 is hereby retained to provide professional Labor Counsel services at an hourly rate of \$165 per hour for an amount not to exceed \$40,000 plus miscellaneous reimbursables for a term expiring December 31, 2021.

2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget: Legal: \$40,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #3-21 BOND COUNSEL SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional Bond Counsel services as may be required by the Borough during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from legal firms for said services and three (3) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received and it was determined that Gluck Walrath LLP, 11 Wharf Avenue, Red Bank, NJ 07701, satisfies the requisites contained in the request for proposals to be considered for professional Bond Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for the unit price or fixed fee amounts listed and hourly rates in the proposal with the certification of funds being provided by the Chief Financial Officer on each voucher for such services; and

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

1. The firm of Gluck Walrath LLP, 11 Wharf Avenue, Red Bank, NJ 07701 is hereby retained to provide professional bond counsel services for the unit price or fixed fee amounts and hourly rates listed in their proposal for a term expiring December 31, 2021.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #4-21 AFFORDABLE HOUSING COUNSEL SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional Affordable Housing Counsel services that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from legal firms for said services, and three (3) proposal were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received, and it was determined the firm of Pashman, Stein, Walder & Hayden PC, 28 Leroy Place, Red Bank, NJ 07701, satisfies the requisites contained in the Request for Proposals to be considered for professional Affordable Housing Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$190 per hour for an amount not to exceed \$35,000, plus miscellaneous reimbursables for professional Affordable Housing Counsel services; and

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

1. The firm of Pashman, Stein, Walder & Hayden PC, 28 Leroy Place, Red Bank, NJ 07701 is hereby retained to provide professional Affordable Housing Counsel services at an hourly rate of \$190 per hour for an amount not to exceed \$35,000 plus miscellaneous reimbursables for a term expiring December 31, 2021.

2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget as follows: Affordable Housing Trust \$30,000 Legal \$5,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR
RFP #5-21 SPECIAL/CONFLICTS COUNSEL SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional Special/Conflicts Counsel services that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from legal firms for said services, and seven (7) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all proposals received, and it was determined the firms of McOmber & McOmber, 54 Shrewsbury Avenue, Red Bank, NJ 07701, Hill Wallack, LLP, 2 Bridge Avenue, Suite 211, Red Bank, NJ 07701, Caruso & Baxter P.A., 1129 Broad Street, #103, Shrewsbury, NJ 07702 and Shain Schaffer, PC, 150 Morristown Road, Suite 105, Bernardsville, NJ 07924 satisfy the requisites contained in the Request for Proposals to be considered for professional Special/Conflict Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$150.00 per hour for Special/Conflict Matters for an amount not to exceed \$30,000.00, plus miscellaneous reimbursables for professional Special/Conflicts Counsel services; and

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

1. The firms of McOmber & McOmber; Hill Wallack, LLP; Caruso & Baxter, P.A. and Shain Schaffer are hereby retained to provide professional Special/Conflict Counsel Services for a rate of \$150.00 per hour for an amount not to exceed \$30,000.00 plus miscellaneous reimbursables for a term expiring December 31, 2021.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget as follows: Legal \$30,000.00

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR
RFP #6-21 BOROUGH APPRAISER**

WHEREAS, the Borough of Tinton Falls has a need for a professional Borough Appraiser for various matters that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the “fair and open” process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from appraisal firms for said services and three (3) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received, and it was determined the firm of Gagliano & Company, 1129 Broad Street, Suite 104, Shrewsbury, NJ 07702 satisfies the requisites contained in the Request for Proposals to be considered as the Borough Appraiser during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, this contract is to be awarded for an hourly rate of \$175 per hour for an amount not to exceed \$17,000 for Appraisal Services, plus miscellaneous reimbursables.

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

1. The firm of Gagliano & Company, 1129 Broad Street, Shrewsbury, NJ 07702 is hereby retained as the Borough Appraiser for an hourly rate of \$175 per hour for an amount not to exceed \$17,000 plus miscellaneous reimbursables as listed in the proposal for a term expiring December 31, 2021.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget: Tax Assessor \$17,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #7-21 BOROUGH PLANNER**

WHEREAS, the Borough of Tinton Falls has a need for professional Planning Services during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through a fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals from legal firms for said services, and two (2) proposals were received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed all the proposals received, and it was determined the firm of Leon S. Avakian, Inc., 788 Wayside Road, Neptune, NJ 07753, satisfies the requisites contained in the Request for Proposals to be considered for professional Planning services that the Borough may require during the contract year; and

WHEREAS, it is recommended this contract is to be awarded for an hourly rate of \$165 per hour for an amount not to exceed \$55,000 for planning services, plus miscellaneous reimbursables from January 1, 2021 through December 31, 2021; and

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

1. The firm of Leon S. Avakian, Inc., 788 Wayside Road, Neptune, NJ 07753, is hereby retained to provide professional Planning services for the Borough at an hourly rate of \$165 per hour for an amount not to exceed \$55,000 plus miscellaneous reimbursables for a term expiring December 31, 2021.
2. This contract is awarded through a fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds are available as follows contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget as follows: COAH: \$30,000 Housing: \$25,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR
RFP #12-21 ZONING OFFICER**

WHEREAS, the Borough of Tinton Falls has a need for a professional Zoning Officer for various matters that may arise during the contract year January 1, 2021 through December 31, 2021; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals for said services, and one (1) proposal was received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed the proposal received and it was determined the firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 satisfies the requisites contained in the Request for Proposals to be considered for professional Zoning Officer that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for an hourly rate of \$125 per hour for an amount not to exceed \$52,000; and

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

1. The firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792, is hereby retained to provide Zoning Officer services at the hourly rate of \$125, for an amount not to exceed \$52,000 for a term expiring December 31, 2021.
2. This contract is awarded through the “fair and open” process in accordance with NJSA 19:44A-20.5 et. seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability as follows, contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budgets: Division of Code Enforcement – Other Expenses: \$30,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

RESOLUTION - AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR RFP #13-21 PROFESSIONAL SERVICING & MAINTENANCE OF SEWER SYSTEM

WHEREAS, the Borough of Tinton Falls has a need for Professional Servicing and Maintenance of 15 pump stations and standby generators as well as lab sampling and flow meter reading; and

WHEREAS, the Borough has, through the fair and open process, advertised on the website and in the Asbury Park Press Tuesday, November 17, 2020, the solicitation for receipt of proposals from firms for said services and one (1) proposal was received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed the proposal received, and it was determined that Hughes Environmental Services, Inc., P.O. Box 327, Forked River, NJ 08731 satisfies the requisites contained in the Request for Proposals to be considered for the Servicing and Maintenance of the pump stations; and

WHEREAS, this contract is to be awarded for an amount not to exceed as follows:
 \$10,322.15 per month for 12 months for servicing 15 pump stations;
 \$ 600.00 per month for 12 months for flow meter readings;
 \$ 650.00 per quarter for 4 months for laboratory analysis of Jumping Brook Pump Station for a total contract not to exceed \$133,665.80 from January 1, 2021 through December 31, 2021, plus \$300.00 flat rate for each emergency service call, and \$600.00 for each additional pump station added throughout the year as described in proposal; and

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

1. Hughes Environmental Services, Inc., P. O. Box 327, Forked River, NJ 08731 is hereby retained to provide Professional Servicing & Maintenance of the Sewer System for an amount not to exceed \$133,665.80, plus \$300.00 flat rate for emergency callouts described in the proposal and \$600.00 for each additional pump station added through the contract year January 1, 2021 through December 31, 2021.

2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5 (1) (a) because it is for services performed by persons authorized by law to practice a recognized profession requiring licensure.

3. A copy of this Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Tinton Falls.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds are available contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget: Sewer Utility \$133,665.80

 Thomas P. Fallon, Chief Financial Officer

 Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

 Melissa A. Hesler
 Borough Clerk

**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR
RFP #14-21 PROFESSIONAL AUDITING SERVICES FOR 2021 AUDIT**

WHEREAS, the Borough of Tinton Falls has a need for a professional Auditor for the 2021 audit; and

WHEREAS, the Borough of Tinton Falls has, through the fair and open process, advertised on its website and in the Asbury Park Press on Tuesday, November 17, 2020, the solicitation for receipt of proposals for Auditing Services, and one (1) proposal was received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed the proposal received, and it was determined the firm of Suplee, Clooney & Company, 308 East Broad Street, Westfield, NJ 07090-2122 satisfies the requisites contained in the Request for Proposals to be considered for the Auditor for the 2021 audit; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$43,000 for the 2021 Audit; and

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

1. The firm of Suplee, Clooney & Company, 308 East Broad Street, Westfield, NJ 07090-2122 is hereby retained as Borough Auditor as described above for an amount not to exceed \$43,000 for the 2021 Audit of the Borough of Tinton Falls' financial records.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2021 Municipal Budget as follows: Division of Finance – Audit Services: \$29,000
 Sewer Utility – Other Expenses: \$14,000

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT FOR
RFP #15-21 FINANCIAL CONSULTANT SERVICES FOR REDEVELOPMENT FISCAL ANALYSIS**

WHEREAS, the Borough of Tinton Falls has a need for professional Financial Consultant Services for Redevelopment Fiscal Analysis; and

WHEREAS, the Borough of Tinton Falls has, through the fair and open process, advertised on its website and in the Asbury Park Press on Saturday, November 21, 2020, the solicitation for receipt of proposals for Financial Consultant Services for Redevelopment Fiscal Analysis, and One (1) proposal was received and documented on Thursday, December 3, 2020; and

WHEREAS, the Borough has reviewed the proposal received, and it was determined that NW Financial Group, LLC, 2 Hudson Place, 3rd, Floor, Hoboken, NJ 07030 satisfies the requisites contained in the Request for Proposals to be considered for the Financial Consultant for Redevelopment Fiscal Analysis; and

WHEREAS, this contract is to be awarded for a rate of \$225 per hour for an amount not to exceed \$30,000; and

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

1. The firm of NW Financial Group, LLC, 2 Hudson Place, 3rd, Floor, Hoboken, NJ 07030 is hereby retained as the Financial Consultant for Redevelopment Fiscal Analysis as described above for an amount not to exceed \$30,000.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds are available from: Redevelopment Escrow

Thomas P. Fallon, Chief Financial Officer

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

**RESOLUTION - PERSON-TO-PERSON TRANSFER PLENARY RETAIL CONSUMPTION LICENSE
LIQUOR LICENSE 1336-44-004-014**

WHEREAS, Worldwide Wines, LLC has made application to the Borough Council for a person-to-person transfer of plenary retail consumption License No. 1336-44-004-014 heretofore issued to John M. McDonnell Chapter 7 Trustee Bankruptcy for F&T Spirits, Inc.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

WHEREAS, no written objection to the transfer has been received by the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls does hereby approve the transfer of the aforesaid Plenary Retail Consumption License 1336-44-004-014 to Worldwide Wines, LLC as an inactive license.

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized to endorse the transfer to the new ownership on the face of the license certificate showing the State assigned license number to be 1336-44-004-015 effective January 6, 2021 and a certified copy of this resolution be provided to the Division of Alcoholic Beverage Control, the Tinton Falls Police Department and Worldwide Wines, LLC.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021.

Melissa A. Hesler
Borough Clerk

**RESOLUTION APPROVING AFFORDABILITY ASSISTANCE PROGRAM POLICIES
AND PROCEDURES MANUAL**

WHEREAS, the Borough of Tinton Falls (“Borough”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Borough of Application of the Borough of Tinton Falls, Docket No. MON-L-2475-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

WHEREAS, the Borough entered into a Settlement Agreement with Fair Share Housing Center on or about April 20, 2018 establishing the Borough’s Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Borough will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, as a condition of Court approval of the Borough’s Settlement Agreement with Fair Share Housing Center, the Borough adopted Resolution 019-057 approving a Spending Plan for the Borough’s Affordable Housing Trust Fund, which includes monies set aside for affordability assistance as required by COAH regulations; and

WHEREAS, the Court entered a Final Third Round Judgment of Compliance and Repose on July 17, 2019 providing the Borough with immunity from builder’s remedy litigation through July 1, 2025 and approving the Borough’s Spending Plan; and

WHEREAS, the Borough wants to set the standards and procedures by which it will make available affordability assistance available to low-and-moderate income households from the Borough’s affordable housing trust fund monies; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of its residents to approve the Affordability Assistance Program Policies and Procedures Manual prepared by CME Associates to effectuate its obligation to provide affordability assistance to qualified households within the Borough of Tinton Falls.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls, County of Monmouth, that it hereby approves the Affordability Assistance Program Policies and Procedures Manual prepared by CME Associates dated December 2020

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Mr. Manginelli						
Mr. Nesci						
Mr. Siebert						
Ms. Buckley						

CERTIFICATION

I, Melissa A. Hesler, 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 January 5, 2021.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of January, 2021

Melissa A. Hesler
Borough Clerk

Affordability Assistance Program Policies and Procedures Manual

In Accordance with the Uniform Housing Affordability Controls
and the New Jersey Fair Housing Act



Borough of
Tinton Falls
New Jersey

556 Tinton Avenue
Tinton Falls, NJ 07724

December 2020

Prepared by:



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Introduction

The purpose of this manual is to describe the policies and procedures of the Affordability Assistance Program for the Borough of Tinton Falls. This manual will explain what is needed to qualify for the program in addition to outlining the operation of the program.

The Affordability Assistance Program is designed to help low and moderate-income households acquire funding to secure income restricted affordable housing within the Borough of Tinton Falls, by providing a one-time deferred payment loan to offset the initial costs of securing adequate housing. This housing may be either owner occupied dwelling units or rental dwelling units.

This program provides the following options for affordability assistance:

- Security deposit assistance – Funding equal to the required security deposit for a rental dwelling unit may be available to be paid directly to the landlord on behalf of a very low, low, or moderate income tenant. This is a loan to the landlord of the unit to be rented. At the end of the duration of a lease, the security deposit shall be returned to the Township rather than the tenant.
- First Time Home Buyer - Down payment / Closing cost assistance – Funding of up to \$10,000.00 per applicant may be applied to offset the up-front costs of purchasing a home or condominium unit in Tinton Falls for qualified first time home buyers. These funds would be a no-interest loan to the prospective buyer, and if the buyer remains in the home for a period of at least 5 years, the loan will be forgivable.
- Housing association fee assistance – Funding of up to \$500.00 may be available in the form of a grant, paid to the housing association for any homeowner's association dues or related fees. On an emergency case by case basis, additional funding can be made available up to a maximum of \$1,200.00. This is a one-time payment and no repayment is necessary.

All dwellings purchased with the funds from the Affordability Assistance Program shall be subject to a thirty (30) year deed restriction to remain affordable to low and moderate income households.

Administration

The Borough's appointed Affordable Housing Administrative Agent will be responsible for administering the Affordability Assistance Program.

All funds provided for the Affordability Assistance Program shall be distributed from the Borough's Affordable Housing Trust Fund, in accordance with the Borough's adopted Affordable Housing Trust Fund Spending Plan.

Questions about the Program should be directed to the Administrative Agent.

Applicant Eligibility

Applications submitted for the Program will be provided and reviewed on a first-come-first-served basis according to the following criteria. All of the following criteria must be met in order for an applicant to be deemed eligible for this Program. Eligibility does not guarantee that any funding will be provided to applicants from this Program.

1. There are affordability assistance funds remaining in the budget for the year.
2. The applicant has not received affordability assistance from this program in the past year.
3. The applicant must qualify as a very low, low, or moderate income household in accordance with the most current regional income limits established by the Affordable Housing Professionals of New Jersey (AHPNJ), or the applicable State of New Jersey regulatory agency should the State resume promulgation of regional income limits.
4. For the First Time Homebuyer Program, the applicant must be a first-time homebuyer (meaning not having owned a home in the last three (3) years);
5. For the First Time Homebuyer Program, the applicant must be in the process of purchasing a deed-restricted affordable dwelling in the Borough of Tinton Falls.
6. For the First Time Homebuyer Program, the applicant must remain the owner of the property after purchase and occupy the property as their primary residence;
7. For the Security Deposit Assistance Program, the applicant must lease a dwelling unit within the Borough of Tinton Falls that they will maintain as their primary residence.
8. For the Housing Fee Assistance Program, the applicant must be the owner of a deed restricted affordable home within the Borough of Tinton Falls, and be currently occupying the home as their primary residence.

First Time Home Buyer Program Procedures

1. An application for funding through the Affordability Assistance - First Time Homebuyer Program shall be filed with the Borough's Affordable Housing Administrative Agent.
2. The Administrative Agent shall review and process the application.
3. If an applicant is certified and approved, the Administrative Agent shall notify the Borough's financial department of the intent to award the loan, and confirm the availability of funds.
4. The Administrative Agent shall prepare a draft resolution authorizing the award of the loan, specifying the amount of funds, the location and type of unit, and the specific affordability controls on the unit.
5. The Township shall release the funds from the Affordable Housing Trust Fund to the escrow account following the approval of the resolution.
6. A Repayment Agreement, Mortgage Note, and Mortgage shall be executed at closing, and recorded by the title company.
7. The Administrative Agent shall notify the applicant of the awarding of funds, and record the assistance, and terms of the assistance, in the file for the affordable unit.

Eligible Participants

Eligible participants must be under contract to purchase a home in Tinton Falls, or may be income qualified by the program Administrative Agent, and then enter a contract to purchase an affordable home in Tinton Falls. This means that the applicant must have signed a contract with the seller, applied to the Program, and have been income qualified as a low or moderate income household.

All applicants shall not be the current owners of a home or condominium unit, nor shall they have owned any real property within the past three (3) years of the time of application.

Loan Amount and Period

The maximum amount of assistance that may be provided per applicant is \$10,000. The loan period shall be five (5) years.

Loan Terms & Repayment Agreement

All funds are distributed at closing. The funds are sent via bank wire to either the participant's attorney or closing agent trust account. The attorney or trust account must have a business registration certificate and W-9 Tax Identification Form. The Borough must be given notice of the closing five (5) business days ahead of the closing date.

Loans for applicants to the Program shall be secured through a mortgage and mortgage note in favor of the Borough and executed by the property owner when required. The mortgage and

mortgage note, as well as a deed restriction, will be executed at closing. The terms of the mortgage are in the mortgage note, which is not recorded. The original mortgage note shall be retained by the Program Administrator and kept in the unit file. The administrative agent shall send the mortgage and deed restriction requiring recording to the Borough. Upon receipt, the Borough will file said documents with the Monmouth County Clerk's office upon the completion of the closing of title.

All loans are deferred payment loans and are due in full at zero percent (0%) interest upon sale, or change in title, if said sale or change in title occurs within five (5) years of the date of closing. All repayment of loans shall be made to the Borough's Affordable Housing Trust Fund. If the applicant remains the owner and occupant of the dwelling at the end of the duration of the five (5) year mortgage period, the full amount of the loan shall be forgiven.

Insurance Requirements

The Borough of Tinton Falls and Borough of Tinton Falls First-Time Homebuyer Program shall be listed as additional insureds, loss payees, or additional mortgagees for the entire 5-year period of the lien.

The applicant must provide proof of homeowner's insurance and proof that the insurance has been paid. The homeowner's insurance must list the Borough of Tinton Falls and the Borough of Tinton Falls First-Time Homebuyer Program as additional insureds, loss payees, or additional mortgagees.

All prospective applicants must have Title Insurance naming the Borough of Tinton Falls and Borough of Tinton Falls First-Time Homebuyer Program as additional insureds, loss payees, or additional mortgagees.

If the home is associated with a Condominium Association or a substantially similar entity, the Borough of Tinton Falls and the Borough of Tinton Falls First-Time Homebuyer Program shall be listed as additional insureds, loss payees, or additional mortgagees on the blanket insurance policy for the Association's property.

In the event that the property is located in a Flood Zone, flood insurance will be required listing the Borough of Tinton Falls and Borough of Tinton Falls First-Time Homebuyer Program as additional insureds, loss payees, or additional mortgagees.

Affordability Controls

All homes purchased by qualified low or moderate income households with assistance from the Borough's First Time Homebuyer Program shall include a deed restriction which provides affordability controls so that the unit must remain affordable to a low or moderate income household for a period of at least thirty (30) years, in accordance with the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq.

Security Deposit Assistance Program Procedures

1. An application for funding through the Affordability Assistance - Security Deposit Assistance Program shall be filed with the Borough's Affordable Housing Administrative Agent.
2. The Administrative Agent shall review and process the application.
3. In the event that there are more income-qualified applicants than there are funds available, preference shall be given to very-low income households.
4. If an applicant is certified and approved, the Administrative Agent shall notify the Borough's financial department of the intent to award the loan, and confirm the availability of funds.
5. The Administrative Agent shall prepare a draft resolution authorizing the award of the loan, specifying the amount of funds, the location and type of unit, and the specific affordability controls on the unit.
6. The Borough shall release the funds from the Affordable Housing Trust Fund to the participating landlord following the approval of the resolution.
7. The Administrative Agent shall notify the applicant of the awarding of funds, and record the assistance, and terms of the assistance, in the file for the affordable unit.

Eligible Participants

All participants must be very low, low, or moderate income households, entering into a lease agreement to rent a deed restricted affordable dwelling unit in the Borough of Tinton Falls. Applicants must not have received any assistance from any of the Borough's Affordability Assistance Program within the past 12 months of the time of application.

Loan Amount and Period

The maximum amount of assistance that may be provided per applicant shall be equal to one and one-half month's contract rent, or \$2,500.00, whichever is lesser. The loan period shall be the duration of the applicant's occupancy of the dwelling unit.

Loan Terms & Repayment Agreement

All funds distributed for a security deposit shall be deposited by the landlord in an escrow account in accordance with applicable state laws. Upon the end of the applicant's tenancy in the dwelling unit, the landlord shall repay the security deposit to the Township of East Greenwich's Affordable Housing Trust Fund.

In the event that monies are deducted from the security deposit due to damages to the dwelling unit, the tenant shall be responsible for repaying any monies deducted from the security deposit to the Township's Affordable Housing Trust Fund.

Housing Association Fee Assistance Program Procedures

1. An application for funding through the Affordability Assistance - Housing Association Fee Assistance Program shall be filed with the Borough's Affordable Housing Administrative Agent.
2. The Administrative Agent shall review and process the application.
3. If an applicant is certified and approved, the Administrative Agent shall notify the Borough's financial department of the intent to award the grant, and confirm the availability of funds.
4. The Administrative Agent shall prepare a draft resolution authorizing the award of the grant, specifying the amount of funds, the location and type of unit, and the specific affordability controls on the unit.
5. The Borough shall release the funds from the Affordable Housing Trust Fund, payable to the applicable housing association, following the approval of the resolution.
6. The Administrative Agent shall notify the applicant of the awarding of funds, and record the assistance, and terms of the assistance, in the file for the affordable unit.

Eligible Participants

Applicants for this program must be the current owners and occupants of a deed restricted affordable dwelling unit in the Borough of Tinton Falls. Applicants must not have been awarded any other funds from the Affordability Assistance programs within the past 12 months of the time of application.

Grant Amount and Period

The maximum amount of assistance that may be provided per applicant is \$500.00. The Borough may elect to authorize additional funding, up to a maximum of \$1,200.00 on an emergency basis. Such emergency authorizations shall be determined on a case by case basis, subject to available funding and a determination of need. The funds shall be in the form of a one-time grant payment. No repayment of funds by the applicant shall be required.

Affordability Controls

All applications for Housing Association Fee Assistance shall be for fees required of a deed restricted affordable unit which provides affordability controls indicating that the unit must remain affordable to a low or moderate income household for a period of at least thirty (30) years, in accordance with the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq.

Income Eligibility and Certification Procedure

In order to be eligible for assistance, applicants must be determined to be income eligible. All adult members 18 years of age and older must be fully certified as income-eligible before they can receive any assistance from the Program. The Program will income qualify applicants in accordance with the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq., except for the asset test. The applicant's monthly housing payment shall not exceed 40% of the applicant's adjusted monthly gross income.

The following is a list of various types of wages, payments, rebates, and credits. Those that are considered as part of the household's income are listed under "Income."

Qualified Income Sources

The following are considered income and will be included in the determination of the applicant's income eligibility:

- Wages, salaries, tips, commissions
- Regularly scheduled overtime
- Social Security
- Unemployment Compensation (verify # of weeks that are eligible to be received)
- Pensions
- Disability
- Alimony
- Verified regular child support (received)
- Any other forms of regular income reported to the Internal Revenue Service
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of 2%) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payment, real estate taxes, property owner's insurance.
- TANF (Temporary Assistance for Needy Families)
- Net income from business or real estate
- Rent from real estate is considered income

Unqualified Income Sources

The following are not considered income and will not be included in the determination of the applicant's income eligibility:

- Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income
- Food stamps
- Part-time income of dependents enrolled as full time students
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements

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- Rebates or credits received under low-income energy assistance programs
- Income of live-in attendants
- Student loans
- Payments received for foster care
- Relocation assistance benefits
- Scholarships
- Personal property such as automobiles

Income Verification

To calculate income, the current gross income of the applicant is used to project income over the next 12 months. Income verification documentation should include, but is not limited to, the following for each and every member of a household who is 18 years of age or older:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure, or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- A signed copy of regular IRS Form 1040 (Tax computation form), 1040A, or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s).
- A form 1040 Tax Summary for the past three tax years can be requested from the local IRS Center or by calling 800-829-1040
- If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
 - Social Security or SSI – current awards letter or computer printout letter
 - Unemployment – verification of unemployment benefits
 - Welfare – TANF current award letter
 - Disability – Worker’s compensation letter, or
 - Pension income (monthly or annually) – a pension letter
 - A letter or appropriate reporting to verify any other sources of income claimed by the applicant such as alimony or child support – copy of court order or recent original letter from the court (includes separation agreement or divorce papers) or education scholarship/stipends – current award letter.
- Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (in brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates)
Examples: copies of all interest and dividend statements for savings accounts, interest and non-interest bearing checking accounts, and investments.
- Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.

- Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating current mortgage balance. For rental property attach copies of all leases.

Verifying Student Income and Income from Real Estate

1. *Student Income* – Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35 hour work week.

2. *Income from Real Estate* – If real estate owned by an applicant to the Program is a rental property, the rent is considered income. After deduction of any mortgage interest, real estate taxes, property owner insurance, and reasonable property management expenses as reported to the IRS, the remaining amount shall be counted as income.

Other Eligibility Requirements

Applicants must also submit the following in the application package as applicable:

- Recorded deed to the property to be assisted;
- If you are a widow or widower, copy of Death Certificate should be included;
- Signed release form to verify eligibility determination from third party sources;
- Copy of any and all other liens recorded against property; and
- Personal identification (a copy of any of the following: Driver's license, Passport, Birth Certificate, Social Security Card, Adoption Papers, Alien Registration card, etc.) for each household member.

Eligibility Certification

After the Administrative Agent determines that the household is income eligible and meets all other eligible requirements, the Administrative Agent will complete and sign the eligibility certification. This certification shall be valid for twelve (12) months starting from the date of eligibility certification.

Property Eligibility

Unit Type

Any property that will serve as the prospective homebuyer's or renter's primary residence and is located within the Borough of Tinton Falls is an eligible property type, including:

- A single-family property (one-unit)
- A two- to four-unit property
 - If affordable housing trust funds are used to assist a purchaser to acquire one unit in a two- to four-unit property, and that unit will be the principal residence of the purchaser, the long-term affordability requirements apply to the assisted ownership unit only.
 - If affordable housing trust funds are used to help a purchaser acquire one or more rental units along with the homeownership unit, then rental affordability requirements shall apply to the rental units.
- A condominium unit
- A cooperative unit or a unit in a mutual housing project (if recognized as homeownership by state law)
- A manufactured house
 - At the time of completion, the manufactured housing must be connected to permanent utility hook-ups.
 - The manufactured housing unit must be located on land that is owned by the manufactured housing unit owner, or on land for which the manufactured housing unit owner has a lease.

Property Condition

For the first time homebuyer program, major systems (i.e. roof, furnace, electricity, plumbing, etc.) must have at least a 5 year life expectancy at the time of purchase. Every home that is not new construction will be inspected as follows before a first-time homebuyer grant can be approved:

- All homes will be inspected to ensure that it meets all local codes and standards. If the inspection fails for any reason, those areas must be repaired according to the guidelines of the United States Department of Housing and Urban Development (HUD).
- All homes built before January 1, 1978 must be inspected for lead-based paint. A visual assessment for lead-based paint will be conducted. If any indication of lead-based paint is noted, the house will fail inspection and the lead-based paint must be remediated according to HUD guidelines.
- New homes must comply with the standards in the current edition of the Model Energy Code published by the Council of American Building Officials (CABO).

All repairs must be completed prior to closing.

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For the security deposit assistance program or the housing association fee assistance program, no such property inspection shall be required.