

**Workshop Meeting
Borough of Eatontown Governing Body
Wednesday, January 11, 2023**

This meeting has been advertised in accordance with the Open Public Meetings Act: A notice of the meeting has been published in the Asbury Park Press, Star Ledger and the Link News, posted on the bulletin board in the lobby of Borough Hall, and posted to the Borough website. Public Comment is welcome at any time.

Mayor Talerico opened the Workshop at 7:05pm, noting the Borough's compliance with the Open Public Meetings Act

1. ROLL CALL

PRESENT: Mayor Anthony Talerico, Jr., Council President Virginia M. East,
Councilmembers Danielle M. Jones, David Gindi, Everett D. Lucas, Meir Araman

ALSO PRESENT: Attorney Bayer, Interim Administrator Lucia, Borough Clerk Martin

ABSENT: Councilmember Mark Regan, Jr.

The Flag Salute was led by C/Araman

Mayor Talerico discussed with Attorney Bayer if Closed Session should take place in Workshop, opposed to the Regular Meeting. Attorney Bayer responded with the decision to enter into Closed Session in Workshop. Mayor Talerico explained the reasoning and process for going into Closed Session to the public.

2. CLOSED SESSION

A. Resolution 31-2023

1) Contract Negotiations - Monmouth Mall

Mayor Talerico noted the Council would not act on the items in workshop.

Attorney Bayer read the resolution into the record.

RESOLUTION 31-2023

AUTHORIZING EXECUTIVE SESSION UNDER THE OPEN PUBLIC MEETINGS ACT FOR THE MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN

WHEREAS, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., a municipality may exclude the public from a meeting of the Municipal Council where the Council intends to discuss certain matters for which privacy is needed in order to protect the public interest or certain enumerated private interests; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Eatontown to discuss in session not open to the public certain matters that are required by law to be confidential, more specifically: 1) Contract Negotiations - Monmouth Mall

WHEREAS, it is anticipated that the minutes from the deliberations conducted in closed session may be disclosed to the public upon the determination that the public interest will no longer be served by such confidentiality.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the above-referenced executive session to be held closed to the public, on January 11, 2023.

Motion to enter into closed session by C/Gindi; seconded C/Araman

Voice Vote: AYE - C/East, C/Jones, C/Gindi, C/Lucas, C/Araman

ABSENT - C/Regan

Council entered Closed Session at 7:10pm

Council returned from Closed Session at 7:58pm

Mayor Talerico explained to the public that the meeting will be taken slightly out of order.

Borough Clerk Martin took roll:

Present - Mayor Talerico, C/East, C/Jones, C/Gindi, C/Lucas, C/Araman
Interim Administrator Lucia and Attorney Bayer

Absent - C/Regan

3. DISCUSSION - ORDINANCE 20-2022 (REGISTRATION OF CERTIFICATES OF INSURANCE) - REPEAL/REDUCE FEE

Mayor Talerico gave an overview of the Ordinance and the options that can be taken. The consensus of the Council was to repeal the Ordinance completely. Attorney Bayer explained the process for returning the checks. There was no objection from Council to refund the money. Mayor Talerico provided an example regarding the returning of fees. Attorney Bayer explained the State Statutes limited guidance on implementing this Ordinance. Mayor Talerico explained to the public the process for the adoption of this Ordinance and how the Borough will issue the refunds.

Mayor Talerico opened the meeting to the public.

The business owner of AR Communications on Main Street asked what the town's intention is regarding the fee and the possible readoption of this Ordinance. Mayor Talerico and Attorney Bayer responded.

4. DISCUSSION - ORDINANCE 26-2022 (PAY TO PLAY RESTRICTIONS) - NEW ORDINANCE FOR 2023

Councilmember Gindi explained to the public and the Councilmembers this Ordinance's maximum contribution amount, how the contributions are used, and why the amount will hurt the Borough when searching for a wider range of professionals. Councilmember Gindi explained his research regarding other town's Pay to Play Ordinances and found none of those towns to be as restrictive as the Borough's original Ordinance. Councilmember Gindi asked the Council to reconsider adopting this Ordinance, where the Borough limits local contributions to Eatontown candidates to a maximum of \$600.00 per election and allow the professionals to contribute the difference outside of the Borough to the maximum allowed by state law. Councilmember Gindi explained to the Council that if the Borough does not see a rise in professional RFP's for the year 2023, then he will be more than happy to revisit the Ordinance again in 2024 to tighten up the contribution amounts. Councilmember Gindi believes this Ordinance will open up Eatontown's access to additional professionals who are not so restrictive. Mayor Talerico offered a similar suggestion.

Mayor Talerico proposed to only limit Eatontown, such as keeping the Borough's local political parties and committees, and the Monmouth County parties to \$300, and not limit elsewhere. Councilmember Gindi asked Mayor Talerico what the difference of opinion is between them. Councilmember Gindi clarified his request for going up to \$600 locally, while Mayor Talerico wants to stay at \$300 locally. Councilmember Gindi then asked Mayor Talerico if he is suggesting to have the professionals outside of Eatontown be allowed to give the balance of \$2,200 or what the limit of the State Statute is. Mayor Talerico responded by saying if he must give up something, he'd rather give up outside of Eatontown, but keep Eatontown and Monmouth County still at \$300. Councilmember Gindi stated he does not want to include Monmouth County and explained his reasoning. Mayor Talerico explained his reasoning for wanting to extend the fee to Monmouth County. Councilmember Gindi stated he would be willing to agree to the \$300 maximum amount in Eatontown alone, while the balance of the state limit be spent wherever said contributor wants to spend it. Mayor Talerico asked the Council for their feedback regarding the proposals. Councilmember Araman suggested to consider what professionals the Borough are depriving themselves from having. Mayor Talerico agreed. Mayor Talerico asked if the rest of Council and Councilmember Gindi would agree that if the Borough does not see an increase of RFP's then the Borough would reconsider. Councilmember Gindi shared his feelings regarding award based appointments, and agreed with Mayor Talerico that they would not award the bids. Attorney Bayer clarified the current Borough Ordinances' \$300 total per election cycle. Mayor Talerico summarized the proposals for the public and the Council. Attorney Bayer explained the current Ordinance states the \$300 limitation applies to County Political Parties. Councilmember Gindi asked Attorney Bayer whatever the State limit is, should go wherever it wants to go. Attorney Bayer agreed. Mayor Talerico clarified the proposals. Mayor Talerico asked the Council for a consensus to move this topic to the regular meeting. The Council agreed.

5. TRANSPARENCY RESOLUTION INTRODUCTION AND DISCUSSION

Councilmember Gindi explained an incident regarding the previous election where there was a rumor about back room deals being made in the Borough between elected officials and developers. Councilmember Gindi explained the residents of Eatontown deserve as much transparency from their elected officials and would like to introduce a transparency policy this year. Councilmember Gindi proposed to have the elected officials create a list to be sent to the Borough Clerk regarding all the Borough business being discussed to Eatontown residents. Councilmember Gindi further proposed having Mayor Talerico create Ad Hoc Committees for each development in the Borough, which would comprise of the Mayor, and one Councilmember from each party. Mayor Talerico commented on the Ad Hoc Committee for development, stating the Borough has always had at least one member from each party on every development matter. Mayor Talerico then commented on the Monmouth Mall and the creation of the development committee for that project. Mayor Talerico explains the possible loss of power the council members will have with each committee. Councilmember Gindi explained his approach to this proposal. Mayor Talerico explained the Council would have to keep in consideration the Open Public

Meetings Act with the committees. Mayor Talerico commented on the resident's privacy to speak with any Councilmember they desire. Councilmember Gindi explained this policy would keep the Council and the Mayor more informed on business in the Borough. Council President East thanked Councilmember Gindi for his research and his thoughts on this topic, then explained her reasoning for opposing this policy. Councilmember Gindi responded. Mayor Talerico further shared his reasoning for opposing this policy. Interim Administrator Lucia proposed having a matter of policy amongst the Council, but not to have an Ordinance or policy due to the question on how the Borough would enforce the policy. Council President East explained the Council already share information amongst themselves. Councilmember Gindi asked how they would draw the line between what's important and what's not. Interim Administrator Lucia responded. Councilmember Jones shared her concerns and thoughts regarding the implementation of this policy. Mayor Talerico recommended to communicate within the Council for the next three months in Closed Session to speak about the redevelopment matters in the Borough. Attorney Bayer agreed with Mayor Talerico and shared the potential of the Council sharing their communications when they present their Committee Reports.

Mayor Talerico opened the meeting to the public.

No comments were made.

Mayor Talerico closed the meeting to the public.

6. ADJOURNMENT – 8:43pm

Motion to adjourn by C/Jones; seconded by C/Gindi

Voice Vote: AYE - C/East, C/Jones, C/Gindi, C/Lucas, C/Araman

ABSENT – C/Regan



By: Julie Martin, RMC, Borough Clerk

Exhibits are on file in the Borough Clerk's Office, according to the NJ State Records Retention Schedule established by NJSA 47:3-15 *et seq* and approved by the State Records Committee. Audio is available on the Borough website.

Approval 01/25/2023