

**Regular Meeting
Borough of Eatontown Governing Body
Wednesday, May 25, 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 Regular Meeting at 7:51pm, noting the Borough's compliance with the Open Public Meetings Act. Mayor Talerico explained the order of the agenda and explained the need to add two topics under the Closed Session resolution.

1. ROLL CALL

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

ALSO PRESENT: Attorney Bayer, Borough Clerk Martin

LATE ARRIVAL: Interim Administrator Lucia, arrived at 7:55pm

The Flag Salute was held during workshop.

2. APPROVAL OF MINUTES

A. Workshop/Regular Meeting/Closed Session – 05/10/2023

Motion to approve the minutes by C/Gindi; seconded by C/East

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

ABSTAIN - C/Regan

3. COMMUNICATIONS

A. Notice of Grant Award, Local Recreational Improvement Program, Repairs to Basketball Court, 80 Acres (\$33,000)

Motion to accept communication A by C/Jones; seconded by C/Gindi

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

4. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico explained there have been significant discussions regarding Fort Monmouth, and that is why it has been added to the Closed Session agenda.

5. REPORTS OF COMMITTEES

A. PARKS & RECREATION - Council President East

Council President East reminded the public and Council about the ongoing registration for the summer recreation program. Council President East then commented on the meetings of the Recreation Advisory Committee and the Historical Committee. Council President East further reported on the Memorial Day Services at Wampum Park, and on the essays for 'What Eatontown Means to Me.'

B. EMERGENCY SERVICES - Councilmember Regan, Jr.

Councilmember Regan had no report, but recognized and thanked the EMS volunteers. Councilmember Regan commented on the stone structure outside of the firehouse.

C. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones reported on the next meetings of the Finance and Ordinance Committee, the Board of Education, the Community Center, the Drug and Alcohol Alliance, the Library Board of Trustees, and the Traffic Advisory Committee. Councilmember Jones had no updates on the Health and Human Services Committee.

D. PUBLIC WORKS & INSURANCE - Councilmember Gindi

Councilmember Gindi reported on the Department of Public Works regarding garbage, recycling, and bulk pick-up.

E. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Lucas

Councilmember Lucas reported on Beautify Eatontown's next event.

F. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman

Councilmember Araman had no report regarding the Police Department. Councilmember Araman reported about a complaint received by the Shade Tree Commission.

6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia had nothing to report.

7. OLD BUSINESS**A. ORDINANCE ADOPTION****1) Ordinance 13-2023 - An Ordinance Vacating Conservation and Drainage Easement of Block 4002, Lot 22.01 - Public Hearing/Adoption**

Attorney Bayer read the ordinance by title.

Motion to open the meeting to public comment on the ordinance by C/Jones; seconded by C/East

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

No comments were made.

Motion to close the meeting to public comment on the ordinance by C/Jones; seconded by C/East

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

Attorney Bayer read the ordinance by title.

Motion to adopt the ordinance by C/Jones; seconded by C/East

Roll Call: AYE - C/East, C/Regan, C/Jones, C/Lucas

ABSTAIN - C/Gindi, C/Araman

Attorney Bayer explained the Ordinance.

ORDINANCE 13-2023 - AN ORDINANCE VACATING CONSERVATION AND DRAINAGE EASEMENT OF BLOCK 4002, LOT 22.01

WHEREAS, under the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et. seq., the Borough of Eatontown (the "Borough") is required to convey real property or any interest in real property through the adoption of an ordinance; and

WHEREAS, a Drainage/Conservation Easement was created on the property identified as Block 4002, Lot 22.01, f/k/a Block 4002, Lots 22&23 (the "Property") in favor of the Borough of Eatontown as part of a major subdivision application dating back to 1986 and as a condition of Variance and Site Plan approval granted by the Eatontown Planning Board to the property owner, Shaare Tefilah Ben Moshe, Inc. (the "Synagogue") for the initial construction of the synagogue in 2008, a modified Drainage and Conservation Easement (the "Easement") was filed with the County Clerk in favor of the Borough; and

WHEREAS, the Eatontown Planning Board granted Amended Preliminary and Final Major Site Plan Approval to construct an addition to the existing synagogue including associated site improvements on April 4, 2022; and

WHEREAS, the Planning Board requested that the Borough vacate the Easement because both the Synagogue's expert and the NJDEP concurred that the Easement was not serving any real purpose on the Synagogue's property and would remain in place on the neighboring property; and

WHEREAS, the Borough Council finds it to be in the best interests of the Borough and its residents to vacate the Easement as recommended by the Planning Board to allow for the expansion of the Synagogue as approved.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that it hereby authorizes the vacation of the Drainage and Conservation Easement on Block 4002, Lot 22.1 and the Mayor is authorized to execute the Vacation of Conservation Easement as between the Borough of Eatontown and Congregation Shaare Tefilah Ben Moshe, Inc. in a form approved by the Borough Attorney.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

2) Ordinance 14-2023 - An Ordinance of the Borough of Eatontown Concerning the Removal of Trees Deleting Chapter 89 Article I Section 3 and Amending Chapter 307 Articles I and II - **Public Hearing/Adoption**

Attorney Bayer read the ordinance by title.

Motion to open the meeting to public comment on the ordinance by C/Jones; seconded by C/Araman

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

Dee Slattery, Lone Oak Way, commented on the current tree ordinance. Ms. Slattery explained she volunteers for the Green Team and gave some overview of how trees are beneficial. Ms. Slattery shared her concerns for the tree population in Eatontown and provided some ideas and recommendations for the protection of trees in the future. Mayor Talerico responded. Councilmember Lucas asked if the Borough examined sidewalks that would lift from the trees. Mayor Talerico responded. Councilmember Araman commented on the possibility of having funds to repair sidewalks lifted from trees. Mayor Talerico responded.

Ron Wolner, Industrial Way, explained his desires to become involved with any tree ordinance modifications being proposed. Mayor Talerico responded.

Motion to close the meeting to public comment on the ordinance by C/Jones; seconded by C/East

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

Attorney Bayer read the ordinance by title.

Motion to adopt the ordinance by C/Jones; seconded by C/Araman

Roll Call: AYE - C/East, C/Jones, C/Lucas, C/Araman

ABSTAIN - C/Regan, C/Gindi

ORDINANCE 14-2023 - AN ORDINANCE OF THE BOROUGH OF EATONTOWN CONCERNING TREE REMOVAL AND AMENDING CHAPTER 89 ARTICLE I SECTION 3 AND CHAPTER 307 ARTICLES I AND II

WHEREAS, the Borough Council seeks to update the Borough Code to ensure that it is consistent with N.J.S.A. 40:64-1 through N.J.S.A. 40:64-14 by deleting Chapter 89 Section 3 (c)(3) and amending Chapter 307 Articles I and II of the Code of the Borough of Eatontown; and

WHEREAS, Chapter 89 Section 3 (c)(3) is duplicative of the Tree Removal sections of Chapter 307.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, hereby amends the Borough Code as follows:

Chapter 89 Section 3 (c)(3) is hereby stricken.

Chapter 307-1 through Chapter 307-22 is hereby stricken and amended to read as follows:

- A. Purpose. The Borough Council of the Borough of Eatontown does herein decide and find that the indiscriminate, uncontrolled and excessive destruction, removal and cutting of trees upon lots and tracts of land within the Borough has resulted in increased municipal drainage costs, drainage control costs, and has further caused increased soil erosion, decreased fertility of soil and increased dust, which has deteriorated property values and has further rendered land unfit and unsuitable for the most appropriate use, with the result that there has been and will result in the future a deterioration of conditions affecting the health, safety and general well-being of the inhabitants of the Borough and has caused the passage of this article to regulate and control the indiscriminate and excessive cutting of trees in the Borough.

- B. Definitions. As used in this subsection, the following terms shall have the meanings indicated:

DO NOT PLANT LIST a promulgation of the Shade Tree Commission that identifies trees which are not permissible to be planted as a replacement tree or part of a Planning Board or Zoning Board application. The DO NOT PLANT LIST shall be posted on the Borough webpage, filed with the Zoning Officer and may be amended from time to time. Deviations from

this list are subject to the approval of the Shade Tree Commission or Planning or Zoning Board depending upon the issue being addressed and their respective jurisdiction.

ENVIRONMENTALLY CRITICAL AREAS. An area or feature which is of significant environmental value, including but not limited to wetlands, floodplains, important farm lands, agricultural development areas, steep slopes, endangered or

threatened species and their designated habitats, important aquifer recharge areas, coastal areas, stream corridors, parks and preserves.

PLANTING GUIDE a promulgation of the Shade Tree Commission that identifies trees which are permissible to be planted as a replacement tree. The Planting Guide shall be posted on the Borough webpage, filed with the Zoning Officer and may be amended from time to time. Other trees may be planted which are not included on the list subject to the approval of the Shade Tree Commission or Planning or Zoning Board depending upon the issue being addressed and their respective jurisdiction.

PUBLIC RIGHT-OF-WAY. Any street or road shown upon a map or plan filed in the Monmouth County Clerk's office or on the Official Map of the Borough of Eatontown.

SHRUB. Native or volunteered laurel and wild azaleas having a root crown (the diameter of the trunk just prior to its spreading into roots) of three inches or greater at the soil or surface level.

SITE. Any lot, tract, parcel, or parcels of land within the Borough.

SITE PLAN. A development plan of one or more lots on which is shown: **(1)** The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways; **(2)** The location of all existing and proposed building, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices; **(3)** The location of all existing and proposed soil erosion and sedimentation control measures; **(4)** The location of existing and proposed surface water runoff control measures; and **(5)** Any other information that may be reasonably required in order to make an informed determination with regard to application for approval of site plans.

SUBDIVISION. 1. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this chapter, if no new streets are created: **(a)** Divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the Chairman to be for agricultural purposes where all resulting parcels are five acres or larger in size; **(b)** Divisions of property by testamentary or intestate provisions; **(c)** Divisions of property upon court order including but not limited to judgement of foreclosure; **(d)** Consolidation of existing lots by deed or other recorded instrument; and **(e)** The conveyance of one or more adjoining lots, tracts, or parcels of land owned by the same person or persons and all of which are found and certified by the administrative officer to conform to the requirements of the Borough Municipal Land Use Ordinance and are shown and designated as separate lots, tracts or parcels on the Tax Map of the Borough of Eatontown. **(2)** The term "subdivision" shall also include the term "resubdivision."

TREE. Any of the following living trees having a trunk of a diameter greater than as set forth below, measured at one foot above ground level: **(a)** Deciduous tree: six inches (or circumf. 19 inches). **(b)** Coniferous tree: six inches (or circumf. 19 inches). **(c)** American holly tree (*Ilex opaca*), dogwood (*Cornus florida*), and broadleaf evergreens: one inch.

TREE REMOVAL AND SITE CLEARING PERMIT. A certificate issued by the Zoning Officer of the Borough to remove or destroy trees or shrubs as defined in this subsection.

UNDISTURBED AREA. An area in which trees, shrubs and undercover will not be disturbed by filling, cutting, or by any other means.

- C. Permit requirements. For purposes of this ordinance, all properties will be divided as residential or commercial. Commercial properties shall mean all properties other than residential properties.

a. Commercial Properties:

- i. Tree removal as part of a Site Plan or Subdivision will be referred to the Shade Tree Commission. The Shade Tree Commission may prepare a memorandum to make recommendations to the Planning Board and/or Zoning Board. The Shade Tree Commission shall serve as advisory body to the Planning and Zoning Boards pursuant to N.J.S.A. 40:64-1. The Planning and Zoning Board secretary shall advise the Shade Tree Commission, Environmental Commission, and Fire Prevention Commission of all Site Plan or Subdivision applications.

- ii. Tree removal which is not part of a Site Plan and where the property owner wishes to clear cut vacant land of trees shall be applied for with the Zoning Officer and referred to the Borough Engineer who, after consultation with the Shade Tree Commission, shall determine what may be clear cut. In rendering such a determination, the Borough Engineer may require the applicant to make payment into the tree fund and replant elsewhere on the property. The applicant shall pay monies into escrow in an amount to be determined by the Land Use Administrator for the Borough Engineer to review such an application. The Site Clearing Permit shall be issued by the Zoning Officer. Failure to apply for a Site Clearing Permit is a violations and subject to penalties enforced by the Code Enforcement Officer
- b. Residential Properties:
 - i. Where residential properties are less than one acre and the resident seeks to remove trees on their property:
 - 1. If the tree(s) are on a public easement or right-of-way, referral to the Shade Tree Commission whose process shall be defined below.
 - 2. If the tree(s) are not on a public easement or right-of-way, no municipal approval shall be required.
 - ii. Where residential properties are equal or greater to one acre:
 - 1. If the tree(s) are on a public easement or right-of-way, referral to the Shade Tree Commission whose process will be defined below.
 - 2. If the tree(s) are not on a public easement or right-of-way, referral to the Borough Engineer with the property owner being required to place money into escrow to pay for the Borough Engineer's review, who in consultation with the Shade Tree Commission shall determine what Trees may be cut down, or whether the property owners shall make payment into a tree fund and/or replant elsewhere on the property. In rendering this review, the Shade Tree Commission shall make a clear explanation to address the harm, if any, of clear cutting Trees and drainage issues.
 - iii. Stipulations for all residential properties:
 - 1. If the tree is on a public easement or right-of-way, the Department of Public Works alone has the authority to determine whether the tree is a hazard and in need of pruning or removal. The Department of Public Works shall have the authority to make the decision without consultation with the Shade Tree Commission.
- D. Application Process. Any person seeking to cut or remove trees shall follow the within process:
 - a. Commercial Properties:
 - i. For those applying for Site Plan or Subdivision approval to the Planning Board or Zoning Board, such applications shall be part of the application process.
 - ii. For those seeking a site clearing permit, application shall be made to the Zoning Officer and Land Use Administrator, who must receive an escrow fund payment and survey from the applicant, and who shall work in consultation with the Borough Engineer and the Shade Tree Commission to consider a site clearing plan.
 - b. Residential Properties:
 - i. All residential applications shall be made to the Zoning Officer and Land Use Administrator. The Zoning Officer and Land Use Administrator shall refer the application to the Department of Public Works if the tree is on a public easement or right-of-way. If the tree is on a public easement or right-of-way, the Department of Public Works shall determine if there is an emergent need to remove or cut the tree.
 - ii. If the Department of Public Works determines that there is no emergent need to remove or cut the tree, the resident shall be referred to the Shade Tree Commission for a public hearing.
 - iii. If there is an emergency, and the tree is located on a public easement or right-of-way, the Department of Public Works may act without regard to the Shade Tree Commission. The

Department of Public Works may notify the Shade Tree Commission of any requirements to replant the tree, or, if the land cannot sustain a replacement tree, the resident may pay into the tree fund.

- iv. If there is an emergency, the decision to remove a tree on a public easement or right-of-way shall be delegated to the Department of Public Works.
- E. Shade Tree Commission. The powers, duties, and authorizations of the Shade Tree Commission are set forth in Section 7-12 through 25 of the Code of the Borough of Eatontown.
- F. Fines and Penalties.
 - a. Commercial Properties: All allegations of code violations shall be referred to the Zoning Officer. The Zoning Officer shall determine site plan conformity.
 - i. In consultation with the Borough Engineer, the Zoning Officer shall have the authority to determine if the property is in violation of Site Plan approval.
 - ii. If the property is in violation of Site Plan approval, the property shall be returned to the Planning Board or Zoning Board for resolution.
 - iii. If a violation is found to exist which does not require appearance at the Planning Board or Zoning Board, the matter shall be referred to the Shade Tree Commission, who in conjunction with the Borough Engineer shall recommend replacement trees or payment to the tree fund. Commercial Properties who disagree with this decision may appeal to the Planning or Zoning Board, as appropriate for final resolution.
 - b. Residential Properties: All residential properties whose owners cut a non-hazardous tree without permission shall be subject to the following penalties.
 - i. Trees on a public easement or right-of-way: The owner shall meet with the Shade Tree Commission to determine whether a replacement tree must be planted. If a replacement tree is not plausible due to issues with topography and roots, the owner shall be required to make a payment to the tree fund. Failure to do so will result in a violation of the ordinance and the issuance of a summons to Court by the Code Enforcement Officer.
 - ii. Trees outside a public easement or right-of-way:
 - 1. On properties an acre or larger, the matter shall be referred to the Borough Engineer who, in consultation with the Shade Tree Commission, shall determine the penalty including but not limited to replanting; if replanting is not plausible, a payment to the tree fund shall be made. Failure to do so will result in a violation of the ordinance and the issuance of a summons to Court by the Code Enforcement Officer.
 - 2. On properties measuring less than one acre are not subject to this code section.
- G. Tree Fund. The Borough of Eatontown Tree Fund shall hold funds with which to replace trees on residential and commercial properties throughout the Borough.
 - a. The Shade Tree Commission shall have the authority to cause trees to be planted using funds held in the Tree Fund.
 - b. The Fund shall set aside the following funds for the following tree sizes:
 - i. Small trees, whose height at maturity is under 25 feet: \$150.
 - ii. Medium trees, whose height at maturity is between 25 feet and 40 feet: \$250.
 - iii. Large trees, whose height at maturity is over 40 feet: \$350.

3) Ordinance 15-2023 - An Ordinance Authorizing Donation of Block 401, Lots 10, 11, 129 and 130 to Habitat for Humanity - Public Hearing/Adoption

Attorney Bayer read the ordinance by title. Mayor Talerico explained the ordinance.

Motion to open the meeting to public comment on the ordinance by C/Jones; seconded by C/East

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

No comments were made.

Motion to close the meeting to public comment on the ordinance by C/Jones; seconded by C/East

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

Attorney Bayer read the ordinance by title.

Motion to adopt the ordinance by C/Araman; seconded by C/East

Roll Call: AYE - C/East, C/Regan, C/Jones, C/Gindi, C/Lucas, C/Araman

ORDINANCE 15-2023 - ORDINANCE AUTHORIZING DONATION OF BLOCK 401, LOTS 10, 11, 129, AND 130 TO HABITAT FOR HUMANITY

WHEREAS, the Borough filed a declaratory judgment action captioned In the Matter of the Application of the Borough of Eatontown, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-2522-15 (the "Mt. Laurel Litigation") in July 2015 following the New Jersey Supreme Court's decision in the matter of In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, wherein the Supreme Court directed that municipalities which were before the Council on Affordable Housing, such as the Borough of Eatontown were required to file declaratory judgment actions in the Superior Court to evaluate compliance with their *Mount Laurel* obligations in order to maintain immunity from builder's remedy litigation; and

WHEREAS, the Borough entered into a Settlement Agreement with the Fair Share Housing Center on December 17, 2018 to resolve the Superior Court Litigation, and the Court thereafter entered a Final Third Round Judgment of Repose and Compliance on January 17, 2020 approving the Settlement Agreement with Fair Share Housing Center and immunizing the Borough from builder's remedy litigation through July 1, 2025.

WHEREAS, the Borough is seeking to plan for its Fourth Round affordable housing obligation by donating land to Habitat for Humanity to construct a single family home on Block 401, Lots 10, 11, 129 and 130 (the "Subject Properties") which will be deed restricted as an affordable housing unit available to either a low or moderate income household in conformance with COAH and UHAC regulations.

WHEREAS, the Local Land and Buildings Law, N.J.S.A. 40A:12-21 and the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. authorizes a municipality to sell real property for nominal consideration to a nonprofit organization for the purpose of building residential property for resale for affordable housing purposes; and

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough to donate the Subject Properties for the laudable public purpose of having Habitat for Humanity construct a single family home which will be deed restricted for occupancy by a low or moderate income household in accordance with COAH and UHAC regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves the conveyance of Block 401, Lots 10, 11, 129 and 130 for nominal consideration to Habitat for Humanity.

BE IT FURTHER RESOLVED that the Borough Attorney is hereby directed to negotiate and finalize a Developer's Agreement with Habitat for Humanity for the conveyance of the Subject Properties in accordance with all requirements of law.

BE IT FURTHER ORDAINED, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

4) Ordinance 17-2023 - An Ordinance Amending Chapter 55 "Police Department", Article I "Appointments", Section 55-1 to 55-3 Deleting the Local Residency Requirements for Police Officers - *Public Hearing/Adoption*

Attorney Bayer read the ordinance by title. Mayor Talerico asked Chief Lucia if he had any modifications to the Ordinance. Chief Lucia responded.

Motion to open the meeting to public comment on the ordinance by C/Gindi; seconded by C/Araman

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

No comments were made.

Motion to close the meeting to public comment on the ordinance by C/Gindi; seconded by C/Araman

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

Attorney Bayer read the ordinance by title.

Motion to adopt the ordinance by C/Jones; seconded by C/Gindi

Roll Call: AYE - C/East, C/Regan, C/Jones, C/Gindi, C/Lucas, C/Araman

ORDINANCE 17-2023 - AN ORDINANCE AMENDING CHAPTER 55 "POLICE DEPARTMENT", ARTICLE I "APPOINTMENTS", SECTION 55-1 TO 55-3 DELETING THE LOCAL RESIDENCY REQUIREMENTS FOR POLICE OFFICERS

WHEREAS, New Jersey state law, N.J.S.A. 40A:14-118, allows municipalities to create, establish and regulate a police force as an executive and enforcement function of municipal government; and

WHEREAS, the Borough Council of the Borough of Eatontown adopted Chapter 55 of the Borough Code establishing the Eatontown Police Department and the Police Chief has recommended that the Borough Council amend Chapter 55 which has limiting and outdated residency requirements thereby limiting the pool of available personnel to be qualified and serve as Police Officers.

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough to adopt the recommendation of the Police Chief by expanding the available pool of applicants to serve as Police Officers.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, and State of New Jersey that it hereby amends Chapter 55 Police Department, Article I Appointments, Sections 55-1 to 3 as follows:

(additions are underlined and deletions are ~~stricken~~)

~~Sections 55-1, Waiver of Residence Requirement. From and after the effective date of this article, the residence requirements of N.J.S.A. 40:47-1 et seq. governing the appointment and retention of police officers in the Police Department of the Borough of Eatontown be and the same are hereby waived.~~

~~Section 55-2. Limitations on Appointments of Nonresidents. No person shall be appointed pursuant to this article unless at the time of his appointment there shall be a vacancy in the Police Department which cannot be filled by a qualified resident.~~

~~Section 55-3 Requirements for Non-Resident Applicants~~ Residency Requirements

~~A. No person shall be appointed pursuant to this article unless he/she has is been a resident of the State of New Jersey. and County of Monmouth for a period of at least one year next preceding his appointment and reside within a five-mile radius of the headquarters for the said Police Department.~~

~~B. If an applicant for appointment hereunder is otherwise qualified pursuant to Subsection A above, but does not reside within a five-mile radius of the headquarters for the said Police Department at the time of his appointment, said applicant may be appointed pursuant to this article, provided that he agrees to reside within said five-mile radius within one year from the date of his appointment hereunder.~~

~~C. In the event that said applicant fails to become a resident within said five-mile radius within one year from the date of his appointment, he shall cease to be a member of said Police Department.~~

[Section 55-3 shall be relabeled Section 55-1\.]

BE IT FURTHER ORDAINED, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

5) Ordinance 18-2023 - An Ordinance Amending Chapter 154 "Firearms", Section 154.1 "Discharge of Firearms Restricted" - Public Hearing/Adoption

Attorney Bayer read the ordinance by title. Attorney Bayer explained the Ordinance.

Motion to open the meeting to public comment on the ordinance by C/Jones; seconded by C/Gindi

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

No comment was made.

Motion to close the meeting to public comment on the ordinance by C/Jones; seconded by C/Regan

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

Attorney Bayer read the ordinance by title.

Motion to adopt the ordinance by C/Gindi; seconded by C/Jones

Roll Call: AYE - C/East, C/Regan, C/Jones, C/Gindi, C/Lucas, C/Araman

ORDINANCE 18-2023 - AN ORDINANCE AMENDING CHAPTER 154 "FIREARMS", SECTION 154.1 "DISCHARGE OF FIREARMS RESTRICTED"

WHEREAS, the Borough Code currently contains outdated provisions regarding the use and discharge of firearms; and
WHEREAS, the Police Chief recommends that the Borough Council update the firearms provision of the Borough Code; and
WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough to adopt the recommendation of the Police Chief by updating the Borough Code regarding its firearm provisions.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, and State of New Jersey that it hereby amends Chapter 154 Firearms, Section 154-1 Discharge of Firearms Restricted as follows:

(additions are underlined and deletions are ~~stricken~~)

Section 154-1 Discharge of Firearms Restricted. It shall be unlawful to discharge any rifle, gun, pistol or firearm of any sort, or any air gun, sling shot, bow or cross bow or any other missile projecting device or contrivance within the Borough of Eatontown except as duly authorized by applicable law and the Borough Code.

BE IT FURTHER ORDAINED, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

The meeting was open to the public on agenda items.

No comments were made.

The meeting was closed to public comment on agenda items.

9. BILLS & CLAIMS AND BI-WEEKLY PAYROLL

Motion to approve the bills, claims and bi-weekly payroll by C/Regan; seconded by C/Jones

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

10. NEW BUSINESS

A. CONSENT AGENDA RESOLUTIONS

(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request an item be removed for separate consideration).

- 1) Resolution 109-2023 - Release of Escrow Blk 1304, Lots 4-13, Merchants Retail
- 2) Resolution 110-2023 - Auth. Execution of Agreement with Meghan A. Bennett of Dilworth Paxson, LLP (Bond Counsel)
- 3) Resolution 111-2023 - Requesting Change in Title, Text or Amount of Appropriation Pursuant to NJSA 40A:4-85
- 4) Resolution 112-2023 - Approving Chapter 159, Clean Communities Grant
- 5) Resolution 113-2023 - Approving Objective Selection Criteria for Class 5 Cannabis Retailer License Applications
- 6) Resolution 114-2023 - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (LFRF) *
- 7) Resolution 115-2023 - Renew Targeted IT Contract

Resolution 115-2023 was moved to the June 14, 2023 Regular Council Meeting.

Resolution 113-2023 was held for separate consideration.

Motion to approve Consent Items 1-4 and 6 (Resolutions 109-112 and 114) as a group by C/Gindi; seconded by C/Jones

Roll Call: AYE - C/East, C/Regan, C/Jones, C/Gindi, C/Lucas, C/Araman

RESOLUTION 109-2023 - AUTHORIZING THE RELEASE OF ESCROW FUNDS

WHEREAS, the Zoning Officer has requested release of escrow funds held for Merchants Retail Partners Management LLC (Block 1304, Lots 4-13) for work completed at 97 Highway 35; and

WHEREAS, the Borough Engineer and the Planning and Zoning Department have recommended the release funds held in escrow for Merchants Retail Partners Management LLC in emails of May 17, 2023 and May 4, 2023; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the Escrow funds as follows:

Acct No. 1445

\$2,063.31 (plus any additional interest accrued)

Acct No. 1477

\$0.01 (plus any additional interest)

Acct No. 1423

\$482.82 (plus any additional interest accrued)

Merchants Retail Partner Management LLC at

Block 1304, Lots 4-13, 32-37

97 Highway 35, Eatontown, New Jersey 07724; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Planning/Zoning and the Finance Department.

RESOLUTION 110-2023 - AUTHORIZING THE EXECUTION OF AN AMENDED AGREEMENT WITH MEGHAN ANN BENNETT AS BOND COUNSEL FOR THE BOROUGH OF EATONTOWN

WHEREAS on January 1, 2023, Meghan Ann Bennett of GluckWalrath LLP was appointed as Bond Counsel; and

WHEREAS on June 1, 2023, Meghan Ann Bennett, Esq. of GluckWalrath LLP will become affiliated with the firm of Dilworth Paxson LLP; and

WHEREAS the governing body desires to amend the appointment of Bond Counsel and to enter into an agreement to reflect the affiliation of Meghan Ann Bennett with Dilworth Paxson LLP.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Counsel of the Borough of Eatontown, County of Monmouth, State of New Jersey, as follows:

1. Effective June 1, 2023, Meghan Ann Bennett of the law firm Dilworth Paxson LLP is hereby retained for the provision of bond counsel services for the balance of the one-year term ending December 31, 2023, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on January 1st, 2023, for the calendar year 2023.
2. The Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the execution of a Contract for Bond Counsel Services in a form approved by the Borough Attorney with Meghan Ann Bennett of the law firm of Dilworth Paxson LLP.
3. This resolution shall take effect June 1, 2023.
4. That a certified copy of this resolution shall be forwarded by the Borough Clerk to the Chief Financial Officer and to Meghan Ann Bennett.

RESOLUTION 111-2023 - REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION PURSUANT TO NJSA 40A:4-85

WHEREAS, NJS 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of NJS 40A:4-

85, the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to make the following correction in the 2023 budget:

That the appropriation provided for in the approved budget entitled:

Operations Excluded from CAPS:

Public and Private Programs offset by Revenues, Matching Funds for Grants
be reduced by \$4,000

And the appropriation in the like amount of \$4,000 be added to the budget entitled:

Operations Excluded from CAPS:

Public and Private Programs offset by Revenue, DCA/Rec Individuals with Disabilities - Match

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the Governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Borough of Eatontown for the reasons set forth:

The Borough provided for the possibility of receiving added grant match after adoption of the 2023 budget by providing a line item "Matching Funds for Grants"

The amount of the related match requirement now becoming known after passage of the budget. To accept the DCA/Rec Individuals with Disabilities Grant, legal provision for the required match must be made. The above correction will provide for the said legal provisions.

RESOLUTION 112-2023 - APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY CLEAN COMMUNITIES GRANT

WHEREAS, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Borough of Eatontown has received notice of an award of \$32,211.25 from the State of New Jersey and wishes to amend its 2023 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$32,211.25 to be received from grants as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Clean Communities \$32,211.25

BE IT FURTHER RESOLVED that a like sum of \$32,211.25 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Clean Communities Grant

BE IT FURTHER RESOLVED that the Borough Clerk of the Borough of Eatontown forward two copies of this resolution to the Director of Local Government Services.

RESOLUTION 114-2023 - APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)

WHEREAS, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Borough of Eatontown has received notice of an award of \$8,580.00 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2023 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$10,000 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with

Appropriations:

Downtown Redevelopment Area Plan \$8,580

BE IT FURTHER RESOLVED that a like sum of \$8,580 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Downtown Redevelopment Area Plan

BE IT FURTHER RESOLVED that the Borough Clerk of the Borough of Eatontown forward two copies of this resolution to the Director of Local Government Services.**ITEMS HELD FOR SEPARATE CONSIDERATION****5) Resolution 113-2023** - Approving Objective Selection Criteria for Class 5 Cannabis Retailer License Applications

Motion to adopt item 5 (Resolution 113-2023) by C/Jones; seconded by C/Gindi

Roll Call: AYE - C/East, C/Jones, C/Gindi, C/Lucas, C/Araman

ABSTAIN - C/Regan

RESOLUTION 113-2023 - RESOLUTION APPROVING OBJECTIVE SELECTION CRITERIA FOR CLASS 5 CANNABIS RETAILER LICENSE APPLICATIONS**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" ("the Act") (P.L. 2021, c.16), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and**WHEREAS**, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and**WHEREAS**, the Borough Council adopted Ordinance 19-2021 authorizing no more than two of each Class 1-Cannabis Cultivator facilities, Class 2-Cannabis Manufacturer facilities, Class 3-Cannabis Wholesaler facilities, Class 4-Cannabis Distributor facilities; and three Class-5 Retailer establishments inclusive of the existing Alternative Treatment Center which was deemed to concurrently hold a Class 5 Retail License pursuant to the Act (the "Cannabis Ordinance"), and which also may be amended from time to time to increase the number of Class 5 Retail Licenses and/or the location where such businesses will be permitted.**WHEREAS**, the Borough Council of the Borough of Eatontown received three Class 5 Retailer license applications and it issued Resolutions of Support for two of the three applications with one of the three applicants being disqualified for zoning reasons; and**WHEREAS**, there is litigation pending in the Superior Court of New Jersey-Appellate Division challenging a decision of the Superior Court setting aside the Resolutions of Support previously issued by the Borough Council; and**WHEREAS**, the Cannabis Ordinance states that the "Borough shall develop an objective selection criteria for the issuance of Class 5 retail licenses should the number of license applications exceed the limit noted in the Cannabis Ordinance; and**WHEREAS**, the Borough Council of the Borough of Eatontown believes it is in the best interest to approve an objective selection criteria to evaluate Class 5 Cannabis Retailers in order to facilitate the approval and development of cannabis facilities in Eatontown to bolster the tax revenue derived from such facilities.**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Eatontown that it hereby approves the Eatontown Class 5 Cannabis Grading Criteria to evaluate Class 5 Cannabis Retailer license applications appended hereto.**IT IS FURTHER RESOLVED** that a certified copy of this Resolution shall be provided to the following:

1. Julie Martin, Clerk and Qualified Purchasing Agent
2. William P. Lucia, III, Borough Administrator
3. Andrew Bayer, Borough Attorney

11. REMARKS OF COUNCIL AND CITIZENS

Councilmember Jones thanked everyone for their support regarding the NJ Local Government Week Event and for their attendance on Student Government Day.

Councilmember Regan commented on his involvement in Team Freedom and the different charities they raise money for. Councilmember Regan encouraged everyone to attend the event and/or make a donation.

The meeting was open to the public.

Ron Wolner, a business owner in the Borough of Eatontown, commented on the cannabis ordinance and the modifications the Council are discussing. Mr. Wolner shared a few suggestions. Attorney Bayer commented on the requirements from the state regarding moving to a different building. Mayor Talerico agreed. Councilmember Jones commented regarding the state approval requirement. Mr. Wolner responded. The discussion continued. Councilmember Gindi thanked Mr. Wolner for his continued research.

There being no further comments, the meeting was closed to the public.

12. CLOSED SESSION**A. Resolution 116-2023**

- 1) Potential Litigation – Affordable Housing
- 2) Contract Negotiations – FMERA
- 3) Litigation – Fresh Dispensary V. Borough of Eatontown

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

Attorney Bayer read the resolution into the record.

RESOLUTION 116-2023**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) Potential Litigation – Affordable Housing; 2) Contract Negotiations – FMERA; 3) Litigation – Fresh Dispensary V. Borough of Eatontown

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 May 24, 2023.

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

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

Attorney Bayer explained the possibility of the Council taking action on return to open session.

Council entered Closed Session at 8:49pm

Council returned from Closed Session at 9:54pm

Motion to enter into open session by C/Regan; seconded C/Gindi

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

13. ADJOURNMENT – 9:54pm

Motion to adjourn by C/East; seconded by C/Araman

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



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 06/14/2023

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P.O. Type: All

Range: First to Last

Format: Condensed

Vendors: All

Rcvd Batch Id Range: First to Last

Include Non-Budgeted: Y

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ATS001	SITEONE LANDSCAPE SUPPLY								
		23-01196	05/08/23		open	254.68	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		23-01107	04/24/23	BUNN COFFEE POT DECANter	open	70.89	0.00		
		23-01210	05/09/23	BUILDING DEPT CLIPBOARDS	open	56.95	0.00		
		23-01211	05/09/23	TABLET CASE - BUILDING DEPT	open	26.99	0.00		
						154.83			
ANNAB005	ANNA BARCUME								
		23-01144	05/01/23	MEDICARE REIMBURSEMENT 2023	open	494.70	0.00		
AOC001	ALLIED OIL LLC.								
		23-01103	04/21/23	93 RFG GAS/ETHANOL	open	10,263.93	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		23-01236	05/11/23	LEGAL ADVERTISEMENTS	open	176.00	0.00		B
PS002	ATLANTIC PLUMBING & SUPPLY COR								
		23-01118	04/26/23		open	426.20	0.00		
ASFI001	ATLANTIC SECURITY & FIRE, INC.								
		23-00701	03/06/23		open	278.90	0.00		B
		23-01041	04/14/23		open	2,436.00	0.00		
		23-01123	04/27/23		open	106.52	0.00		
						2,821.42			
ATTM002	AT&T MOBILITY - 287306454448								
		23-01303	05/19/23	BORO/DPW CELL USAGE	open	440.13	0.00		
ATTM003	AT&T MOBILE 287306454309								
		23-01304	05/19/23	BORO/POLICE CELL USAGE	open	2,463.81	0.00		
BBBA001	BROWN & BROWN BENEFITS ADV.								
		23-01217	05/10/23	JUNE 2023 CONSULTING FEE	open	1,500.00	0.00		
BELOP005	BELO PIZZERIA								
		23-00199	01/19/23	FIRE DEPT OPEN FOOD VOUCHER	open	108.00	0.00		B
BOE001	EATONTOWN BOARD OF EDUCATION								
		23-01287	05/17/23	TAX LEVY JUNE 2023	open	1,396,189.50	0.00		
BRUNO001	MATT BRUNO								
		23-01168	05/03/23	WORK BOOT REIMBURSEMENT	open	249.95	0.00		
GG001	GLEARY GIACOBBE ALFIERI & JACO								
		23-01231	05/10/23	MUNICIPAL PROSECUTOR SRVC	open	3,000.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CARLOS01	CARLOS & SON JANITORIAL	23-01117	04/26/23		Open	600.00	0.00		
CGPH001	CGP&H, LLC	23-01204	05/09/23	HOUSING REHABILITATION PROGRAM	Open	292.00	0.00		
		23-01219	05/10/23	ADMINISTRATIVE AGENT SERVICES	Open	525.00	0.00		
						817.00			
COM006	COMCAST BUSINESS	23-01297	05/18/23	BORO MONTHLY INTERNET SERVICE	Open	779.25	0.00		
COMC004	COMCAST	23-01296	05/18/23	LIBRARY ONLINE SERVICES	Open	96.90	0.00		
		23-01321	05/22/23	DPW ONLINE BUSINESS ACCT	Open	314.44	0.00		
						411.34			
CTCF001	CHRISTIANA T C/F CE1/1ST TRUST	23-01137	04/28/23	Lien Redemption #22000025	Open	2,629.85	0.00		
DD001	D&D GLASS	23-01126	04/27/23		Open	265.00	0.00		
DMV001	NJ DIVISION OF MOTOR VEHICLES	23-01159	05/03/23	NEW TITLES/REGISTRATION	Open	120.00	0.00		
		23-01216	05/10/23	NEW TITLE	Open	60.00	0.00		
						180.00			
EAT003	EATONTOWN T.V. AND APPLIANCE C	23-00902	03/28/23		Open	5,398.00	0.00		
ELITE01	ELITE VEHICLE SOLUTIONS	23-00738	03/08/23	Graphics Reflective	Open	350.00	0.00		
EML001	ELECTRONIC MEASUREMENT LAB INC	23-00409	02/13/23	FIRE DEPT MULTIGAS CALIBRATION	Open	144.00	0.00		
FOO001	SAKER SHOPRITES, INC.	23-00774	03/10/23	PRESCHOOL APRIL SNACKS	Open	74.28	0.00		
		23-00775	03/10/23	AFTERCARE APRIL SNACKS	Open	262.41	0.00		
		23-00958	04/05/23	May Bingo Supplies	Open	124.64	0.00		
						461.33			
FSS002	FIRE & SAFETY SERVICES, LTD	23-00306	01/31/23	EMERGENCY FIRE TRUCK REPAIRS	Open	21,126.40	0.00		
FUNSER01	FUN SERVICES	23-01096	04/20/23	Photo Booth and Airbrush Tats	Open	1,400.00	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A	23-01160	05/03/23	POLICE O/S PAY PERIOD 5/12/23	Open	7,584.00	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR	23-00045	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MEYERGRU	MEYER GRUEL & ASSOCIATES, PA								
		23-01008	04/11/23	373 SOUTH HOLD ESCROW #1570	Open	990.00	0.00		
IDONM005	IDON MEDIA NJ, LLC								
		23-01150	05/02/23	#1321 RELEASE ESCROW FUNDS	Open	500.59	0.00		
IMA003	MARCO TECHNOLOGIES, LLC								
		23-01228	05/10/23	DPW YEARLY COPIER LEASE	Open	547.20	0.00		
		23-01229	05/10/23	COMM CTR COPIER YRLY CONTRACT	Open	537.88	0.00		
		23-01230	05/10/23	MAILROOM YRLY COPIER CONTRACT	Open	537.88	0.00		
						1,622.96			
JAMM001	JAMM PRINTING								
		23-01057	04/18/23	SPRING/SUMMER FLYERS	Open	175.00	0.00		
JERS001	JCP&L								
		23-01251	05/12/23	BORO STREET LIGHTING USUAGE	Open	30.27	0.00		
		23-01295	05/18/23	BORO ELECTRIC USUAGE SERVICE	Open	6,867.76	0.00		
		23-01305	05/19/23	BORO ELECTRIC SERVICES	Open	9,464.95	0.00		
						16,362.98			
JGC001	John Guire Supply LLC								
		23-00158	01/18/23	OPEN FOR 2023	Open	161.97	0.00		B
JOHN005	MICHAEL JOHNSON								
		23-01031	04/13/23	REIMBURSEMENT FIRE EXPOSITION	Open	481.50	0.00		
KEPWE005	KEPWE SPRING WATER CO, INC								
		23-00018	01/06/23		Open	34.75	0.00		B
KLEIN1	KENNETH KLEINMAN								
		23-01146	05/01/23	MEDICARE REIMBURSEMENT 2023	Open	230.80	0.00		
KLEINE01	EILEEN KLEINMAN								
		23-01147	05/01/23	MEDICARE REIMBURSEMENT 2023	Open	230.80	0.00		
KORPA005	KORPACZ REALTY ADVISORS, INC								
		23-01139	05/01/23	APPRAISAL/VALUATION MON MALL	Open	3,875.00	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		23-01129	04/28/23	Attendance During 4.24.2023 ZB	Open	450.00	0.00		
		23-01193	05/08/23	DeMarzo ZB2022-24 Escrow #1577	Open	1,450.00	0.00		
						1,900.00			
LEE003	LEES EMERGENCY EQUIPMENT, INC.								
		23-00934	03/31/23	ACCIDENT REPAIRS FIRE TRUCK	Open	14,391.14	0.00		
LEES002	LEE'S GARAGE, INC								
		23-01061	04/18/23	2023 PPV Paint	Open	750.00	0.00		
LCI001	WILLIAM LUCIA								
		23-01203	05/09/23	REIMBURSEMENT FOR ZOOM VIDEO	Open	213.14	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MAT002	MATTHEW WILLIAMS								
		23-01149	05/02/23	ORTHODONTIC REIMBURSEMENT	Open	250.00	0.00		
MAZ003	MAZZA RECYCLING SERVICES INC								
		23-00745	03/08/23	OPEN FOR BULK 2023	Open	6,442.93	0.00		B
		23-01065	04/18/23	MARCH 2023 RECYCLING	Open	368.11	0.00		
						6,811.04			
MCAA016	M.C.A.A.								
		23-01161	05/03/23	2023 MEMBERSHIP JOHN GILLOOLY	Open	200.00	0.00		
MCMAS005	MCMAS CARR SUPPLY COMPANY								
		23-01105	04/24/23		Open	14.31	0.00		
MHH001	MONMOUTH HOSE & HYDRAULICS								
		23-00560	02/15/23	OPEN FOR 2023	Open	11.80	0.00		B
MON002	MONMOUTH BUILDING CENTER								
		23-00054	01/09/23	OPEN FOR 2023	Open	22.09	0.00		B
		23-00559	02/15/23	OPEN FOR 2023	Open	132.22	0.00		B
						154.31			
MRH001	MONMOUTH REGIONAL H.S. BD. OF								
		23-01288	05/17/23	TAX LEVY JUNE 2023	Open	843,146.50	0.00		
MRK001	MR KEYS INC								
		23-00776	03/13/23		Open	295.00	0.00		
MU002	MONMOUTH UNIVERSITY								
		23-01113	04/25/23	FEDERAL WORK STUDY PROGRAM	Open	45.23	0.00		
MYREC005	MYRECDEPT.COM								
		23-01133	04/28/23	My Rec Annual Software Fee Rec	Open	2,800.75	0.00		
		23-01136	04/28/23	MYREC.COM SOFTWARE FEE-ANNUAL	Open	4,764.25	0.00		
						7,565.00			
NJAWC001	NEW JERSEY AMERICAN WATER								
		23-01300	05/19/23	BORO MONTHLY WATER USAGE	Open	1,668.53	0.00		
NJB001	VERIZON								
		23-01252	05/12/23	BORO PHONE MONTHLY USAGE	Open	108.67	0.00		
NJSH001	NJ SHADE TREE FEDERATION								
		23-00948	04/04/23	MUNICIPAL MEMBERSHIPS	Open	95.00	0.00		
OICEAN01	OCEAN TOOLS, LLC								
		23-00845	03/20/23	CREEPER SEAT WITH TR BLACK	Open	305.00	0.00		
OLIVIO05	OLIVIA'S II								
		23-00815	03/15/23	FIRE DEPT FOOD VOUCHER	Open	90.25	0.00		B
		23-01101	04/21/23	FIRE DEPT FOOD/CLEAN-UP MTG	Open	110.70	0.00		B
						200.95			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TOOL005	O'TOOLE SCRIVO, LLC								
		23-01112	04/25/23	LABOR COUNSEL FEES	Open	927.50	0.00		
OUT003	OUTSTANDING SERVICE CO., INC.								
		23-01064	04/18/23	CHECK TANKS WATER AND CONTAMIN	Open	111.90	0.00		
PASHSTEI	PASHMAN STEIN WALDER HAYDEN								
		23-01205	05/09/23	MARCH 2023-GENERAL	Open	16,763.50	0.00		
		23-01206	05/09/23	MARCH 2023-RETAINER	Open	1,541.66	0.00		
		23-01207	05/09/23	MARCH 2023-TAX APPEALS	Open	4,010.00	0.00		
		23-01208	05/09/23	MARCH 2023-MONMOUTH MALL	Open	1,627.50	0.00		
						23,942.66			
PAY003	LOUISE M. PAYNE								
		23-01145	05/01/23	MEDICARE REIMBURSEMENT 2023	Open	318.64	0.00		
POORJ005	POOR JOHN'S PORTABLE TOILETS								
		23-01098	04/21/23	Bike Rodeo May 7 portapotti	Open	258.00	0.00		
PROCA006	PRO CAP 8, LLC								
		23-01125	04/27/23	Lien Redemption 22000010	Open	5,558.03	0.00		
		23-01260	05/15/23	Lien 22000027 Redemption	Open	2,844.60	0.00		
						8,402.63			
JB005	PUBLIC WORKS ASSOC OF NEW JERS								
		23-00331	02/03/23	2023 REGISTRATION 4/19/23	Open	40.00	0.00		
REP001	REPUBLIC SERVICES								
		23-01199	05/09/23	RESIDENTIAL RECYCLING	Open	74,872.63	0.00		
REPT001	REPUBLIC SERVICES								
		23-01195	05/08/23	RECYCLING 3/31/23	Open	41,606.97	0.00		
RHELF005	R. HELFRICH & SON CHARTER BUS								
		23-01114	04/25/23	AC TRIP MAY BUS	Open	950.00	0.00		
RICOH005	RICOH USA, INC								
		23-01322	05/22/23	FINANCE MONTHLY COPIER LEASE	Open	166.75	0.00		
SCH001	T&M ASSOCIATES								
		21-01755	08/06/21	INDUSTRIAL WAY WEST	Open	752.00	0.00		B
		21-02119	09/17/21	ENVIRONMENTAL INVESTIGATION	Open	764.03	0.00		B
		21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	4,377.50	0.00		B
						5,893.53			
SCO001	SCALES FLOORSHINE IND.								
		23-00919	03/28/23	PROLINK MANUAL PINK HAND SOAP	Open	375.25	0.00		
		23-00947	04/03/23		Open	600.40	0.00		
						975.65			
EAVID005	SEA VIEW AUTO CORP								
		23-00840	03/20/23	OPEN FOR 2023	Open	377.05	0.00		B

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
STA001	STAVOLA CONTRACTING CO. INC.								
		23-00325	02/01/23	OPEN FOR 2023	Open	298.50	0.00		B
STAP003	STAPLES ADVANTAGE								
		23-01140	05/01/23	ADMIN/MAYOR OFFICE SUPPLIES	Open	141.99	0.00		
		23-01254	05/12/23	FIRE DEPT OFFICE SUPPLIES	Open	41.37	0.00		
		23-01255	05/12/23	FINANCE OFFICE SUPPLIES	Open	139.18	0.00		
		23-01256	05/12/23	RECREATION OFFICE SUPPLIES	Open	120.62	0.00		
						443.16			
STEP001	STEPHEN L. GREEN TRAILERS								
		23-01043	04/14/23	10 TON 3 AXLE TRAILER 36000 LB	Open	20,000.00	0.00		
TARGE005	TARGETED TECHNOLOGIES, LLC								
		23-01270	05/15/23	POLICE IT MONTHLY SERVICES	Open	3,996.50	0.00		
		23-01271	05/15/23	BORO IT MONTHLY SERVICES	Open	7,162.13	0.00		
		23-01272	05/15/23	BORO QUATERLY DOMAIN SERVICE	Open	300.00	0.00		
						11,458.63			
THYG001	SENIORIZE WITH CORINNE, LLC								
		23-00190	01/19/23	SENIOR CTR CARDIO CORE CLASS	Open	350.00	0.00		B
TREAS005	TREASURER, STATE OF NJ DCA								
		23-01238	05/11/23	LICENSE RENEWAL - CONSENTINO	Open	91.00	0.00		
TSI001	TSI INCORPORATED								
		22-01130	05/16/22	FIRE DEPT CALIBRATION CONTRACT	Open	2,100.00	0.00		
UGIEN005	UGI ENERGY SERVICE, LLC								
		23-01292	05/18/23	BORO MONTHLY NATURAL GAS USE	Open	1,942.26	0.00		
VERIZ005	VERIZON - ALBANY								
		23-01253	05/12/23	BORO FIBEROPTIC SERVICES	Open	808.14	0.00		
WCE001	WIRELESS ELECTRONICS INC								
		23-00753	03/08/23	Radio Cable & Removal	Open	839.34	0.00		
WWG010	W.W. GRAINGER, INC.								
		23-00371	02/07/23		Open	855.89	0.00		B
		23-00839	03/20/23		Open	877.32	0.00		
		23-00991	04/10/23		Open	821.42	0.00		B
						2,554.63			

Total Purchase Orders: 116 Total P.O. Line Items: 0 Total List Amount: 2,563,335.86 Total Void Amount: 0.00

Totals by Year-Fund

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	2,100.00	0.00	2,100.00	0.00	0.00	2,100.00
CURRENT FUND:	3-01	2,511,268.26	0.00	2,511,268.26	0.00	0.00	2,511,268.26
GENERAL CAPITAL F	C-04	22,266.03	0.00	22,266.03	0.00	0.00	22,266.03
GRANT FUND	G-02	5,777.50	0.00	5,777.50	0.00	0.00	5,777.50
	T-15	19,433.48	0.00	19,433.48	0.00	0.00	19,433.48
	T-17	2,490.59	0.00	2,490.59	0.00	0.00	2,490.59
Year Total:		21,924.07	0.00	21,924.07	0.00	0.00	21,924.07
Total of All Funds:		2,563,335.86	0.00	2,563,335.86	0.00	0.00	2,563,335.86