

**Regular Meeting
Borough of Eatontown Governing Body
Wednesday, September 27, 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 7:33pm, noting the Borough's compliance with the Open Public Meetings Act

1. ROLL CALL

PRESENT: Mayor Anthony Talerico, Jr.,
Councilmembers Mark Regan, Jr., Meir Araman, Jackie Severinsen
ALSO PRESENT: Attorney Bayer, Borough Clerk Martin
LATE ARRIVAL: Councilmember Danielle M. Jones
ABSENT: Council President Virginia M. East, David Gindi, Interim Administrator Lucia
The Flag Salute was held during workshop.

2. APPROVAL OF MINUTES

A. Workshop/Regular Meeting/Closed Session – 9/13/2023

Motion to approve the minutes by C/Regan; seconded by C/Severinsen

Voice Vote: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

3. COMMUNICATIONS

- A. Borough of Tinton Falls, Ordinance 2023-1507 - Updating Regulations for Farms & Agricultural Uses
- B. Borough of West Long Branch, Ordinance 0-23-13 - Impervious Surface Definition
- C. Borough of West Long Branch, Ordinance 0-23-14 - Residential Overlay Zone
- D. Bohler Engineering, Freshwater Wetlands Line Verification - 990 & 1000 Shrewsbury Ave., Tinton Falls
- E. Two Rivers Reclamation Authority - Authorizing Advertisement for Rate Hearing

Motion to accept communications A-E by C/Regan; seconded by C/Araman

Voice Vote: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

4. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico reported that on September 19th, he attended the Community Center's lunch, on September 20th, he attended the FMERA meeting and was appointed as the Vice-Chair of FMERA, and on September 26th, he met with a resident from Wall Street that is looking for their curb to be replaced and no parking signs. Mayor Talerico further reported that on September 27th, he attended the EZ Ride's Annual Recognition Event.

5. REPORTS OF COMMITTEES

A. PARKS & RECREATION - Council President East

Council President East was absent; therefore, Mayor Talerico provided the report. Mayor Talerico reported that Parks and Recreation's Community Day is October 7th from 1pm-5pm and reported on their next meeting. Mayor Talerico further reported that the Historical Committee will have the Museum open Sunday, October 1st from 1pm-4pm for the Open House, reported on the Halloween celebration on October 12th, 13th, and 14th from 6:30pm-8:30pm, and reported on the next meeting of the Historical Committee.

B. EMERGENCY SERVICES - Councilmember Regan, Jr.

Councilmember Regan reserved his report.

C. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones was absent; therefore, Mayor Talerico provided the report. Mayor Talerico reported on the meetings of the Finance and Ordinance Committee, the Cannabis Regulatory Commission, the Board of Education, the Community

Center, the Library Board of Trustees, the Traffic Advisory Committee, and the Youth Committee. Mayor Talerico then reported on upcoming events.

D. PUBLIC WORKS & INSURANCE - Councilmember Gindi

Councilmember Gindi was absent; therefore, Mayor Talerico provided the report. Mayor Talerico reported on the Complete Streets Committee's hosting of the Harvest Moon Walk on September 29th at 8pm at Gerry Tarantolo Park.

E. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman

Councilmember Araman had no report.

F. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Severinsen

Councilmember Severinsen reported on the next meeting of the Tenants Rights Committee, then reported on Beautify Eatontown's next meeting and upcoming events.

6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia was absent, therefore had no report.

8. OLD BUSINESS

There was no old business before Council.

9. 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.

10. BILLS & CLAIMS AND BI-WEEKLY PAYROLL

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

Voice Vote: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

11. NEW BUSINESS

A. ORDINANCE INTRODUCTION

1. Ordinance 27-2023 - An Ordinance Establishing the Borough as a Film Ready Municipality Creating a New Section of the Borough Code, Section 252 Entitled "Filming" - *First Reading/Introduction (Public Hearing 10/11/23)*

Attorney Bayer read the ordinance by title. The public hearing will be held on 10/11/23.

Attorney Bayer explained the Zoning Officer's proposed changes and if introduced, will be done with the changes. Mayor Talerico provided an explanation of the ordinance. Councilmember Araman asked if the Borough wrote this ordinance, or if this is a standard ordinance. Mayor Talerico and Attorney Bayer responded.

Motion to introduce the ordinance by C/Araman; seconded by C/Severinsen

Roll Call: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

ORDINANCE 27-2023 - AN ORDINANCE ESTABLISHING THE BOROUGH AS A FILM READY MUNICIPALITY CREATING A NEW SECTION OF THE BOROUGH CODE, SECTION 252 ENTITLED FILMING

WHEREAS, the New Jersey Motion Picture and Television Commission ("NJMP TVC"), which falls under the New Jersey Department of State's Business Action Center, promotes film and television production in New Jersey and serves as a resource for production companies.

WHEREAS, NJMP TVC established a *Film Ready New Jersey* 5-step certification and marketing program that educates municipalities on the basics of motion picture and television production and enables municipalities to effectively accommodate on location filming and market their communities as filming destinations and which sets basic standards for attracting filmmaking and positions the state as a top production destination.

WHEREAS, the "film-ready" designation provides an elevated platform for certified communities to promote themselves as filming destinations and connects film and TV professionals with skilled and knowledgeable liaisons across the state, who

can provide local expertise and support to create easier, faster, and better access to nearby resources and location information.

WHEREAS, the Borough Council believes it is in the best interest of its residents to adopt a Film Ready ordinance in order to obtain the NJMPTVC Certification and to attract opportunities to the Borough and its constituents related to the growing film industry throughout New Jersey.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, that it hereby creates Chapter 152 "Filming", of the Borough Code is hereby created which will read as follows:

Section 252-1: Definitions.

FILMING: The taking of still or motion pictures, either on film or videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in theaters, for institutional uses, over the internet, or on any other medium. The provisions of this chapter shall not be deemed to include the filming of news stories within the Borough. Filming includes all rehearsals, preparations, assembly and dismantling of all equipment and structures, including, but not limited to, scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures, and food.

MOTION PICTURE: Any film which is financed and/or distributed by a motion picture studio.

PUBLIC LANDS: Any and every public street, highway, sidewalk, square, public park or playground or any other public place within or owned by the Borough which is within or owned by the Borough which is within the jurisdiction and control of the Borough.

TELEVISION SERIES: A series of programs or shows to be aired on television or any other platform, such as streaming or on the internet.

Section 252-2. Permit Required.

A. No person or organization shall film or permit filming within the Borough of Eatontown without first having obtained a permit from the Zoning Officer, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference today or dates. No permit shall authorize filming for more than three consecutive days in any one location, and in no event shall filming at one location within the Borough exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching this six-day maximum. This six-day limitation may be extended only if the filming requested constitutes a major motion picture or television series. Said permit must be readily available for inspection by Borough officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the Zoning Officer during normal business hours. Applications for such permits shall be in a form approved by the Zoning Officer and be accompanied by a permit fee in the amount set forth herein below.

C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Borough Zoning Officer may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

Section 250-3. Criteria for issuance of permits.

A. No permit will be issued by the Zoning Officer unless applied for at least ten days prior to the requested shooting date; provided, however, that the Zoning Officer may waive the ten day period if, in the Zoning Officer's judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

B. No permit shall be issued for filming upon public lands unless the applicant shall provide the Borough with satisfactory proof of the following:

1. Certificate of insurance specifically naming the Borough of Eatontown as an additional insured, providing general liability, bodily injury, and property damage coverage with minimum limits of liability not less than \$1,000,000 combined single limit. Said certificate shall state that "the issuing company shall mail 30 days' written notice to the certificate holder named, certified mail return receipt."

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Borough of Eatontown from any and all liability, expense, claim or damages resulting from the use of public lands.
 3. The posting of a cash or surety bond of \$500 in favor of the Borough to ensure that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all ordinances, laws and regulations will be followed. Within seven days of the completion of the filming, the Borough will return the bond if there has been no damage to public property or public expense caused by the filming.
 4. The hiring of an off-duty Eatontown police officer for the times indicated on the permit.
- C. The holder of the permit shall take all reasonable steps to minimize interference with the passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Eatontown Police Department with respect thereto.
- D. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activities on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Zoning Officer, said objections to form a part of the applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Zoning Officer within two days of the requested shooting date.
- E. Filming in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m., provided that all requests for night scenes shall be approved in the permit to be granted in accordance with the provisions of Subsection H hereinbelow. The setup, production and breakdown required for all filming shall be included in the hours as set forth herein.
- F. The Zoning Officer may refuse to issue a permit whenever the Zoning Officer determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Borough agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare. Further, the Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.
- G. Any person aggrieved by a decision of the Zoning Officer denying or revoking a permit or a person requesting relief pursuant to Subsection (F) may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk. An appeal from the decision of the Zoning Officer shall be filed within 10 days of the Zoning Officer's decision. The Mayor and Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Mayor and Council shall be in the form of a resolution supporting, reversing, or modifying the decision of the Zoning Officer at the first regularly scheduled public meeting of the Mayor and Council after the hearing on the appeal, unless the appellant agrees, in writing, to a later date for the decision.
- H. The Zoning Officer may authorize filming other than during the hours described herein. In determining whether to allow an extension of time under this subsection, the Zoning Officer shall consider the following factors:

1. Traffic congestion at the location caused by vehicles parked on the public streets;
2. Applicant's ability to remove film-related vehicles off the public streets;
3. When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;
4. Nature of the film shoot itself, e.g., indoor, or outdoor, day or night; and
5. Prior experience of the film company/applicant with the Borough, if any.

I. Copies of the approved permit shall be sent to the Police, Fire Departments and First Aid before filming takes place and to the New Jersey Film Commission. The applicant shall permit members of the Police Department, Fire Department, Fire Prevention Bureau, Department of Public Works or other Borough officers or inspectors to access the site for such purposes as may be necessary or appropriate. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Borough inspectors.

J. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue that the Borough was prevented from earning because of filming calculated by the appropriate Department Head and providing this information to the Zoning Officer.

K. Special regulations for major motion pictures and television series.

1. When filming is requested with respect to a major motion picture or television series, the duration of such filming shall not exceed six consecutive days in duration.
2. Any days necessary to be used for setup and preparation for a major motion picture or television series filming may, in the discretion of the Borough Zoning Officer, be counted as a filming day where setup is anticipated to involve one or more of the factors set forth in Subsection H hereinabove.

L. An applicant requesting permission to film on Borough property or in a Borough building shall, in addition to a filming permit application, file a facilities use permit application. Except as provided hereinbelow, such an application shall require approval of the Mayor and Council. The Mayor and Council shall have sole discretion to grant or deny the application and shall have the authority to impose such terms and conditions as the Mayor and Council deem appropriate. Notwithstanding the foregoing, if there is no Mayor and Council meeting between the time the application is filed and the anticipated filming date(s), the Borough Administrator may grant an application for a one-day filming event provided it is approved by the Zoning Officer, the Police Chief and the Superintendent of Public Works, or their respective designees, and the Director of Recreation.

Section 250-4. Fees.

The schedule of fees for the issuance of permits authorized by this chapter is as follows:

A. Filming permit application fee: \$200. Where an applicant requests a waiver of the provision of Subsection A of § 250-3 requiring expedited processing of the permit application, the application fee shall be \$400. The application fee for nonprofit applicants filming for educational purposes shall be \$25.

B. In addition to the filming permit application fee, a daily filming fee as follows:

1. For motion picture, television series or commercial: \$3,000 per day;
2. For all other filming, except as provided in Subsection B(3) below: \$500 per day;
3. For nonprofit applicants filming for educational purposes: no fee.

C. Fire Prevention Fees: \$250.00 per day for Fire Truck and \$35 per hour for 4 firefighters per day, if required, at the discretion and as required by the Fire Official.

Section. 250-5 Violations and penalties.

Where the owner of the premises is not the applicant for a permit required by this chapter, both the owner and the applicant shall each be liable for violations hereof. Any persons violating this chapter or these rules and regulations, upon conviction thereof, shall be punished by a fine not exceeding \$2,000 per day or by imprisonment in the county jail for a

term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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 provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective;

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 28-2023 - An Ordinance Amending Chapter 250 of the Borough Code Concerning Vacant and Abandoned Properties and Reducing the Risk of Blight – **First Reading/Introduction (Public Hearing 10/11/23)**

Attorney Bayer read the ordinance by title. The public hearing will be held on 10/11/23.

Mayor Talerico explained the ordinance.

Motion to introduce the ordinance by C/Araman; seconded by C/Severinsen

Roll Call: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

ORDINANCE 28-2023 - AN ORDINANCE AMENDING CHAPTER 250 OF THE BOROUGH CODE CONCERNING VACANT AND ABANDONED PROPERTIES AND REDUCING THE RISK OF BLIGHT

WHEREAS, the State of New Jersey has enacted legislation, Assembly Bill Number A2877 (the "Act"), concerning problems for communities associated with vacant and abandoned properties; and

WHEREAS, the Act empowers municipalities to enact ordinances to address potential problems to the community associated with vacant and abandoned properties; and

WHEREAS, the Borough Council believes it is in the best interest of the residents to amend the Borough Code pursuant to the Act and address potential problems to the community associated with vacant and abandoned properties;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, that Chapter 250 "Property Maintenance", of the Borough Code is hereby amended as follows:

Deleted text is shown with a strikethrough: ~~delete~~.

Inserted text is shown in brackets: [inserted].

Instructions are shown in *italics*.

[§ 250-8 Definitions and word usage.

A. Definitions. The following terms, wherever used herein or referred to in this Chapter, shall have the respective meanings assigned to them, unless a different meaning clearly appears from the context:

VACANT AND ABANDONED PROPERTY – any residential or commercial building which is not legally occupied by a mortgager or tenant, which is in such a condition that it cannot be legally reoccupied, and at which at least two of the following conditions exists:

- (1) Overgrown or neglected vegetation; (2) The accumulation of newspapers, circulars, flyers, or mail on the property;
- (3) Disconnected gas, electric, or water utility services to the property; (4) The accumulation of hazardous, noxious, or unhealthy substances or materials on the property; (5) The accumulation of junk, litter, trash, or debris on the property; (6) The absence of window treatments such as blinds, curtains, or shutters; (7) The absence of furnishings and personal items; (8) Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned; (9) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired; (10) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked; (11) A risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property; (12) An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied; (13) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing; (14) A written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (15) Any other reasonable indicia of abandonment.

OWNER - Any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without accompanying actual possession thereof, or shall have charge, care or control of any dwelling or dwelling unit as owner or agent of the owner, or as fiduciary, including but not limited to: executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate, or as a mortgagee in possession regardless of how such possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling or dwelling unit shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by said lessee.

AGENT or MANAGING AGENT - The individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner by this chapter. If the owner provides no such designation, the owner shall be considered the agent or managing agent. In any event, the owner shall be responsible for any acts or omission by the designated agent. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey as those terms are defined by the N.J.S.A. 45:15- 3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey if such person designated by the owner as his agent is so licensed. When used in Chapter, the Agent, Managing Agent and/or Operator may be the same person.

OPERATOR - Any person who has charge, care or control of a premises or a part thereof, whether with or without the knowledge and consent of the owner.

§ 250-9 General Requirements

- A. Except as provided in § 250-9E, the owner of any vacant and abandoned property, as defined herein, shall, within 60 days after the building becomes vacant property file a registration statement for each such vacant property with the Director of the Department of Land Use on forms provided by that Director of the Department of Land Use for such purposes.
- B. The owner shall be required to renew the registration annually as long as the property remains vacant and abandoned property and shall pay a registration or renewal fee in the amount prescribed in § 250-16 of this article for each vacant property registered.
- C. The owner shall notify the Director of the Department of Land Use within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Director of the Department of Land Use for such purpose.
- D. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the property.
- E. This chapter shall not apply to property owned by the federal government of the United States, or any of its agencies or instrumentalities.

§ 250-10 Registration statement requirements; property inspection.

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide access to the Borough to conduct an exterior and interior inspection of the building to determine compliance with the Borough Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.
- B. The registration statement shall include the name, address, email address and telephone number of a natural person 21 years of age or older, designated by the owner as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner in connection with the enforcement of any applicable code. This person must maintain an office in the State of New Jersey or reside within the State of New Jersey. The statement shall also include the name, address and telephone number of the person responsible for maintenance and security of the property, if different. The owner may designate the agent or managing agent as defined herein, or operator as defined herein.
- C. An owner who is a natural person and who meets the requirements of this article as to location of residence or office may designate himself or herself as agent.

- D. By designating an authorized agent under the provisions of this section, the owner consents to receiving any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered vacant property by service of the notice or process upon the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Director of the Department of Land Use of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this article.

250-11 Requirements for owners and authorized agents of vacant property.

Except as provided in § 250-9E, the owner or authorized agent of any property that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall, within 30 days thereof:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Borough Code or as set forth in rules and regulations supplementing the codes; and
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to § 250-10 of this chapter), and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a location so as to be readable from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches by 24 inches; and
- C. Continue to secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.

§ 250-12 Creditor responsibility.

A. A creditor as defined under N.J.S.A. 40:48-2.12s(2)(d) and/or N.J.S.A. 40:48-2.12s(3)(i) and filing a summons and complaint in an action to foreclose upon a property that is vacant and abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the property. This obligation applies whether the determination that the property is vacant and abandoned is made by the public officer pursuant to the provisions of this article, pursuant to the provisions of N.J.S.A. 2A:50-73, or otherwise.

B. A creditor filing a summons and complaint in an action to foreclose on any property located within the Borough shall register the subject property with the Borough's property registration system as a property in foreclosure by filing a registration statement with the Director of the Department of Land Use on the forms provided for such purposes. In connection with registering the property to be foreclosed upon, pursuant to N.J.S.A. 46:10B-51, the creditor shall submit a written notice to the Director of the Department of Land Use that a summons and complaint has been filed against the property. The notice shall include the street address, lot and block number of the subject property, the date the summons and foreclosure complaint were filed, the court in which the action was filed, the docket number, and whether the property is vacant and abandoned. The notice must also contain the full name, address and telephone number of the lender who is responsible for receiving complaints concerning property maintenance and code violations; and the full name and contact information for any person or entity retained by the lender to be responsible for any care, maintenance, upkeep and security for the property.

C. If there is any change in name, address or telephone number for a representative agent, or individual authorized to accept service on behalf of a creditor required to be provided in a notice pursuant to this Chapter following the filing of the summons and complaint, the creditor shall provide notice the Director of the Department of Land Use as soon as possible, but no later than ten (10) from the date of any change in such information.

D. Any lender or creditor that has initiated a commercial foreclosure proceeding to foreclose upon property located within the Borough must provide the Director of the Department of Land Use with a list of all commercial properties in the Borough for which the lender has foreclosure actions pending.

E. If the property subject to the foreclosure action is vacant and abandoned property at the time the summons and complaint are filed, the creditor filing a summons and complaint shall register the property with the Borough pursuant to this Chapter. If the property subject to the foreclosure proceedings becomes vacant and abandoned during the pendency of the action, the creditor filing the summons and complaint shall be responsible for updating the Borough's property registry to reflect the change in status of the subject property.

F. If the property subject to the foreclosure action is vacant and abandoned or becomes vacant and abandoned during the pendency of the action, the creditor who filed the foreclosure action shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the Borough's property registration program. In addition to the responsibilities set forth in this Chapter, the creditor's minimum responsibilities under this Section shall also include, but are not limited to, securing the property against unauthorized entry, posting a sign affixed to the inside of the property that is visible to the public indicating the name, address and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving process, and acquiring and otherwise maintaining liability insurance by procuring a vacancy policy covering any damage to any person or any property caused by any physical condition on the property while registered with the property registration program.

G. Any creditor required to register a property under this Section shall pay an initial registration fee of \$500 per property and \$500 for each subsequent year the foreclosure action is pending. If the property is vacant and abandoned as defined by Section 250-8 when the action to foreclose is filed or becomes vacant and abandoned at any time thereafter while the foreclosure action is pending, there shall be an additional registration fee of \$2,000 per property. The creditor shall thereafter pay an annual vacant and abandoned registration fee of \$2000 during the pendency of the foreclosure.

§ 250-13 Notice to creditor; time to correct violations.

- A. If the public officer, or other authorized municipal official, determines that a creditor obligated to care, maintain, secure, and upkeep a vacant and abandoned property has failed to do so in violation of the provisions of this article, the public officer or other authorized municipal official, shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute proof that a property is "vacant and abandoned" for purposes of Section N.J.S.A. 2A:50-73 of the Fair Foreclosure Act.
- B. A creditor subject to this article found by a court of competent jurisdiction to be in violation of the requirement to correct a care, maintenance, security or upkeep violation cited in a notice issued pursuant to this subsection shall be subject to a fine of \$1,500 for each day that the violation continues. Such fine shall commence 31 days following the creditor's receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fine shall commence 11 days following the creditor's receipt of the notice.
- C. If the Borough expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to this Section, but failed to abate the nuisance or correct the violation as directed, the Borough shall have the same recourse against the creditor as it would against a title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100.

§ 250-14 Designated representative of out-of-state creditor; violation.

In the event the creditor that has filed a summons and complaint in an action to foreclose on a commercial property is located out-of-state, the notice required by § 250-12 shall also contain the full name, address and telephone number of an in-State representative or agent who shall be responsible for the care, maintenance, security and upkeep of the exterior of the property in the event the property becomes vacant and abandoned. An out-of-state creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500 for each day of the violation commencing on the 11th day after the foreclosure complaint is served, as set forth in N.J.S.A. 46:10B-51.

§ 250-15 Registry of vacant and abandoned property and properties subject to foreclosure proceedings.

The Code Enforcement Office will maintain a registry of vacant and abandoned property and properties subject to foreclosure proceedings that tracks the history and plan of action developed by Borough Administration for alleviating such conditions. The registry of [vacant and] abandoned property and properties subject to foreclosure proceedings will be available for public inspection. The Borough Council will receive the current registry of vacant and abandoned property and properties subject to foreclosure proceedings along with the Mayor's proposed budget so that the Council shall have the ability to allocate funds for that year to alleviate those conditions where possible.

§ 250-16 Fee Schedule.

- A. For vacant and abandoned properties being registered by the owner:

Vacant Property Registration	Fee Schedule
Initial registration and annual renewal without maintenance or code violations	\$250
The first renewal if any property maintenance or code violations that existed at the time of the previous	\$500

registration remain unabated at the time of renewal or if there is a new such violation on the property that remains unabated at the time of renewal.

Any subsequent renewal if any property maintenance or code violations that existed at the time of the previous renewal remains unabated at the time of renewal or if there is a new such violation on the property that remains unabated at the time of renewal. \$750

B. For vacant and abandoned properties being registered by a creditor:

Vacant Property Registration Fee Schedule

Initial registration	\$500
Any subsequent renewal	\$2,500

§ 250-17 Administration.

The Director of the Department of Land Use may issue rules and regulations for the administration of the provisions of this article concerning vacant and abandoned property.

§ 250-18 Violations and penalties.

A. Any owner or authorized agent who is not in full compliance with this article or who otherwise violates any provision of this article or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500 and not more than \$1,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this article shall be recoverable from the owner and shall be a lien on the property.]

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 provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective;

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.

3. Ordinance 29-2023 - Commercial Deliveries (permitted times) - First Reading/Introduction (Tabled to 10/11/23)

Attorney Bayer explained the need to table this ordinance. Tabled to 10/11/2023.

Motion to table the ordinance by C/Regan; seconded by C/Araman

Roll Call: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

B. 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 199-2023** - Auth. Municipal Clerk/Purchasing Agent to Advertise RFPs, 2024 Borough Professionals
- 2) **Resolution 200-2023** - Appointment to Certain Boards and Committees (Tenants Rights & Community Center)
- 3) **Resolution 201-2023** - Auth. Purchase of Shade Structure/Installation, 80 Acres through ESCNJ Co-Op (\$21,659.53)
- 4) **Resolution 202-2023** - Auth. Purchase of Firefighter Protective Equip/Clothing through State Contract (\$21,133.10)
- 5) **Resolution 203-2023** - Auth. Purchase of Elgin Pelican Street Sweeper through Sourcewell (\$298,132.30)
- 6) **Resolution 204-2023** - Auth. Purchase of Ventrac Multi-Use Mower through Sourcewell (\$43,998.45)
- 7) **Resolution 205-2023** - Supporting Installation of Traffic Signal (Broad Street/Wyckoff Road)
- 8) **Resolution 206-2023** - Auth. Bid Opportunity, 2023 PD Chevrolet Tahoe's
- 9) **Resolution 207-2023** - Auth. Change Order 1 & Final, Industrial Way West Improvements, Phases 2 & 3

Resolutions 207-2023 was held for separate consideration.

Motion to approve Consent Items 1-8 (Resolutions 199-206) as a group by C/Araman; seconded by C/Severinsen

Roll Call: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT - C/East, C/Jones, C/Gindi

RESOLUTION 199-2023 - AUTHORIZING MUNICIPAL CLERK/PURCHASING AGENT TO ADVERTISE RFP'S FOR 2024 BOROUGH PROFESSIONALS

WHEREAS, Chapter 57, Section 2 of the Borough Code establishes annual advertisements for professional position; and
WHEREAS, notice will be published in the Asbury Park Press and on the NJ League of Municipalities Website on Tuesday, October 24, 2023, and the NJ League of Municipalities Website for receipt of proposals on Tuesday, November 21, 2023.
Now, Therefore, Be It Resolved the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Municipal Clerk/Purchasing Agent is hereby authorized to advertise requests for proposals per Chapter 57, Section 2 on Tuesday, October 24, 2023, with receipts of proposals on Tuesday, November 21, 2023.

RESOLUTION 200-2023 - AUTHORIZE APPOINTMENT TO CERTAIN BOARDS AND COMMITTEES

BE IT RESOLVED that the following Borough Committee appointments for the Borough of Eatontown, as made by the Mayor, are hereby confirmed:

TENANTS RIGHTS

MEMBER Cordelia Golden
TERM: 9/27/23 to 12/31/23

COMMUNITY CENTER ADVISORY

MEMBER Cordelia Golden
TERM: 9/27/23 to 12/31/23

RESOLUTION 201-2023 - AUTHORIZING THE PURCHASE AND INSTALLATION OF SHADE STRUCTURE 80 ACRES PARK FROM ESCNJ CO-OP CHALLENGER PARK

Whereas, the Recreation Department has made a request to purchase a Shade Structure for 80 Acres Park; and
Whereas, the Borough Council reviewed the request of the Recreation Director; and
Whereas, the funds were generously donated by the Eatontown Lions Club and several others who will be recognized at the conclusion of the project; and
Whereas, the Recreation Director found pricing and availability for the aforementioned purchase under The Educational Services Commission of New Jersey Cooperative Purchasing System, Contract #06 65 MCESCCPS, Bid# ESCNJ 20/21; and
Whereas, the Purchasing Agent has reviewed the findings of the Recreation Director; and
Whereas, it is the recommendation of the Purchasing Agent and the Recreation Director that this equipment be purchased from Marturano Recreation Co., Spring Lake, NJ, under the ESCNJ Cooperative Purchasing System for a total amount not to exceed \$21,659.53).
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Purchasing Agent is hereby authorized to make the following purchase: Shade Structure and Installation from Marturano Recreation Co., Spring Lake, NJ under the Education Services Commission of New Jersey Cooperative Purchasing System (Contract #06 65 MCESCCPS, Bid # ESCNJ 20/21) for an amount not to exceed \$21,659.53.
Be It Further Resolved a certified copy of this resolution be forwarded to the Recreation Department, Marturano Recreation Co. and Chief Financial Officer.

RESOLUTION 202-2023 - AUTHORIZING PURCHASE OF FIREFIGHTER PROTECTIVE EQUIPMENT/CLOTHING THROUGH STATE CONTRACT 17-FLEET-00819 – EATONTOWN FIRE DEPT.

WHEREAS, there is a need to purchase Firefighter Protective Equipment/Clothing for the Borough of Eatontown Fire Department.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Eatontown, County of Monmouth State of New Jersey that the Borough of Eatontown Fire Department is hereby authorized to purchase from New Jersey Fire Equipment Company for protective equipment/clothing through State Contract #17-FLEET-00819 in an amount not to exceed \$21,133.10.
BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Chief Financial Officer, Fire Department and New Jersey Fire Equipment Company.

RESOLUTION 203-2023 - AUTHORIZING THE PURCHASE OF ELGIN PELICAN STREET SWEEPER THROUGH SOURCEWELL PURCHASING SYSTEM - DPW

Whereas, the Department of Public Works have indicated to the Governing Body the need to purchase a Street Sweeper; and

Whereas, the Borough Council reviewed the need of the Public Works Department and concurred that the Street Sweeper is needed; and

Whereas, the Superintendent of Public Works found pricing and availability for the aforementioned purchase under the Sourcewell Purchasing System, Contract #093021-ELG; and

Whereas, the Purchasing Agent has reviewed the findings of the Public Works Department; and

Whereas, it is the recommendation of the Purchasing Agent and Superintendent of Public Works that this equipment be purchased from W. E. Timmerman Co., Inc, Whitehouse, NJ under the Sourcewell Purchasing System for an amount not to exceed \$298,132.30.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Purchasing Agent is hereby authorized to purchase an Elgin Pelican Street Sweeper from W. E. Timmerman Co., Inc., Whitehouse NJ under the Sourcewell Purchasing System (Contract #09302-ELG, Membership #28004) for an amount not to exceed \$298,132.30.

Be It Further Resolved a certified copy of this resolution be forwarded to the Department of Public Works, W. E. Timmerman Co., Inc. and Chief Financial Officer.

RESOLUTION 204-2023 - AUTHORIZING THE PURCHASE OF VENTRAC TRACTOR THROUGH SOURCEWELL PURCHASING SYSTEM - DPW

Whereas, the Department of Public Works have indicated to the Governing Body the need to purchase a Tractor; and

Whereas, the Borough Council reviewed the need of the Public Works Department and concurred that the Tractor is needed; and

Whereas, the Superintendent of Public Works found pricing and availability for the aforementioned purchase under the Sourcewell Purchasing System, Contract #031121-TTC; and

Whereas, the Purchasing Agent has reviewed the findings of the Public Works Department; and

Whereas, it is the recommendation of the Purchasing Agent and Superintendent of Public Works that this equipment be purchased from Storr Tractor Company, Somerville, NJ under the Sourcewell Purchasing System for an amount not to exceed \$43,998.45.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Purchasing Agent is hereby authorized to purchase a Ventrac Tractor from Storr Tractor Company, Somerville, NJ under the Sourcewell Purchasing System (Contract #031121-TTC, Membership #28004) for an amount not to exceed \$43,998.45.

Be It Further Resolved a certified copy of this resolution be forwarded to the Department of Public Works, Storr Tractor Company and Chief Financial Officer.

RESOLUTION 205-2023 - SUPPORTING INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF STATE ROUTE 71 (BROAD STREET) AND COUNTY ROUTE 547 (WYCKOFF ROAD) IN THE BOROUGH EATONTOWN

WHEREAS, due to traffic safety concerns, the Borough of Eatontown requested the assistance of the County of Monmouth in conducting a traffic engineering investigation to determine if the installation of a traffic signal is warranted at the intersection of State Route 71 (Broad Street) and County Route 547 (Wyckoff Road), in the Borough of Eatontown; and

WHEREAS, County of Monmouth has completed an investigation in accordance with Federal and State standards, and has determined the safety and operation of the intersection may be improved by the installation of a traffic signal; and

WHEREAS, since the subject intersection is located on a State Highway, the decision to install a traffic signal is under the exclusive jurisdiction of the New Jersey Department of Transportation; and

WHEREAS, the County of Monmouth is forwarding a recommendation to the New Jersey Department of Transportation that a final study and determination be made for the installation of a traffic signal at the intersection of State Route 71 (Broad Street) and County Route 547 (Wyckoff Road); and

WHEREAS, the Borough of Eatontown believes that the installation of a traffic signal would greatly reduce traffic congestion and benefit motorist safety for the citizens of Eatontown and the general traveling public.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Eatontown herein expresses its full support for the installation of a traffic signal at the intersection of State Route 71 (Broad Street) and County Route 547 (Wyckoff Road) and believes it to be vital to the reducing congestion and improving motorist, bicyclist and pedestrian safety at the intersection.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Monmouth County Board of County Commissioners and Joseph M. Ettore-Monmouth County Engineer.

RESOLUTION 206-2023 - AUTHORIZING BID OPPORTUNITY BE ADVERTISED FOR TWO (2) 2023 CHEVROLET TAHOE'S 4X4 PPV POLICE VEHICLES

WHEREAS, it is the desire of the Borough of Eatontown to advertise a bid opportunity for the purchase of Two (2) 2023 Chevrolet Tahoe's for the Eatontown Police Department; and

WHEREAS, bid specifications have been reviewed by the Eatontown Police Department and the Qualified Purchasing Agent and will be available in the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Eatontown, Monmouth County, New Jersey, hereby authorizes a notice to bidders be published and advertised in order to seek the purchase and delivery of such vehicles.

ITEMS HELD FOR SEPARATE CONSIDERATION

9) Resolution 207-2023 - Auth. Change Order 1 & Final, Industrial Way West Improvements, Phases 2 & 3

Mayor Talerico explained the Borough Engineer has calculated a dollar amount and still needs a certification of funds.

Attorney Bayer explained the resolution would be approved subject to a certification from the CFO for sufficient funds.

Motion to adopt item 9 (Resolution 207-2023) by C/Araman; seconded by C/Regan

Roll Call: AYE - C/Regan, C/Araman, C/Severinsen

ABSENT – C/East, C/Jones, C/Gindi

RESOLUTION 207-2023 - AUTHORIZING CHANGE ORDER NO. 1 AND FINAL PAYMENT TO MECO, INC. FOR THE INDUSTRIAL WAY WEST ROADWAY IMPROVEMENTS PHASES 2 & 3

WHEREAS, pursuant to resolution 249-2022 on November 15, 2022, the Borough of Eatontown (the "Borough") authorized the award of a contract for the Industrial Way West Improvements Project (the "Project") to MECO, Inc., in an amount not to exceed \$604,443.50 (the "Project") in accordance with New Jersey's Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. ("the Contract");

WHEREAS, the Borough Engineer, has recommended the approval of Change Order No. 1 and Final Payment, dated September 12, 2023, to the aforementioned Project; and

WHEREAS, this contract change yields a total net cost increase of \$55,767.92; and

WHEREAS, Mecco, Inc. has posted a two year maintenance bond in favor of the Borough in the amount of \$165,052.85 via Bond No. HICNE-25-187-0018; and

WHEREAS, the final payment for the contract with Mecco, Inc. for the Industrial Way West Roadway Improvements Project Phases 2 & 3 is for \$150,742.94.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Eatontown that Change Order No. 1 and Final Payment for the Industrial Way West Roadway Improvements is hereby approved, subject to certification of funds by the Borough's Chief Financial Officer.

7. HEARING – BOARDING HOUSE/ROOMING HOUSE – SAFE HARBOR, LLC

Attorney Bayer swears in Amy Jengo and Donald Jengo. Mayor Talerico asked what name the sober living facility is owned and operated under. Mr. Jengo responded. Mayor Talerico asked where the facility is located. Mr. Jengo responded. Mayor Talerico asked Mr. Jengo since last year if he has received any code violations. Mr. Jengo responded. Mayor Talerico asked if Mr. Jengo has the affidavits of publication. Mr. Jengo responded. Attorney Bayer explained they advertised one day short. Attorney Bayer reviewed the ordinance regarding the publication dates and explained the council can approve the resolution conditioned on waiving the one-day advertisement. Mayor Talerico further explained to the applicants. Mayor Talerico asked the applicants if they had received any complaints from the State of New Jersey. Mr. Jengo responded. Mayor Talerico explained the process to the new council members since the applicants last hearing. Attorney Bayer explained the reasoning the ordinance was enacted. Attorney Bayer asked Mr. Jengo how many residents there are versus how many are permitted. Mr. Jengo responded. Attorney Bayer asked if the number of occupants was maintained throughout the past year. Mr. Jengo responded. Councilmember Araman asked if there are any known issues with the surrounding neighbors. Mr. Jengo responded. Mayor Talerico explained the Borough is not aware of any code violations or issues with the facility.

Mayor Talerico opened the meeting to the public on the hearing only.
No comments were made.
Mayor Talerico closed the meeting to the public.

RESOLUTION 209-2023 - RESOLUTION AUTHORIZING THE LICENSE RENEWAL TO SAFE HARBOR SOLUTIONS, LLC TO OPERATE A COOPERATIVE SOBER LIVING RESIDENCE

WHEREAS, the Borough Council adopted Ordinance 23-2021 amending Section 106 of the Borough Code (the "Ordinance") requiring rooming or boarding houses including Cooperative Sober Living Residences to be licensed by the Borough Council of the Borough of Eatontown in accordance with the standards set forth in the Ordinance ; and

WHEREAS, Safe Harbor Solutions, LLC ("Safe Harbor") located at 275 Broad Street (the "Property") is an existing Cooperative Sober Living Residence ("CSLR") licensed by the New Jersey Department of Community Affairs, Bureau of Rooming and Boarding House Standards before the adoption of the Ordinance; and

WHEREAS, the Borough Council conducted a hearing and thereafter adopted Resolution 200-2022 approving and issuing a license to Safe Harbor to operate a Cooperative Sober Living Residence at 275 Broad Street in Eatontown from October 1, 2022 through September 30, 2023; and

WHEREAS, Safe Harbor filed an Application for renewal of its Boarding House and Rooming House License to continue operate a CSLR at the Property from October 1, 2023 through September 30, 2024; and

WHEREAS, the Application was reviewed by Fire Prevention, Housing, Zoning/Code Enforcement Bureau and the Police Department and all Departments/Divisions within the Borough recommended approval of the Application to the Borough Council; and

WHEREAS, the Borough Council conducted a public hearing on September 27, 2024 on Safe Harbor's license renewal application and Safe Harbor's representatives appeared before the Council and premised upon the information supplied at the public hearing and a review of Safe Harbor's License Application including the recommendations from within the Borough's Departments and Divisions, the Borough Council believes it is in the best interest of its residents to approve and issue a renewal of Safe Harbor's License to operate a Cooperative Sober Living Residence at the Property subject to providing the Borough with proof of insurance and the posting of a performance/surety bond as required by the Ordinance

WHEREAS, Safe Harbor provided the Borough Clerk with the required proof of insurance and the posting of a performance/surety bond as required by the Ordinance for the purpose of relocating its residents to other suitable facilities in the event that its license is subsequently revoked, or its license renewal is denied.

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 and authorizes the issuance of a License to Safe Harbor Solutions, LLC to operate a Cooperative Sober Living Residence at 275 Broad Street, Eatontown of Eatontown from October 1, 2023 through September 30, 2024.

BE IT FURTHER RESOLVED a copy of this Resolution shall be forwarded to the following:

1. Safe Harbor Solutions, LLC
2. William P. Lucia, III, Interim Administrator

Councilmember Jones arrived at the meeting at 8:05pm.

Attorney Bayer explained the approval will be subject to an affidavit of publication from the Asbury Park Press, any received rejections in writing prior to the next council meeting and the review of the insurance certificate.

Motion to approve the license by C/Severinsen; seconded by C/Araman

Voice Vote: AYE - C/Regan, C/Araman, C/Severinsen

ABSTAIN - C/Jones

ABSENT - C/East, C/Gindi

12. REMARKS OF COUNCIL AND CITIZENS

There were no remarks from the council.

The meeting was open to the public.

Pete Maggen, Toms River, NJ, asked if he can check up on his cannabis application. Attorney Bayer and Councilmember Jones responded. Mr. Maggen expressed his concerns about some of the CRC rules. Councilmember Jones responded. There being no further comments, the meeting was closed to the public.

13. ADJOURNMENT – 8:11pm

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

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



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 NJS 47:3-15 *et seq* and approved by the State Records Committee. Audio is available on the Borough website.
Approval 10/11/2023

September 26, 2023
10:19 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All

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

Range: First to Last

Format: Condensed

Vendors: All

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
4IMP001	4 IMPRINT USA								
		23-01403	06/02/23	SUMMER CAMP/COMMUNITY DAY 2023	Open	1,698.42	0.00		
ALER002	ALERT-ALL CORP.								
		23-02096	09/05/23	FIRE PREVENTION WEEK SUPPLIES	Open	4,572.00	0.00		
ALLE002	ALLEGRA								
		23-02088	09/01/23	KM Business Cards	Open	315.00	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		23-02035	08/24/23	HOLE TEAM TARP	Open	470.01	0.00		
		23-02042	08/24/23	PHILCO PORTABLE BLUETOOTH	Open	157.56	0.00		
						627.57			
AMAZ005	AMAZON.COM #A3898AWA7QWVMO								
		23-02085	08/31/23	CD sleeves	Open	29.85	0.00		
		23-02170	09/13/23	Community Day Supplies	Open	119.92	0.00		
						149.77			
AMER004	AMERICAN WEAR								
		23-02078	08/30/23	AUGUST 2023 REGULAR CLEANING	Open	394.10	0.00		
AMER001	AMERIFLEX BUSINESS SOLUTIONS								
		23-00950	04/04/23	FSA/COBRA ADMIN FEES 2023	Open	115.00	0.00		B
AOC001	ALLIED OIL LLC.								
		23-01284	05/17/23	DYED DIESEL	Open	8,130.44	0.00		
		23-02050	08/25/23	93 RFG GAS/ETHANOL	Open	5,823.59	0.00		
		23-02059	08/28/23	DYED ULSD	Open	8,354.89	0.00		
		23-02065	08/28/23	DYED ULSD	Open	3,419.36	0.00		
						25,728.28			
APP002	GANNETT-NJ NEWSPAPERS								
		23-01945	08/10/23	LEGAL ADVERTISEMENTS	Open	87.12	0.00		B
APS002	ATLANTIC PLUMBING & SUPPLY COR								
		23-01631	06/30/23		Open	229.30	0.00		B
ASFI001	ATLANTIC SECURITY & FIRE, INC.								
		23-01240	05/12/23		Open	1,605.00	0.00		
ATS001	ATLANTIC TREE EXPERTS CO.								
		23-02068	08/29/23	37 LEWIS - REMOVAL	Open	4,200.00	0.00		
TM002	AT&T MOBILITY - 287306454448								
		23-02259	09/19/23	BORO MONTHLY CELL PHONE USAGE	Open	438.81	0.00		

September 26, 2023
10:19 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ATTM003	AT&T MOBILE 287306454309								
		23-02235	09/18/23	BORO MONTHLY CELL PHONE USUAGE	Open	2,604.62	0.00		
AUTO001	AUTO PARTS CENTER								
		23-00373	02/07/23	OPEN FOR 2023 - OILS/LUBES	open	113.16	0.00		B
		23-01764	07/18/23	OPEN FOR 2023	Open	154.50	0.00		B
						267.66			
AVAKL001	LEON AVAKIAN, INC								
		23-02136	09/08/23	16-20 whalepond Escrow #1487	Open	1,280.00	0.00		
		23-02137	09/08/23	128-130 wyckoff Escrow #1520	Open	1,450.00	0.00		
						2,730.00			
AXONE005	AXON ENTERPRISE, INC								
		22-02112	09/16/22	Fleet 3 ALPR Integration Fee	Open	3,000.00	0.00		
BBBA001	BROWN & BROWN BENEFITS ADV.								
		23-02160	09/11/23	OCTOBER 2023 CONSULTING FEE	Open	1,500.00	0.00		
BELOP005	BELO PIZZERIA								
		23-01905	08/07/23	FIRE DEPT- FOOD VOUCHER	Open	128.92	0.00		B
BOE001	EATONTOWN BOARD OF EDUCATION								
		23-02076	08/30/23	TRANSPORTATION FACILITY OPERAT	Open	93.62	0.00		
		23-02182	09/14/23	TAX LEVY OCTOBER 2023	Open	1,449,051.50	0.00		
						1,449,145.12			
CAG001	CLEARY GIACOBBE ALFIERI & JACO								
		23-02208	09/18/23	MUNICIPAL PROSECUTOR SERVICES	Open	3,000.00	0.00		
CARLS005	CARLS FENCING DECKING & HOME								
		23-01896	08/07/23		open	1,804.00	0.00		
CGPH001	CGP&H, LLC								
		23-02158	09/11/23	HOUSING REHABILITATION PROGRAM	Open	3,200.00	0.00		
		23-02159	09/11/23	HOUSING REHABILITATION PROGRAM	Open	151.20	0.00		
						3,351.20			
CHERT005	CHERT THOMAS								
		23-02080	08/30/23	EYEGLOSS REIMBURSMENT	Open	148.00	0.00		
COM006	COMCAST BUSINESS								
		23-02233	09/18/23	BORO MONTHLY INTERNET SERVICES	Open	779.25	0.00		
COMC004	COMCAST								
		23-02206	09/18/23	LIBRARY ONLINE BUSINESS SERV	Open	193.80	0.00		
		23-02303	09/25/23	PUBLIC WK ONLINE BUSINESS SRVC	Open	314.44	0.00		
						508.24			
DELAG01	DE LAGE LANDEN FINANCIAL INC								
		23-02265	09/20/23	MAILROOM COPIER LEASE	Open	146.85	0.00		

September 26, 2023
10:19 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DELAG01	DE LAGE LANDEN FINANCIAL INC			Continued					
		23-02266	09/20/23	COMMUNITY CTR COPIER LEASE	Open	146.85	0.00		
						293.70			
DILW001	DILWORTH PAXSON								
		23-02106	09/06/23	PROFESSIONAL SERVICES RENDERED	Open	3,820.00	0.00		
		23-02157	09/11/23	PROFESSIONAL SERVICES RENDERED	Open	6,739.65	0.00		
						10,559.65			
DOREE005	DOREEN ERNDL								
		23-02089	09/01/23	ORTHODONTIC REIMBURSEMENT	Open	1,500.00	0.00		
ECLE001	EAST COAST LIGHTING & ENERGY L								
		23-01982	08/17/23		Open	579.80	0.00		B
FOO001	SAKER SHOPRITES, INC.								
		23-02018	08/23/23	AFTERCARE SEPTEMBER SNACKS	Open	255.82	0.00		
		23-02019	08/23/23	PRESCHOOL SEPTEMBER SNACKS	Open	75.44	0.00		
		23-02037	08/24/23	SEPTEMBER BIRTHDAY LUNCHEON	Open	107.30	0.00		
		23-02038	08/24/23	SEPTEMBER BINGO SUPPLIES	Open	48.84	0.00		
		23-02039	08/24/23	SEPTEMBER SNACKS	Open	23.56	0.00		
						510.96			
GEN001	GENERAL CODE PUBLISHERS CORP.								
		23-02177	09/13/23	RECORDS AND INFORMATION CLASS	Open	108.00	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-02167	09/13/23	PAY PERIOD 9-15-23 O/S DETAIL	Open	7,347.00	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR								
		23-00045	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B
GM001	G&M TROPHY CO, INC								
		23-02092	09/01/23	5K Race Awards	Open	485.25	0.00		
		23-02134	09/08/23	Retirement Plaque J. Rolly	Open	110.00	0.00		
						595.25			
GPC001	GENUINE PARTS COMPANY INC								
		23-01917	08/08/23	SUPPLIES/PARTS	Open	1,287.64	0.00		
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		23-00134	01/17/23	OPEN FOR 2023	Open	66.21	0.00		B
HOMED01	HOME DEPOT/6035322538819545								
		23-02020	08/23/23	72 QT STORAGE BOX	Open	115.98	0.00		
INTEG010	INTEGRATED SYSTEMS & SERV INC								
		23-01933	08/10/23		Open	797.00	0.00		
INTER010	INTERACTION INSIGHT CORP								
		23-01922	08/08/23	2023 Maintenance & Warranty	Open	1,675.00	0.00		

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JERS001	JCP&L								
		23-02204	09/18/23	BORO ELECTRIC SERVICES	Open	25.56	0.00		
		23-02245	09/19/23	BORO MONTHLY ELECTRIC USUAGE	Open	9,752.37	0.00		
		23-02264	09/20/23	BORO MASTER ELECTRIC USUAGE	Open	9,894.79	0.00		
						19,672.72			
JFWL001	JOSEPH FAZZIO-HOWELL, LLC								
		23-00308	01/31/23	OPEN FOR 2023 - COMPOST TRUCK	Open	232.58	0.00		B
		23-01934	08/10/23	OEM SUPPLIES QUOTE#23064342	Open	761.72	0.00		
						994.30			
JGC001	John Guire Supply LLC								
		23-01465	06/09/23	OPEN FOR 2023	Open	346.10	0.00		B
JSPOT01	JOHNNY ON THE SPOT, LLC								
		23-01760	08/10/23	STARNDARD TEMP RESTROOM SERVIC	Open	94.50	0.00		
KATHL005	KATHLEEN MUSCILLO								
		23-02174	09/13/23	Legal Advertisement Reimburse	Open	101.37	0.00		
KBS001	K.B.D. SUPPLY LLC								
		23-00297	01/30/23		Open	216.44	0.00		B
KEPWE005	KEPWEL SPRING WATER CO, INC								
		23-00018	01/06/23		Open	62.15	0.00		B
KLEIN1	KENNETH KLEINMAN								
		23-02212	09/18/23	MEDICARE REIMBURSEMENT 2023	Open	461.60	0.00		
KLEINE01	EILEEN KLEINMAN								
		23-02214	09/18/23	MEDICARE REIMBURSEMENT 2023	Open	461.60	0.00		
LAN001	LANIGAN ASSOCIATES, INC.								
		22-00232	01/24/22	Uniform Purchases	Open	298.00	0.00		B
		23-01301	05/19/23	Uniform Purchases 2023	Open	1,112.00	0.00		B
						1,410.00			
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		23-02169	09/13/23	Starbucks Escrow # 1590	Open	900.00	0.00		
LERET005	LERETA								
		23-02193	09/15/23	REFUND OVERPAY EX VETERAN	Open	2,680.74	0.00		
MAZ003	MAZZA RECYCLING SERVICES INC								
		23-02117	09/06/23	RESIDENTIAL RECYCLING	Open	440.16	0.00		
MAZ004	MAZZA MULCH								
		23-01798	07/24/23	OPEN FOR 2023	Open	4,080.00	0.00		B
MCPA001	MONMOUTH COUNTY POLICE ACADEMY								
		23-01974	08/16/23	SLEO II Academy Training	Open	3,000.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MHH001	MONMOUTH HOSE & HYDRAULICS								
		23-00560	02/15/23	OPEN FOR 2023	Open	165.84	0.00		B
MON002	MONMOUTH BUILDING CENTER								
		23-00559	02/15/23	OPEN FOR 2023	Open	120.88	0.00		B
		23-01171	05/04/23		Open	508.72	0.00		B
		23-01391	05/30/23	OPEN FOR 2023	Open	33.47	0.00		B
						663.07			
MRH001	MONMOUTH REGIONAL H.S. BD. OF								
		23-02183	09/14/23	TAX LEVY OCTOBER 2023	Open	926,785.00	0.00		
NJAWC001	NEW JERSEY AMERICAN WATER								
		23-02247	09/19/23	BORO MONTHLY WATER USAGE	Open	3,992.44	0.00		
NJB001	VERIZON								
		23-02205	09/18/23	BORO MONTHLY PHONE SERVICES	Open	108.80	0.00		
NJDL003	NJ DEPT OF LABOR & WORKFORCE D								
		23-02184	09/14/23	FEDERAL UI BENEFIT CHARGES	Open	2,348.50	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		23-01849	08/01/23	PEERS AC ANNUAL CONFERENCE	Open	70.00	0.00		
		23-01851	08/01/23	PEERS AC ANNUAL CONFERENCE	Open	70.00	0.00		
		23-02161	09/12/23	2023 NJSLOM Convention	Open	300.00	0.00		
		23-02163	09/12/23	JOB POSTING-FT MECHANIC	Open	115.00	0.00		
						555.00			
NJN001	NJ NATURAL GAS CO.								
		23-02304	09/25/23	BORO MONTHLY GAS USAGE	Open	1,028.58	0.00		
NJRPA005	NJRPA								
		23-02181	09/13/23	Fall Training Workshop	Open	130.00	0.00		
NOR002	NORTHWIND MECHANICAL SYSTEMS								
		23-00700	03/06/23		Open	2,395.71	0.00		B
OLIVI005	OLIVIA'S II								
		23-01101	04/21/23	FIRE DEPT FOOD/CLEAN-UP MTG	Open	72.69	0.00		B
		23-02143	09/08/23	AUGUST TRAINING EVENT BALANCE	Open	17.01	0.00		
						89.70			
PETRO02	PETRO KING SERVICE								
		23-02004	08/21/23	8/7/23 CHECK CALIBRATION	Open	548.54	0.00		
PMCA5005	PMC ASSOCIATS								
		23-02086	09/01/23	Cradle Point Renewal	Open	3,271.68	0.00		
POORJ005	POOR JOHN'S PORTABLE TOILETS								
		23-00673	03/01/23		Open	732.00	0.00		B
QAUTO01	QUALITY AUTO GLASS, INC.								
		23-01915	08/08/23	WINSHIELF GREEN TINT/BLUE SHAD	Open	295.32	0.00		

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
REPT001	REPUBLIC SERVICES						
23-02115	09/06/23	AUGUST 2023 TONNAGE	Open	22,660.03	0.00		
23-02240	09/19/23	AUGUST 2023 RECYCLING TONNAGE	Open	7,111.44	0.00		
				29,771.47			
RHELF005	R. HELFRICH & SON CHARTER BUS						
23-02104	09/06/23	September AC Bus Trip 9/11/23	Open	950.00	0.00		
RICOH005	RICOH USA, INC						
23-02258	09/19/23	FINANCE MONTHLY LEASE COPIER	Open	166.75	0.00		
RJ001	R&J CONTROL, INC						
23-02014	08/23/23		Open	1,075.00	0.00		
ROBER005	ROBERTS AND SONS INC						
23-00055	01/09/23	OPEN FOR 2023	Open	345.00	0.00		B
RRR001	R&R RADAR, INC						
23-02067	08/29/23	Repair DSR Radar Unit	Open	191.50	0.00		
RUTG099	RUTGERS CONTINUING STUDIES GOV						
23-02178	09/13/23	INFORMATION & RECORDS MANAGEMEN	Open	653.00	0.00		
SCH001	T&M ASSOCIATES						
23-01981	08/16/23	128-130 WYCKOFF ESCROW #1520	Open	388.00	0.00		
23-02274	09/21/23	FMRA WATER PHASE 4 ESCROW#1598	Open	24,932.35	0.00		
				25,320.35			
SEA001	SEABOARD FIRE & SAFETY EQUIPME						
23-00590	02/21/23		Open	345.00	0.00		B
23-01857	08/02/23	FIRE DEPARTMENT SUPPLIES	Open	120.00	0.00		
				465.00			
SEA002	SEABOARD WELDING SUPPLY, INC.						
23-01608	06/28/23	OPEN FOR 2023	Open	222.50	0.00		B
SEAVI005	SEA VIEW AUTO CORP						
23-01765	07/18/23	OPEN FOR 2023	Open	374.70	0.00		B
SEC002	THYSSSEN KRUPP ELEVATOR						
23-02166	09/13/23		Open	645.00	0.00		
SIC003	STANDARD INSURANCE COMPANY INC						
23-02192	09/15/23	SEPTEMBER TRUCK & HOSE	Open	310.63	0.00		
23-02200	09/15/23	SEPTEMBER 2023 PREMIUM	Open	2,903.74	0.00		
				3,214.37			
SPCA001	MONMOUTH COUNTY SPCA						
23-02126	09/07/23	BORO ANIMAL CONTROL SERVICES	Open	2,025.00	0.00		
STA001	STAVOLA CONTRACTING CO, INC.						
23-01104	04/24/23	OPEN FOR 2023	Open	1,115.70	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TA001	STAVOLA CONTRACTING CO. INC.	Continued							
23-01884	08/04/23	OPEN FOR 2023	Open			1,637.86	0.00		B
						2,753.56			
STAP003	STAPLES ADVANTAGE								
23-02099	09/05/23	COMM CTR OFFICE SUPPLIES	Open			368.81	0.00		
23-02202	09/18/23	BUILDING OFFICE SUPPLIES	Open			658.65	0.00		
23-02203	09/18/23	CLERK OFFICE SUPPLIES	Open			193.43	0.00		
						1,220.89			
TARGE005	TARGETED TECHNOLOGIES LLC								
23-01407	06/02/23	POLICE IT SERVICES 2023	Open			3,996.00	0.00		B
23-01408	06/02/23	BORO IT SERVICES 2023	Open			7,452.00	0.00		B
						11,448.00			
TEAM003	TEAM LIFE								
23-02069	08/29/23	AED SILVER LEVEL RENEWAL	Open			280.00	0.00		
THYG001	SENIORCIZE WITH CORINNE, LLC								
23-02100	09/05/23		Open			200.00	0.00		
TRILI005	TRI-LIFT NJ, INC								
23-02045	08/25/23	LUBRICANT, CH	Open			361.61	0.00		
RIUS001	TRIUS, INC								
23-00061	01/09/23	OPEN FOR 2023	Open			335.14	0.00		B
TURF001	TURF TRADE								
23-00608	02/23/23	OPEN FOR 2023	Open			808.20	0.00		B
USPS002	US POSTAL SERVICE								
23-02201	09/18/23	REPLENISH MAILROOM FUNDS	Open			5,000.00	0.00		
VBFO01	VERIZON BUSINESS FIOS								
23-02238	09/18/23	FIREHOUSE FIOS/INTERNET ACCT	Open			421.24	0.00		
VERIZ005	VERIZON - ALBANY								
23-02260	09/19/23	BORO FIBEROPTIC SERVICES	Open			808.94	0.00		
WAR001	WARSHAUER ELECTRIC SUPPLY CO. I								
23-00013	01/06/23		Open			303.88	0.00		B
WWG010	W.W. GRAINGER, INC.								
23-01417	06/05/23		Open			241.19	0.00		B
Total Purchase Orders: 132 Total P.O. Line Items: 0 Total List Amount: 2,602,322.72 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	3,298.00	0.00	3,298.00	0.00	0.00	3,298.00
CURRENT FUND:	3-01	2,560,085.16	0.00	2,560,085.16	0.00	0.00	2,560,085.16
GENERAL CAPITAL F	C-04	797.00	0.00	797.00	0.00	0.00	797.00
GRANT FUND	G-02	1,698.42	0.00	1,698.42	0.00	0.00	1,698.42
	T-15	10,698.20	0.00	10,698.20	0.00	0.00	10,698.20
	T-17	25,745.94	0.00	25,745.94	0.00	0.00	25,745.94
Year Total:		36,444.14	0.00	36,444.14	0.00	0.00	36,444.14
Total of All Funds:		2,602,322.72	0.00	2,602,322.72	0.00	0.00	2,602,322.72