

**Regular Meeting
Borough of Eatontown Governing Body
Wednesday, September 11, 2024**

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 8:17pm, noting the Borough's compliance with the Open Public Meetings Act

1. ROLL CALL

PRESENT: Mayor Anthony Talerico, Jr., Council President Virginia M. East
Councilmembers Danielle M. Jones, David Gindi (by phone), Meir Araman, Carl Lawson, Candace M. Faust

ALSO PRESENT: Attorney Bayer, Deputy Borough Clerk Muscillo

ABSENT: Interim Administrator Lucia

The Flag Salute was held during workshop.

2. APPROVAL OF MINUTES

A. Workshop/Regular Meeting/Closed Session – 08/28/2024

Motion to approve the amended minutes by C/Gindi; seconded by C/Araman

Voice Vote: AYE - C/Gindi, C/Araman, C/Lawson, C/Faust

ABSTAIN - C/East, C/Jones

3. COMMUNICATIONS

A. Deed Notice, Lowe's Home Center (Blk 1401, Lot 11)

B. Notice to Property Owners - Zoning Board Variance Application for 10 Meadowbrook Avenue, Block 2611 Lot 9

C. Notice of Public Hearing - Planning Board of West Long Branch for Block 67 Lot 8.01

D. Multi-Permit Application for Coastal Area Facility Review Act, Fort Monmouth

E. Langan Freshwater Wetlands - Netflix Studios

F. Notice of Public Hearing - NJ Transit Senior Citizen & Disabled Residents Transportation Assistance Program Act

G. Notice of Public Hearing - Planning Board Application, Monmouth Mall

Motion to accept communications A-G by C/Jones; seconded by C/Lawson

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

4. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico reported that he is signing a charge-at-work pledge which lets employees aware of state programs for charging their electric vehicles. This pledge also opens the door for state grants.

5. REPORTS OF COMMITTEES

The agenda was taken out of order. Councilmember Gindi presented his report first.

C. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Gindi

Councilmember Gindi reported on the Tenants' Rights previous meeting which, Pine Tree Mobile Home Park and the Affordable Housing Alliance was discussed. Councilmember Gindi further reported on the other items that were discussed. Councilmember Gindi then reported on a meeting that was held with the department heads regarding rentals in the Borough. Mayor Talerico further reported on the meeting. Councilmember Araman responded.

A. EMERGENCY SERVICES - Council President East

Council President East reported on the Fire Department and First Aid's previous meetings and on their next meetings. Council President East then reported on their total calls and new applicants for joining the First Aid Squad. Council President East then reported on the next Historical Committee meeting.

B. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones reported on the meetings of the Cannabis Regulatory Commission, the Board of Education, the Monmouth Regional High School Board of Education, the Cannabis Industry Ad Hoc Committee, the Environmental Commission, the Library Board of Trustees and the Drug and Alcohol Alliance. Councilmember Jones then commented on

the new Board of Education's Principal for Margaret L. Vetter School, Angela Torres. Councilmember Jones then reported on Student Government Day, and on some upcoming events and announcements.

D. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman

Councilmember Araman reported on the Police Department's August report.

E. PARKS & RECREATION - Councilmember Lawson

Councilmember Lawson reported on the Parks and Recreation previous meeting and mentioned items that were discussed. Councilmember Lawson then reported on some upcoming events. Councilmember Lawson further reported on the previous meeting for the Community Center Committee and what was discussed. Councilmember Lawson then reported on the next meeting dates for the Parks and Recreation Committee and the Community Center Advisory Committee.

F. PUBLIC WORKS & INSURANCE - Councilmember Faust

Councilmember Faust reported on the Public Work's bulk and leaf/brush totals as well as the bulk schedule. Councilmember Faust then reported on the next meetings of the Traffic Advisory Committee, the Shade Tree Commission and the Green Team. Councilmember Faust then reported on some upcoming events.

6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia was absent, therefore had no report.

7. OLD BUSINESS

There was no old business before Council.

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/East; seconded by C/Jones

Voice Vote: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust
 ABSENT - C/Gindi

10. NEW BUSINESS

A. ORDINANCE INTRODUCTION

- 1) **Ordinance 13-2024** - Ordinance of the Borough Amending Chapter 161 Fire Prevention, Article 1 Uniform Fire Safety Code Enforcement Section 161-8 Registration Fees and 161-9 Permit Fees
- ***First Reading/Introduction (Public Hearing 9/25/24)***

Attorney Bayer read the ordinance by title. The public hearing will be held on 9/25/24.

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

Roll Call: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust
 ABSENT - C/Gindi

ORDINANCE 13-2024

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE OF THE BOROUGH AMENDING CHAPTER 161 FIRE PREVENTION, ARTICLE 1 UNIFORM FIRE SAFETY CODE ENFORCEMENT SECTION 161-8 REGISTRATION FEES AND 161-9 PERMIT FEES

WHEREAS, the Fire Official and the Director of Land Use has recommended that the Permit Fees and Registration Fees sections be amended to ensure that property owners are responsible for the payment of any outstanding fee and that the registration fees are properly characterized as Life Hazard Use fees; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to implement the recommendations of the Fire Official and the Director of Land Use.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough Council hereby amends Chapter 161, Fire Prevention, Article I Uniform Fire Safety Code Enforcement, Sections 161-8 and 9 as follows:

[additions are underlined and deletions are marked through strike-out]

§161-8 Registration Life Hazard Use Fees

Annual ~~registration~~ Life Hazard Use fees shall be established and collected by the State of New Jersey, Department of Community Affairs, which shall then reimburse the municipality.

§161-9 Permit Fees

Sections A and B -No Change

Section C.

Any property owner shall be responsible to the Borough for any unpaid permit fees of its current or former tenants.

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 14-2024 - Ordinance of the Borough Amending Chapter 281 "Solid Waste", Article 1 Garbage and Refuse Regulations and Article 5 "Dumpsters" by Including the Regulation of Portable Storage Containers and Bagsters

- First Reading/Introduction (Public Hearing 9/25/24)

Attorney Bayer read the ordinance by title. The public hearing will be held on 9/25/24.

Mayor Talerico provided an overview of the ordinance.

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

Roll Call: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi

ORDINANCE 14-2024

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE OF THE BOROUGH AMENDING CHAPTER 281 "SOLID WASTE", ARTICLE 1 GARBAGE AND REFUSE REGULATIONS AND ARTICLE 5 "DUMPSTERS" BY INCLUDING THE REGULATION OF PORTABLE STORAGE CONTAINERS AND BAGSTERS

WHEREAS, the Director of Public Works and the Director of Land Use has recommended that the Borough regulate Portable Storage Containers and Bagsters as part of its bulk garbage regulations; and

WHEREAS, the Borough Council adopted Ordinance 3-2024 Amending Chapter 281, creating Article V, entitled "Dumpsters", and it hereby seeks to amend this section to include the regulation of Portable Storage Containers and Bagsters:

WHEREAS, the Borough Council believes it is in the best interest of the Borough to implement the recommendations of the Director of Public Works and the Director of Land Use.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough Council hereby amends Chapter 281 "Solid Waste", Article I Garbage and Refuse Regulations and Article V "Dumpsters" as follows:

[additions are underlined, and deletions are marked through strike-out]

Article I Garbage and Refuse Regulations

§281-1 Definitions; word storage

Bagster

A dumpster in a bag is a temporary on-demand solution for residential construction debris, when a dumpster is too big for the job or accessibility, or timing is an issue.

Bulk Trash

Large items or materials that cannot be accommodated in standard waste containers, including but not limited to furniture, appliances, mattresses, and large electronic devices.

Portable Storage Container

A self-storage container, (portable storage on demand or PODS a familiar trade name for such containers) that is delivered to and retrieved from a home for short-term off-site or on-site storage. Portable storage containers are loaded with materials and placed on a property authorized for residential use for purposes of temporarily storing materials or personal property.

Residential Move In

The process of occupying a residential property.

Residential Move Out

The process of vacating a residential property.

§281-3 Refuse Receptacles

The owner, agent, lessee, tenant or occupant of every dwelling or other premises, except multi-dwelling units or industrial premises, where refuse accumulates shall be provided one plastic refuse receptacle at no charge by the Borough of Eatontown for receiving and holding refuse. The Borough shall provide a second refuse receptacle to those owners, agents, lessees, tenants or occupants of such dwellings who request one at cost to the Borough which shall not exceed \$70 per container. There shall be no charge to replace a damaged refuse receptacle. Any person who controls whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times, shall prevent refuse from spilling out or overflowing and any Dumpster enclosures, Portable Storage Container and/or Bagster enclosures shall be secured. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Eatontown.

[Sections A-I No changes]

Article V Dumpsters**§281-2 Permitted Locations hereby moves to and becomes §281-27**

Dumpsters, Portable Storage Containers and Bagsters, shall not be permitted on any location within the Borough of Eatontown, except as set forth herein.

§281-3 Permits Required hereby moves to and becomes §281-28

Before a Dumpster, Portable Storage Containers and /or a Bagster, either individually or collectively is placed on or adjacent to any residential property, the owner, tenant, or contractor working on the subject property shall apply for a permit approving such placement with the Traffic Safety Officer. If the permit application is made by a tenant or contractor, written permission from the owner of the subject property for the placement of such container on the subject property must be provided to the Traffic Safety Officer before a permit may be issued. Permits, in conjunction with building permits, shall be issued for a period of 14 days. The fee for said permit shall be \$25.

§281-4 Number of Dumpsters, Portable Storage Containers and Bagsters permitted hereby moves to and becomes §281-29

Only one Dumpster, Portable Storage Containers or Bagster may be placed at any residential property at any one time.

§281-5 Dumpster Portable Storage Containers and Bagster Locations and Liability hereby moves to and becomes §281-30.

Dumpsters, Portable Storage Containers and Bagsters may be placed in the streets, public rights-of-way, or upon residential driveways. The property owner shall be liable for any damage caused by the placement of the Dumpsters, Portable Storage Containers and Bagsters to the sidewalks and streets. The area surrounding a Dumpster, Portable Storage Containers and Bagsters shall be subject to all property maintenance standards outlined in the Borough Code. No Dumpster, Portable Storage Containers and Bagster shall be allowed to remain in a state of disassembly or disrepair.

§281-6 Violations and Penalties hereby moves to and becomes §281-31

A.

Any Dumpster Portable Storage Container and Bagster placed in violation of this chapter, or which is not removed at the termination of the permit obtained for the placement of such Dumpster, Portable Storage Container or Bagster or immediately upon the direction of the Code Enforcement Officer, Traffic Safety Officer, or a law enforcement officer for removal for safety reasons shall be punishable, upon conviction thereof, by a fine not to exceed \$2,000 per day, per violation, for each violation .

B.

[No change]

§ 281-25 Exclusions.

A.

This article shall not apply to materials generated from nonresidential properties. Such materials shall not be collected by municipal services.

B.

This article shall not apply to materials generated by a contractor connected to work for which a building permit is required, such as excavating, construction and demolition, alterations or repair of any building or premises. Materials generated by a property owner, such hot tubs, entire kitchen or bathroom remodel, deck removal shall not be collected by municipal services.

C.

Materials generated by a property owner during a Residential Move Out or materials generated during the process of vacating a residential property shall not be collected by municipal services

Materials generated during the process of Residential Move-In occupying a residential property shall not be collected by municipal services.

The Director of Public Works or their designee shall determine whether materials constitute a Residential Move In or Residential Move-out.

D.

Bamboo shall not be collected by municipal services.

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 15-2024 - Ordinance of the Borough Deleting Chapter 342 of the Borough Code Entitled "Plumbing"
- First Reading/Introduction (Public Hearing 9/25/24)

Attorney Bayer read the ordinance by title. The public hearing will be held on 9/25/24.

Mayor Talerico explained the ordinance.

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

Roll Call: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi

ORDINANCE 15-2024**BOROUGH OF EATONTOWN****COUNTY OF MONMOUTH, STATE OF NEW JERSEY****ORDINANCE OF THE BOROUGH DELETING CHAPTER 342 OF THE BOROUGH CODE ENTITLED "PLUMBING"**

WHEREAS, the Construction Official and the Director of Land Use recommends deleting Chapter 342 of the Borough Code entitled "Plumbing" in its entirety because it is outdated and now governed by state law and other sections of the Borough Code; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to implement the recommendations of the Construction Official to ensure the Borough Code is up to date and in compliance with state law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough Council hereby deletes Chapter 342, Sections 342-1 through 342-6 in their entirety.

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.

4) **Ordinance 16-2024** - Ordinance of the Borough Amending Chapter 251 "Bamboo, Regulation Of", by Clarifying the Responsibility of the Property Owner/Tenant to Remove and Dispose of Bamboo from Private Property

- **First Reading/Introduction (Public Hearing 9/25/24)**

Attorney Bayer read the ordinance by title. The public hearing will be held on 9/25/24.

Mayor Talerico explained the ordinance.

Motion to introduce the ordinance by C/East; seconded by C/Faust

Roll Call: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi

ORDINANCE 16-2024

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE OF THE BOROUGH AMENDING CHAPTER 251 "BAMBOO, REGULATION OF", BY CLARIFYING THE RESPONSIBILITY OF THE PROPERTY OWNER/TENANT TO REMOVE AND DISPOSE OF BAMBOO FROM PRIVATE PROPERTY
WHEREAS, the Director of Public Works and the Director of Land Use has recommended that the Borough ensure the Code is clear and consistent that a property owner and/or tenant of a property is responsible for the disposal of removed bamboo; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to implement the recommendations of the Director of Public Works and the Director of Land Use.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough Council hereby amends Chapter 251 "Bamboo, Regulation of", Section 251-4 as follows [additions are underlined, and deletions are marked through strike-out]

Chapter 251 Bamboo, Regulation of

§ 251-4. Removal of bamboo.

A. [No change].

B. The Bamboo property owner(s), and/or tenants or entity in control or their agents are responsible for the disposal of the bamboo from such property. The Department of Public Works shall not remove and/or in any way be responsible for the disposal of bamboo from property not owned and controlled by the Borough.

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.

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).

Mayor Talerico explained why Resolution 177-2024 was removed from the agenda.

Councilmember Jones asked the Council if they can add a resolution to include Juneteenth as a paid holiday.

Motion to add Resolution 178-2024 by C/Araman; seconded by C/Lawson

Voice Vote: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi

- 1) **Resolution 172-2024** - Auth. Refunds of Overpaid Property Taxes
- 2) **Resolution 173-2024** - Auth. Tax Sale Certificate Redemptions
- 3) **Resolution 174-2024** - Auth. Engineer to Perform Professional Engineering Svcs. For IWW PH 5 Improvement Project
- 4) **Resolution 175-2024** - Auth. Rehabilitation of 5 Maxwell Road
- 5) **Resolution 176-2024** - Auth. Discharge of Developer's Agreement, 373-375 South St (Blk 1401, Lots 20 & 21)
- 6) **Resolution 177-2024** - Auth. Application to DOT Requesting Highway Delineators
- 7) **Resolution 178-2024** - A Resolution Designating Juneteenth Independence Day as a Borough Holiday

Motion to approve Consent Items 1-5, 7 (Resolutions 172-176, 178) as a group by C/Jones; seconded by C/Lawson

Voice Vote: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust
ABSENT - C/Gindi

Councilmember Araman asked if the Borough has the funding for Resolution 177-2024. Mayor Talerico responded. Councilmember Araman asked if this is the final phase. Mayor Talerico responded, yes. Councilmember Araman asked if the State will be picking up Industrial Way West. Mayor Talerico responded.

RESOLUTION 172-2024 - AUTHORIZING REFUNDS OF OVERPAID PROPERTY TAXES

WHEREAS, the Tax Collector has forwarded to the Borough of Eatontown, a list of taxes which are overpaid, and has recommended that the same be refunded; and

WHEREAS, State Statute makes provisions for the Borough of Eatontown to make adjustments with respect to overpaid taxes.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Eatontown that the following taxes are hereby authorized to be refunded/apply based upon the recommendation of the tax collector:

BLOCK	LOT	NAME	AMOUNT
103	3	Corelogic	2,130.50 & 2,186.33
201	15	Corelogic	2,737.76
1104	19	Corelogic	2,132.89

RESOLUTION 173-2024 - AUTHORIZING TAX SALE CERTIFICATE REDEMPTIONS

WHEREAS, The Tax Collector has forwarded to the Borough of Eatontown a list of Tax Sale Certificate Outside Liens for Redemption and has recommended that the same be refunded.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Eatontown that the below listed Tax Sale Certificates be cancelled and endorsed as fully satisfied.

BLOCK	LOT	QUAL	NAME	AMOUNT CERTIFICATE	AMOUNT PREMIUM	CERTIFICATE NUMBER
2303	37		USBANK CUST/PC8 FIRSTTRUST BANK	\$ 1,207.07	\$ 300	23-00016
1201	22		CHRISTIANA T C/F CE1/1ST TRUST	\$ 17,527.09	\$ 10,800	23-00010

RESOLUTION 174-2024 - RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PERFORM PROFESSIONAL ENGINEERING SERVICES FOR THE INDUSTRIAL WAY WEST PHASE FIVE IMPROVEMENT PROJECT

WHEREAS, the Borough received a grant from the New Jersey Department of Transportation Municipal Aid Program in the amount of \$366,674.00 for the Borough's Industrial Way West Phase Five Improvement project; and

WHEREAS, the Borough Engineer, T&M Associates, submitted a letter proposal to the Borough Administrator dated May 17, 2024 outlining the engineering work necessary for the Industrial Way West Phase Five Improvement project which includes Design Phase, Construction Administration and Inspection, Pavement Coring and Field Survey engineering services in the aggregate amount of \$84,000; and

WHEREAS, the Borough Council believes it is in the best interest of its residents to authorize the engineering services necessary to effectuate and implement the Industrial Way West Phase Five Improvement project to take full advantage of the grant received from the New Jersey Department of Transportation which will fund the vast majority of the construction work associated with the Industrial Way West Phase 5 Improvement project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby authorizes T&M Associates to perform the engineering services outlined in its proposal to the Borough dated May 17, 2024 in connection with the Industrial Way West Phase Five Improvement project in an amount not to exceed \$84,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer hereby certifies that there are available funds to fund this work.

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

1. Edward Herrman, P.E., T&M Associates
2. William P. Lucia, III, Interim Administrator
3. Dena Amoda, CFO

RESOLUTION 175-2024 - RESOLUTION AUTHORIZING THE REHABILITATION OF 5 MAXWELL ROAD

WHEREAS, the Borough adopted a Rehabilitation Program known as the Eatontown Home Improvement Program as a condition of compliance in obtaining court approval of its court approved Settlement Agreement and appointed Community Grants Planning & Housing ("CGP&H") as the Borough's Rehabilitation Program Administrator (the "Program Administrator"); and

WHEREAS, the Program Administrator qualified a household for certificate of occupancy standard home improvements located 5 Maxwell Road (the "Property") and received bids on behalf of the homeowner for such improvements with the low bidder being RS Construction, LLC; and

WHEREAS, the Borough Council adopts Resolution 175-2024 authorizing the Program Administrator to proceed with the Rehabilitation of 5 Maxwell Road; but within the Home Improvement Program limit of \$24,000 and Community Grants and Planning has obtained bids and is recommending a contract award to RS Construction, LLC for the rehabilitation.

NOW THEREFORE BE IT RESOLVED that the Borough Council hereby authorizes the contract as between Community Grants Planning & Housing and RS Construction, LLC for the rehabilitation of the property designated as 5 Maxwell Road.

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

1. Beth McCann, Community Grants Planning & Housing
2. Dena Amodea, Chief Financial Officer

RESOLUTION 176-2024 - RESOLUTION AUTHORIZING RELEASE AND SATISFACTION OF DEVELOPER'S AGREEMENTS BETWEEN THE BOROUGH OF EATONTOWN AND IPS HOLDINGS, LLC FOR THE PROPERTY DESIGNATED AS BLOCK 1401, LOTS 20 AND 21

WHEREAS, the Zoning Board of Adjustment of the Borough of Eatontown (the "Board") granted Preliminary and Final major site plan approval to IPS Holdings, LLC (the "Developer") for Preliminary and Final Major Site Plan approval on premises designated as Block 1401, Lots 20 and 21 on the official tax map of the Borough of Eatontown (the "Property") to construct a one-story addition to an existing one-story masonry building (the "Project") located on the Property;

WHEREAS, the Developer and the Borough of Eatontown (the "Borough") entered into a Developer's Agreement on February 27, 2019 to memorialize and contractually obligate the Developer to construct the Project in accordance with the approved plans and the Developer's Agreement was recorded with the Monmouth County Clerk's office on March 13, 2019 at Book: OR--9339, Page 1914; and

WHEREAS, the Developer has completed the Project, the performance bond has been released, and therefore the Developer is requesting that the Borough approve and record a Release and Satisfaction of the Developer's Agreement; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to execute a Release and Satisfaction of the Developer's Agreement in conformance with the requirements of the Developer's Agreement because the Developer has met its obligations to the Borough under the Zoning Board's approval and the executed Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that the Borough Council hereby approves the Release and Satisfaction of Developer's Agreement for the Project on the property designated as Block 1401, Lots 20 and 21, and the Mayor is authorized to execute the Release and Satisfaction of the Developer's Agreement with IPS Holdings, LLC in a form approved by the Borough Attorney.

BE IT FURTHER RESOLVED the Release and Satisfaction of Developer Agreement shall be recorded with the Monmouth County Clerk's Office at the Developer's expense.

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

- a. IPS Development, LLC
- b. Borough Attorney
- c. Kathy Muscillo, Director of Land Use

RESOLUTION 178-2024 - A RESOLUTION DESIGNATING JUNETEENTH INDEPENDENCE DAY AS A BOROUGH HOLIDAY

WHEREAS, Juneteenth, or Juneteenth Independence Day, commemorates the traditional observance of the end of slavery in the United States and is observed annually on June 19th annually and

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2 ½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863 declaring that "all persons held as slaves within any State or designated part of the State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free"; and

WHEREAS, the first official Juneteenth celebration took place in the State of Texas and have continued across the United States for more than 150 years and is the oldest nationally celebrated commemoration of the ending of slavery; and **WHEREAS**, the Legislature adopted a law establishing Juneteenth as a state holiday closing state offices on the third Friday in June commemorating the solemnity of the end of slavery while the Federal Holiday is celebrated on June 19 of every year.

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough to close the Borough's offices to honor Juneteenth as a Borough holiday because it will provide an opportunity for all Borough residents and employees to reflect and to consider way the citizens of the United States can pause to recognize the significance of the end of slavery.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby declares Juneteenth an annual Borough Holiday on the third Friday of June and Borough offices shall be closed to honor and commemorate the end of slavery.

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

1. William P. Lucia, III, Interim Borough Administrator

C. CONSENT AGENDA MOTIONS

1) Acceptance of Tax Collector Report, August 2024

2) Acceptance of Planning/Zoning Report, August 2024

Motion to accept Consent Agenda Motions 1-2 by C/Jones; seconded by C/Araman

Voice Vote: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi

11. REMARKS OF COUNCIL AND CITIZENS

Councilmember Faust commented that it's great all of the employees are working together to improve the Borough's ordinances. Mayor Talerico and Attorney Bayer responded.

The meeting was open to the public.

Dana Spencer, 138 First Street, Eatontown, Pine Tree Resident. Ms. Spencer commented on a couple letters the residents of Pine Tree received from the Affordable Housing Alliance as well as their responses. Ms. Spencer explained there is still a communication problem between the Alliance and the residents. Ms. Spencer then shared her findings on how many residents want the duplexes and how many want to keep their mobile homes. Ms. Spencer asked the Mayor and Council if they could facilitate a meeting between the residents and the Affordable Housing Alliance. Mayor Talerico responded. The discussion continued between Ms. Spencer and Mayor Talerico. Councilmember Jones asked Attorney Bayer what the council can legally do regarding having the Affordable Housing Alliance communicate better. Attorney Bayer and Mayor Talerico responded. Ms. Spencer commented.

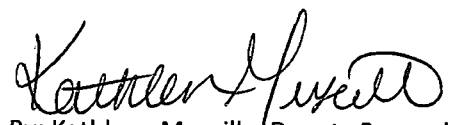
There being no further comments, the meeting was closed to the public.

12. ADJOURNMENT - 9:09pm

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

Voice Vote: AYE - C/East, C/Jones, C/Araman, C/Lawson, C/Faust

ABSENT - C/Gindi



By: Kathleen Muscillo, Deputy 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 09/25/2024

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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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
8X8IN005	8X8 INC								
		24-01960	09/06/24	BORO MONTHLY PHONE USAGE	Open	2,983.60	0.00		
ACTI0005	ACTION UNIFORM CO, LLC								
		24-01381	06/18/24	Traffic Vests	Open	2,050.00	0.00		
		24-01513	07/08/24	Class A Hat Licknack	Open	96.00	0.00		
						2,146.00			
ADWIN005	A:D WINSTON SERVICE, INC								
		24-01800	08/19/24	BORO ADDITIONAL WORK AC UNITS	Open	1,554.00	0.00		
AMAZ0005	AMAZON.COM #A3898AWA7QWVMO								
		24-01865	08/21/24	Detective Bureau Notepads	Open	81.87	0.00		
		24-01880	08/22/24	office chair	Open	299.99	0.00		
						381.86			
ANNAB005	ANNA BARCUME								
		24-01841	08/20/24	MEDICARE INS. REIMBURSEMENT	Open	873.50	0.00		B
DC001	ALLIED OIL LLC								
		24-01872	08/22/24	93 RFG GAS/ETHANOL	Open	5,766.14	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		24-01020	04/29/24	Legal Advertisements	Open	157.50	0.00		B
ASB001	ASBURY PARK PRESS, INC.								
		24-01868	08/21/24	2024 TAX LIEN PUBLICATION	Open	63.00	0.00		
		24-01878	08/22/24	8.19.24 PB Meeting Cancel	Open	53.48	0.00		
						116.48			
ATS001	ATLANTIC TREE EXPERTS CO.								
		24-01670	07/23/24	180-178 WHALE POND-TRIMMING	Open	1,700.00	0.00		
BAND001	BANDAG, INC								
		24-00404	02/07/24	OPEN FOR 2024	Open	1,091.98	0.00		B
		24-01079	05/07/24	OPEN FOR 2024	Open	2,321.92	0.00		B
		24-01404	06/19/24	OPEN FOR 2024	Open	884.36	0.00		B
						4,298.26			
BELOP005	BELO PIZZERIA								
		24-01603	07/17/24	FOOD FOR 1ST RESPONDERS FIRE	Open	230.79	0.00		
BEN002	DALE BENNETT								
		24-01831	08/20/24	FIRE D ASST ENGINEER STIPEND	Open	1,650.00	0.00		
RANDM01	MARCELLUS BRANDON								
		24-01873	08/22/24	EYEGLASS REIMBURSEMENT	Open	120.44	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BRUN001	MATT BRUNO								
		24-01874	08/22/24	EYEGLOSS REIMBURSEMENT	Open	91.87	0.00		
BSA001	BOY SCOUTS OF AMERICA								
		24-00010	01/05/24	OPEN FOR 2024	Open	187.50	0.00		B
BTF001	BOROUGH OF TINTON FALLS								
		24-01888	08/26/24	BORO COURT DESTRUCTION REPORT	Open	1,375.00	0.00		
CARLOS01	CARLOS & SON JANITORIAL								
		24-01772	08/14/24		Open	1,075.00	0.00		
		24-01773	08/14/24		Open	600.00	0.00		
						1,675.00			
CIVIC005	CIVICPLUS LLC								
		24-01594	07/17/24	WEB ANNUAL RENEWAL 2024	Open	9,174.61	0.00		
COMC004	COMCAST								
		24-01942	09/05/24	PUBLIC WORKS INTERNET SERVICES	Open	157.94	0.00		
		24-01944	09/05/24	PW/LEWIS ST INTERNET SERVICE	Open	172.90	0.00		
		24-01953	09/05/24	BORO SPC VIDEO SERVICES	Open	135.46	0.00		
						466.30			
CORE001	CORELOGIC REAL EST TAX SERVICE								
		24-01894	08/27/24	REFUND TAX OVERPAYMENT	Open	4,868.26	0.00		
DWD002	D&W DIESEL								
		24-01236	05/24/24	OPEN FOR 2024	Open	2,582.20	0.00		B
ECLE001	EAST COAST LIGHTING & ENERGY L								
		24-01116	05/13/24		Open	1,175.00	0.00		
FOO001	SAKER SHOPRITES, INC.								
		24-01544	07/11/24	END OF SUMMER CAMP CELEBRATION	Open	100.62	0.00		
FSS002	FIRE & SAFETY SERVICES, LTD								
		24-01384	06/18/24	FIRE ANNUAL APPARATUS MAINT	Open	7,950.00	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		24-01863	08/21/24	PAY PERIOD 8/30/24 O/S DETAIL	Open	19,572.00	0.00		
GHW001	GEORGE H. WITTENBERG								
		24-01849	08/20/24	MEDICARE INS REIMBURSEMENT	Open	524.10	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR								
		24-00016	01/05/24	OPEN FOR 2024	Open	125.00	0.00		B
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		24-01403	06/19/24	OPEN FOR 2024	Open	1,058.11	0.00		B
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA								
		24-01767	08/13/24	76 Broad Escrow #1640	Open	412.50	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MEYERGRU	MEYER GRUEL & ASSOCIATES, PA			Continued					
		24-01769	08/13/24	Meadowbrook Realty Escrow#1650	Open	1,125.00	0.00		
						1,537.50			
HOMED01	HOME DEPOT/6035322538819545								
		24-01782	08/19/24	9/13 event supplies	Open	237.65	0.00		
IFP001	INSTITUTE FOR FORENSIC PSYCHOL								
		24-01840	08/20/24	Psychological Evaluation PO	Open	550.00	0.00		
IMP001	IMPRINT SHOP LLC								
		24-01118	05/13/24	DPW HATS	Open	152.50	0.00		
JASCH001	JERSEY AUTO SPA CAR WASH LLC								
		24-00930	04/15/24	BUILDING DEPT CAR WASHES	Open	17.00	0.00		B
		24-00931	04/15/24	FIRE PREVENTION CAR WASHES	Open	20.00	0.00		B
						37.00			
JERS001	JCP&L								
		24-01955	09/05/24	BORO MONTHLY ELECTRIC USAGE	Open	550.41	0.00		
		24-01956	09/05/24	BORO MONTHLY LIGHTING USAGE	Open	489.97	0.00		
						1,040.38			
JOSEP020	JOSEPH LEAL								
		24-01778	08/16/24	Refund property tax	Open	3,066.01	0.00		
KBS001	K.B.D. SUPPLY LLC								
		24-00243	01/23/24		Open	270.36	0.00		B
KEPWE005	KEPWE SPRING WATER CO, INC								
		24-00046	01/08/24		Open	38.50	0.00		B
KIMBA005	KIMBALL MIDWEST								
		24-00388	02/07/24	MAINT. EFFICIENCY CENTERS	Open	5,926.36	0.00		
KLEIN1	KENNETH KLEINMAN								
		24-01851	08/20/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
KLEINE01	EILEEN KLEINMAN								
		24-01850	08/20/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
LASER001	LASER SAVE								
		24-01839	08/20/24	Ink Cartridges	Open	842.00	0.00		
LICK001	KEVIN LICKNACK								
		24-01661	07/23/24	EDUCATION REIMBURSEMENT	Open	1,399.00	0.00		
MAZ003	MAZZA RECYCLING SERVICES INC								
		24-01811	08/20/24	BULKY WASTE	Open	18,685.94	0.00		
MT001	MONMOUTH COUNTY TREASURER								
		24-01815	08/20/24	MUNICIPAL WASTE	Open	6,216.52	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MIL002	JOSEPH MILLER	24-01848	08/20/24	MEDICARE INS REIMBURSEMENT	Open	524.10	0.00		
NJAWC001	NEW JERSEY AMERICAN WATER	24-01938	09/04/24	BORO HYDRANTS SERVICES	Open	16,434.09	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES	24-01677	07/23/24	NJLDM Classified Ad	Open	160.00	0.00		
		24-01724	08/02/24	LEAGUE OF MUNI REG WLUCIA	Open	220.00	0.00		
		24-01881	08/23/24	2024 CONFERENCE	Open	240.00	0.00		
						620.00			
NJN001	NJ NATURAL GAS CO.	24-01939	09/04/24	BORO NATURAL GAS USAGE	Open	945.70	0.00		
NOR002	NORTHWIND MECHANICAL SYSTEMS	24-01468	07/01/24		Open	1,291.70	0.00		B
OLI002	OLIWA & COMPANY	24-01931	09/04/24	BORO SERVICES FOR CAPITAL	Open	450.00	0.00		
PAY003	LOUISE M. PAYNE	24-01843	08/20/24	MEDICARE INS REIMBURSEMENT	Open	384.68	0.00		
PMCA5005	PMC ASSOCIATES	24-01808	08/20/24	Renewal Mobile Routers	Open	3,681.60	0.00		
POORJ005	POOR JOHN'S PORTABLE TOILETS	24-00659	03/08/24		Open	732.00	0.00		B
REP001	REPUBLIC SERVICES	24-01796	08/19/24	AUGUST '24 RESI SERVICE	Open	85,402.63	0.00		
REPT001	REPUBLIC SERVICES	24-01795	08/19/24	OUTSTANDING INVOICES	Open	61,281.36	0.00		
RHELFO05	R HELFRICH & SON CHARTER BUS	24-01688	07/29/24	AUGUST AC TRIP 08/13/24	Open	1,000.00	0.00		
		24-01816	08/20/24	SEPTEMBER AC TRIP 09/10/24	Open	1,000.00	0.00		
						2,000.00			
SCH001	T&M ASSOCIATES	21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	558.75	0.00		B
		23-00995	04/11/23	ENVIRONMENTAL HUSKY BROOK	Open	2,548.23	0.00		B
		23-01025	04/13/23	STORMWATER BASIN REPAIRS	Open	918.00	0.00		B
		23-02180	09/13/23	FIREHOUSE DRIVEWAY REHABILITAT	Open	503.50	0.00		B
		24-00812	04/01/24	STORMWATER GIS REQUIRED MAPPIN	Open	13,473.00	0.00		B
		24-01180	05/17/24	INDUSTRIAL WAY W PHASE 4	Open	11,072.00	0.00		B
		24-01209	05/21/24	SITE INSPECTION 80 ACRES PARK	Open	4,000.00	0.00		
		24-01681	07/25/24	McDonalds Escrow #1619	Open	838.00	0.00		
		24-01853	08/20/24	July 2024 Road Open #555	Open	25,305.87	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SCH001	T&M ASSOCIATES			Continued					
		24-01883	08/23/24	36 Monmouth Plaza Escrow #1653	Open	913.25	0.00		
						60,130.60			
SIC003	STANDARD INSURANCE COMPANY INC								
		24-01903	08/29/24	SEPT COVERAGE PREMIUM	Open	3,367.06	0.00		
SPCA001	MONMOUTH COUNTY SPCA								
		24-01805	08/19/24	BORO ANIMAL CONTROL 2024	Open	1,537.50	0.00		
STAP003	STAPLES ADVANTAGE								
		24-01820	08/20/24	POLICE RECORDS OFFICE SUPPLIES	Open	249.15	0.00		
		24-01821	08/20/24	POLICE CHIEF OFFICE SUPPLIES	Open	195.85	0.00		
		24-01822	08/20/24	ADMINISTRATION OFFICE SUPPLIES	Open	216.82	0.00		
		24-01823	08/20/24	BORO COPY PAPER REPLENISH	Open	454.90	0.00		
		24-01825	08/20/24	FINANCE ENVELOPE SUPPLIES	Open	104.99	0.00		
		24-01826	08/20/24	FINANCE OFFICE SUPPLIES	Open	189.88	0.00		
						1,411.59			
SWANK001	SWANK MOTION PICTURES								
		24-01918	09/03/24	movie nite license fee 9/13	Open	500.00	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC								
		24-01806	08/20/24	Adapter-Displayport to VGA	Open	45.00	0.00		
		24-01807	08/20/24	6 ft power cord	Open	168.00	0.00		
						213.00			
TEAM003	TEAM LIFE								
		24-01757	08/08/24	2 replacement AED's	Open	3,666.00	0.00		
TEPS001	STATE OF NJ DEPT OF TREASURY								
		24-01919	09/03/24	SHBP CONTRIBUTUION SEPTEMBER 2024	Open	308,723.13	0.00		
TRE001	TREASURER, STATE OF NEW JERSEY								
		24-01809	08/20/24	STORMWATER DISCHARGE GENERAL P	Open	3,000.00	0.00		
TROP001	TROPICANA CASINO AND RESORT								
		24-01750	08/07/24	NJLM CONFERENCE	Open	532.00	0.00		
UGIEN005	UGI ENERGY SERVICE, LLC								
		24-01937	09/04/24	BORO NATURAL GAS SERVICES	Open	112.76	0.00		
UNIVE006	UNIVERSAL GOAL MOVERS LLC								
		24-01669	07/23/24	ATHLETIC FACILITY GOAL MOVER	Open	1,995.00	0.00		
USPS002	US POSTAL SERVICE								
		24-01936	09/04/24	BORO REPLENISH POSTAL METER	Open	3,000.00	0.00		
WOL003	MARK WOLOSHIN								
		24-01830	08/20/24	FIRE DEPT ENGINEER STIPEND	Open	2,500.00	0.00		
WOOLB01	TERRANCE WOOLBRIGHT								
		24-01842	08/20/24	WOOBOOT REIMBURSEMENT	Open	155.99	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
WWG001	GRAINGER INC.	24-00197	01/17/24	OPEN FOR 2024	Open	30.20	0.00		B	
WWG010	W.W. GRAINGER, INC.	24-01549	07/15/24		Open	1,020.96	0.00			
Total Purchase Orders:		102	Total P.O. Line Items:		0	Total List Amount:	678,896.91	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:	4-01	610,079.29	0.00	610,079.29	0.00	0.00	610,079.29
GENERAL CAPITAL F	C-04	18,047.50	0.00	18,047.50	0.00	0.00	18,047.50
GRANT FUND	G-02	14,031.75	0.00	14,031.75	0.00	0.00	14,031.75
	T-15	19,572.00	0.00	19,572.00	0.00	0.00	19,572.00
	T-17	17,166.37	0.00	17,166.37	0.00	0.00	17,166.37
Year Total:		36,738.37	0.00	36,738.37	0.00	0.00	36,738.37
Total of All Funds:		678,896.91	0.00	678,896.91	0.00	0.00	678,896.91