

**Regular Meeting
Borough of Eatontown Governing Body
Wednesday, September 25, 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. Also, Notice of this meeting time change was transmitted to the Asbury Park Press, Star Ledger and The Link News, posted on the Bulletin Board in Borough Hall and posted to the Borough Website. Public Comment is welcome at any time.

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

1. ROLL CALL

PRESENT: Mayor Anthony Talerico, Jr., Council President Virginia M. East
Councilmembers Danielle M. Jones, Meir Araman, Carl Lawson, Candace M. Faust

ALSO PRESENT: Attorney Levy, Borough Clerk Martin

ABSENT: Councilmember David Gindi, Interim Administrator Lucia

The Flag Salute was led by C/Jones

The agenda was taken out of order. The proclamation was read first, then the minutes for approval was taken after.

3. PROCLAMATION - October is Breast Cancer Awareness Month

Mayor Talerico read the proclamation into the record.

2. APPROVAL OF MINUTES

A. Workshop/Regular Meeting - 9/11/2024

Motion to approve the amended minutes by C/Jones; seconded by C/Lawson

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

4. COMMUNICATIONS

A. Netflix, Inc. Flood Hazard Area Verification Approval Letter from the Department of Environmental Protection

B. Suspected Hazardous Substance Discharge Notification, 202 Knox Avenue

C. Notice of Eatontown Planning Board Public Hearing, 36 Monmouth Plaza, Block 2902 Lot 3

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

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

5. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico reported that the Borough was selected for the Jake's Law Playground Grant from the New Jersey Department of Environmental Protection. Mayor Talerico explained the grant and what the Borough will be doing with the grant money.

6. REPORTS OF COMMITTEES

A. EMERGENCY SERVICES - Council President East

Council President East reported on the next Fire Department and First Aid Squad meetings and thanked everyone for coming out to Eatontown's Community Day. Council President East then reported that Meadowbrook Senior Housing will be hosting an October Fest. Further reported, was the Historical Society's previous meeting and the closure of the next open house due to Halloween festivities being put together. Council President East then thanked Councilmember Faust and her mother Kathy on their work and dedication for annually putting together the Halloween festivities.

B. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones reported on the meetings of the Finance and Ordinance Committee, the Cannabis Regulatory Commission, the Board of Education, the High School's Board of Education, the Cannabis Industry Ad Hoc Committee, the Environmental Commission, the Library Board of Trustees, the Drug and Alcohol Alliance and the Youth Committee.

Councilmember Jones then reported on the High School's honor roll dinner, the Environmental Commission's monthly invasive species work party and the Drug and Alcohol Alliance's next event.

Mayor Talerico thanked everyone for coming out the Eatontown's Community Day.

C. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Gindi

Councilmember Gindi was absent, therefore had no report.

D. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman

Councilmember Araman congratulated the Borough for signing up with FileBank for storing files and getting them scanned. Councilmember Araman then thanked the Zoning Officer and the Administrator for their help with the process. Councilmember Araman further reported on the Committee meetings that will further discuss the downtown redevelopment with the Borough Planner.

E. PARKS & RECREATION - Councilmember Lawson

Councilmember Lawson reported on the next meetings of the Recreation Advisory Committee, the Community Center Advisory Committee and the Eatontown Community Garden General Information meeting. Councilmember Lawson then reported on a few updates and events.

F. PUBLIC WORKS & INSURANCE - Councilmember Faust

Councilmember Faust reported on the Bulk Schedule, the ongoing pothole repairs and leaf and brush pick up. Councilmember Faust then reported on her meetings with the Department of Public Works and the Planning and Zoning Department. Councilmember Faust then reported on the meetings of the Shade Tree Commission, the Green Team Commission and the Traffic Advisory Committee. Councilmember Faust then reported on a few upcoming events.

Mayor Talerico commented on some upcoming ordinances. Councilmember Araman asked about the Eatontown ECode. Mayor Talerico responded. Councilmember Araman asked Councilmember Faust regarding Bike Lanes. Councilmember Faust and Mayor Talerico responded. Councilmember Jones further commented on the ECode. Council President East thanked the Finance and Ordinance Committee for holding a meeting regarding the budget and pointed out that the CFO provides worksheets to the committees for upcoming budgets. Councilmember Jones responded. The discussion continued regarding the budget meetings.

7. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia was absent, therefore had no report.

The agenda was taken out of order. The presentation was held first, then the hearing.

9. PRESENTATION - Cannabis Cultivation & Manufacturing Application - High Tide Industries

Attorney Levy administered the oath to Bernard Gruberg, Charles Robinson and Christopher Beacon, Esq. Mayor Talerico explained the process to the applicants. Mayor Talerico asked the applicants if they are aware that the Borough has the right to offer more letters of support than they have licenses. The applicants acknowledged. Mayor Talerico further explained the process. Mr. Gruberg provided his background and explained how the company will give back to Eatontown. Mayor Talerico asked the applicants if they are aware that the Borough requires two percent of their income on each of their licenses. The applicants were aware. Mayor Talerico further explained the two percent to the applicants. Mr. Gruberg responded. Mayor Talerico explained another applicant has applied for the same unit and location. Mr. Gruberg responded. Mayor Talerico opened the meeting to the Council.

Councilmember Araman asked what the status of the applicant's license. Mr. Beacon, responded. Mayor Talerico explained the applicants would have to go to the Planning Board. Councilmember Faust asked the applicants to provide their specific backgrounds regarding the cannabis business. Mr. Gruberg and Mr. Robinson provided their backgrounds. Councilmember Jones asked the applicants if they have been attending the Cannabis Regulatory Commission meetings, Mr. Beacon responded. Councilmember Jones commented on the next meetings of the Cannabis Regulatory Commission. Mr. Gruberg responded. Councilmember Jones then commented on their community engagement. Mr. Beacon explained he wants everyone to benefit from the business. Councilmember Jones asked what the applicant's relationship is with the Labor

Union. Mr. Dennis O'Leary, attorney for the applicants, explained the business has entered into a labor peace agreement with the union. Mayor Talerico asked the applicants if they are aware of the requirement of electricity for Industrial Way buildings. Mr. Gruberg explained he is aware. Mr. Gruberg then commented that he needs a letter from the Zoning Officer regarding the approved zone. Mayor Talerico responded. Councilmember Araman asked the applicants for a time frame for the applicants get an approval. Mr. Beacon responded.

Mayor Talerico opened the presentation to the public.

Rita Ruggieri, Eatontown Cannabis Owner, asked if the applicant's business is for full cultivation or for micro. Mayor Talerico responded. Mr. Ruggieri asked about the cultivation process and manufacturing. Mr. Robinson and Mr. Gruberg responded. Mayor Talerico closed the presentation to the public.

Mayor Talerico asked the council for a consensus to add a resolution of support for High Tide Industries. The council agreed. Mayor Talerico then explained there will be another add on resolution for another cannabis business name change.

8. HEARING - Boarding House/Rooming House - Safe Harbor, LLC

Attorney Levy swore in the owners and operators, Amy Jengo and Donald Jengo into the record. Mayor Talerico asked the applicants for the facility address. Mr. Jengo responded, 275 Broad Street. Mayor Talerico asked the applicants if they have passed their Fire Protection Inspection and Housing Inspection. Mr. Jengo responded, yes. Mayor Talerico asked Borough Clerk Martin if the applicant's bond is complete. Borough Clerk Martin responded that their bond was reviewed by the Borough Attorney and is acceptable. Mayor Talerico asked if their notices were correctly submitted. Borough Clerk Martin responded, yes. Mayor Talerico asked the applicants if they had any issues or concern. Mr. Jengo responded that there have been no formal complaints regarding the facility.

Mayor Talerico opened the hearing to the council and public.

No comments were made.

Mayor Talerico closed the hearing to the public.

Mayor Talerico explained the council will add on a resolution to the agenda to renew Safe Harbor's license.

10. OLD BUSINESS

ORDINANCE ADOPTION

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 - **Public Hearing/Adoption**

Attorney Levy read the ordinance by title.

Motion to open the meeting to public comment on the ordinance by C/Lawson; seconded by C/Faust

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

No comments were made.

Mayor Talerico closed the meeting to the public.

Attorney Levy read the ordinance by title.

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

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
- Public Hearing/Adoption

Attorney Levy read the ordinance by title.

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

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

ABSENT - C/Gindi

No comments were made.

Mayor Talerico closed the meeting to the public.

Attorney Levy read the ordinance by title.

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

Roll Call: AYE - C/East, C/Jones, C/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 Regulation 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" - Public Hearing/Adoption

Attorney Levy read the ordinance by title.

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

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

No comments were made.

Mayor Talerico closed the meeting to the public.

Attorney Levy read the ordinance by title.

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

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
- Public Hearing/Adoption

Attorney Levy read the ordinance by title.

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

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

ABSENT - C/Gindi

No comments were made.

Mayor Talerico closed the meeting to the public.

Attorney Levy read the ordinance by title.

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

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.

11. PUBLIC COMMENT ON AGENDA ITEMS ONLY

The meeting was open to the public on-agenda items.

Mayor Talerico reminded the residents of the three additional resolutions.

No comments were made.

The meeting was closed to public comment on agenda items.

12. BILLS & CLAIMS AND BI-WEEKLY PAYROLL

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

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

ABSENT - C/Gindi

13. NEW BUSINESS**A. CONSENT AGENDA RESOLUTIONS**

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

Mayor Talerico commented that the certification of funds has not been signed for resolution 184 due to the CFO being absent due to illness. Mayor Talerico explained the resolution will be approved subject to the certification of funds.

- 1) **Resolution 179-2024** - Auth. Tax Sale Certificate Redemptions
- 2) **Resolution 180-2024** - Auth. Release of Street Opening Escrow Funds for 92 Maple (Blk 802, Lot 11.01)
- 3) **Resolution 181-2024** - Auth. Release of Street Opening Escrow Funds for 45 Ruth (Blk 3311, Lot 5)
- 4) **Resolution 182-2024** - Auth. Purchase of Playground Safety Surfacing for Gurbisz Park Through State Contract (\$87,927)
- 5) **Resolution 183-2024** - Auth. Municipal Clerk/Purchasing Agent to Advertise for RFP's, 2025 Borough Professionals
- 6) **Resolution 184-2024** - Auth. Borough Engineer To Perform Engineering Services For Gurbisz Park
- 7) **Resolution 185-2024** - Auth. ARH Assoc. to Perform Services Related to Rain Garden, Wampum Lake Park (\$67,000)
- 8) **Resolution 186-2024** - Auth ARH Assoc. to Perform Services Related to PH 3 Downtown Greenway Project (\$49,640)
- 9) **Resolution 187-2024** - Auth. Amendments to Contracts with CGP&H to Provide Affordable Housing Administrative Agent and Rehabilitation Program Administrator Services up to and Including December 31, 2024
- 10) **Resolution 188-2024** - Auth. Membership with Keystone Purchasing Network
- 11) **Resolution 190-2024** - Resolution Amending Borough Council's Support From Denver Cole Labs New Jersey, LLC to Denver Cole Farms New Jersey, LLC to Operate a Class II Cannabis Manufacturing Business at 275 Industrial Way West
- 12) **Resolution 191-2024** - Resolution of Support for High Tide Industries, LLC to Operate a Class One and Two Cannabis Wholesale Facility at the Property Located at 246 Industrial Way West, Unit W, Eatontown, New Jersey
- 13) **Resolution 192-2024** - Auth. The License Renewal to Safe Harbor Solutions, LLC to Operate a Cooperative Sober Living Residence

Motion to approve Consent Items 1-13 (Resolutions 179-192) as a group by C/East; seconded by C/Faust

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

ABSENT - C/Gindi

RESOLUTION 179-2024 - 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
3801	13.01	C0035	FIG CUST FIGNJ19LLC & SEC PTY	\$ 1,827.08	\$ 1,600	21-00010

RESOLUTION 180-2024 - AUTHORIZING RELEASE OF STREET OPENING ESCROW FUNDS

WHEREAS, the applicant has requested the release of the performance bond posted for street opening work performed at 92 Maple Avenue; and

WHEREAS, the Borough Engineer in an e-mail dated September 12, 2024 has approved the release of the below noted Escrow Funds; and

\$0.62 (plus any applicable interest) Escrow File No. 1359

Russell Deady

17 Irma Place

Oceanport, New Jersey 07757

Block 134, Lot 6

Street Opening Permit Number 27-2018

NOW, THEREFORE, BUT IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the above noted Escrow funds.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the applicant, the Borough Engineer and the Borough Chief Financial Officer.

RESOLUTION 181-2024 - AUTHORIZING RELEASE OF STREET OPENING ESCROW FUNDS

WHEREAS, the applicant has requested the release of the performance bond posted for street opening work performed at 45 Ruth Place; and

WHEREAS, the Borough Engineer in an e-mail dated September 12, 2024 has approved the release of the below noted Escrow Funds; and

\$500.00 (plus any applicable interest) Escrow File No. 1652

Claudia S. Balderrama

45 Ruth Place

Eatontown, New Jersey 07724

Block 3311, Lot 5

Street Opening Permit Number 22-2024

NOW, THEREFORE, BUT IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the above noted Escrow funds.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the applicant, the Borough Engineer and the Borough Chief Financial Officer.

RESOLUTION 182-2024 - AUTHORIZING PURCHASE OF PLAYGROUND SAFETY SURFACING FOR GURBISZ PARK THROUGH NEW JERSEY STATE CONTRACT

WHEREAS, the Borough is a member of New Jersey State Contract and the Department of Recreation is seeking to purchase safety surfacing with beveled edge and installation of safety surfacing as delineated in the quote from Rubber Recycle, dated September 18, 2024 NJ State Contract # 16-Fleet-00131 in an amount not to exceed \$87,927.00; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to purchase and install safety surfacing at Gurbisz Park because the project will provide substantial recreation opportunities for the Borough youth and is predominantly funded through grants.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Eatontown hereby authorizes the purchase of playground safety surfacing from Rubber Recycle, of Lakewood, New Jersey, as delineated in its price quote dated September 18, 2024 in the total amount of \$87,927.00 through New Jersey State Contract # 16-Fleet-00131 for Gurbisz Park.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

1. Borough Chief Financial Officer
2. Director of Recreation
3. Rubber Recycle

RESOLUTION 183-2024 - AUTHORIZING MUNICIPAL CLERK/PURCHASING AGENT TO ADVERTISE RFP'S FOR 2025 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 22, 2024, and the NJ League of Municipalities Website for receipt of proposals on Tuesday, November 19, 2024.
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 22, 2024, with receipts of proposals on Tuesday, November 19, 2024.

RESOLUTION 184-2024 - RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PERFORM ENGINEERING SERVICES FOR GURBISZ PARK

WHEREAS, the Borough received grant monies from the State of New Jersey to construct Gurbisz Park on Fort Monmouth including a splash pad, pre-fabricated restroom building, play equipment, and other site improvements; and

WHEREAS, the Borough Engineer provided a proposal dated September 25, 2024 for consulting services as it relates to installation of improvements, permitting, and utility coordination for the proposed improvements at Gurbisz Park, including preparing construction support documents, obtaining topography analysis, providing a design of a grading and drainage plan, determining utility needs, and coordinating electric service; and

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interests of its residents to utilize the grant monies to construct a new park on Fort Monmouth.

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 dated September 25, 2024, in an amount not to exceed \$75,000.00.

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, Chief Financial Officer

RESOLUTION 185-2024 - RESOLUTION AUTHORIZING ARH ASSOCIATES TO PERFORM SERVICES RELATED TO RAIN GARDENS IN WAMPUM LAKE PARK

WHEREAS, in August 2022, ARH Associates began work to obtain funding for a series of rain gardens to be built in Wampum Lake Park in Eatontown; and

WHEREAS, ARH was successful in securing a Stormwater Management Grant to complete the engineering, permitting, and construction of the rain gardens; and

WHEREAS, the Borough Special Engineer, ARH Associates, submitted a letter proposal to the Borough Administrator dated April 3, 2024, outlining the scope of work required to be completed to complete the rain garden project; and

WHEREAS, the Borough Council believes it is in the best interest of its residents to authorize the ARH Associates to begin working on the rain garden project in Wampum Lake Park.

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 ARH Associates to perform the services outlined in its proposal to the Borough dated April 3, 2024, in an amount not to exceed \$67,000.

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

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

1. Linda Campbell Rehmann, Ph.D., ARH Associates
2. William P. Lucia, III, Interim Administrator
3. Dena Amoda, CFO

RESOLUTION 186-2024 - RESOLUTION AUTHORIZING ARH ASSOCIATES TO PERFORM ENGINEERING SERVICES RELATED TO PHASE 3 OF DOWNTOWN GREENWAY PROJECT

WHEREAS, the Borough Administrator received a proposal dated August 26, 2024, from the Borough's Special Project Engineer, ARH Associates, to perform design engineering services related to the Downtown Greenway Project for the Wolcott Park Area ("Engineering Services"), in connection with Phase 3 of the Downtown Greenway Project; and

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough and its residents to authorize ARH Associates to perform the Engineering Services in connection of the Phase 3 of the Downtown Greenway Project; and

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 ARH Associates to perform the services outlined in its proposal to the Borough dated August 26, 2024, in an amount not to exceed \$49,640.00.

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

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

1. George Scott, ARH Associates
2. William P. Lucia, III, Interim Administrator
3. Dena Amodea, CFO

RESOLUTION 187-2024 - RESOLUTION AUTHORIZING AMENDMENTS OF CONTRACTS WITH CGP&H TO PROVIDE AFFORDABLE HOUSING ADMINISTRATIVE AGENT AND REHABILITATION PROGRAM ADMINISTRATOR SERVICES UP TO AND INCLUDING DECEMBER 31, 2024

WHEREAS, the Borough solicited proposals through a fair and open process for the position of Affordable Housing Administrative Agent and Rehabilitation Program Administrator; and

WHEREAS, Community Grants Planning & Housing of Cranbury ("CGP&H") was the only proposal submitted for both Affordable Housing Administrative Agent and Rehabilitation Program Administrator; and

WHEREAS, by Resolution 246-2023, the Borough awarded a contract to CGP&H to be its Rehabilitation Program Administrator for the term of December 1, 2023 through November 30, 2024; and

WHEREAS, by Resolution 247-2023, the Borough awarded a contract to CGP&H to be its Affordable Housing Administrative Agent for the term of December 1, 2023 through November 30, 2024; and

WHEREAS, the Borough is in the process of soliciting proposals for the positions of Affordable Housing Administrative Agent and Rehabilitation Program Administrator for the following term, but has not yet awarded contracts for such services, so it requested, and CGP&H agreed, to amend CGP&H's current contracts with the Borough to extend the services it provides for the Borough up to and including December 31, 2024; and

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough and its residents to continue to maintain in place its existing agreement to CGP&H to provide Affordable Housing Administrative Agent and Rehabilitation Program Administrator services until such time as the Borough may award a new contract; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, hereby amends both its agreements with CGP&H for Affordable Housing Administrative Agent and Rehabilitation Program Administrator services to extend the term up to and including December 31, 2024.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any amendment necessary to the Borough's contracts with CHP&H to extend the term of the agreements up to and including December 31, 2024, in a form approved by the Borough Attorney.

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

1. Community Grants Planning & Housing of Cranbury
2. William P. Lucia, III, Interim Administrator
3. Dena Amodea, CFO

RESOLUTION 188-2024 - AUTHORIZING REISTRATION FOR MEMBERSHIP WITH KEYSTONE PURCHASING NETWORK

WHEREAS, pursuant to N.J.S.A. 40A:11-12 and N.J.S.A. ,52:34-6.2, the Borough may purchase any goods or services using a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit; and

WHEREAS, Keystone Purchasing Network is a cooperative purchasing program which conducts steps of bidding and awarding contracts to vendors who are required to offer their best discounted prices and services to members of Keystone Purchasing Network; and

WHEREAS, the Borough of Eatontown desires to become a member of Keystone Purchasing Network in order to take advantage of cooperative purchasing opportunities which will benefit the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a Membership Agreement with Keystone Purchasing Network.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Keystone Purchasing Network.

RESOLUTION 190-2024 - RESOLUTION AMENDING BOROUGH COUNCIL'S SUPPORT FROM DENVER COLE LABS NEW JERSEY, LLC TO DENVER COLE FARMS NEW JERSEY, LLC TO OPERATE A CLASS II CANNABIS MANUFACTURING BUSINESS AT 275 INDUSTRIAL WAY WEST

WHEREAS, on August 5, 2021, the Borough of Eatontown adopted Ordinance No. 19-2021 (the "Cannabis Ordinance") authorizing and limiting cannabis business establishments in the Borough including two (2) Class 1 Cannabis Cultivator businesses on Industrial Way West; and

WHEREAS, the Borough Council adopted Resolution No. 176-2021 on October 27, 2021 approving a New Marijuana Business License Application requirement for all potential Cannabis businesses seeking to do business in the Borough; and

WHEREAS, Denver Cole Farms New Jersey, LLC ("Denver Cole Farms") filed a New Marijuana Business License Application with the Borough to operate a Class 1 Cannabis Cultivator business located at the property bearing the address 275 Industrial Way West, Eatontown, New Jersey (the "Property"); and

WHEREAS, the Zoning Officer found that the proposed location of Denver Cole Farm's Class 1 Cannabis Cultivator businesses located at the Property is consistent with the Borough's zoning requirements for such facilities; and

WHEREAS, the Borough Council held a hearing at its September 13, 2022 Council meeting and Jeffrey Larson, Denver Cole's founder and President along with Ron Wollner, the owner of the Property where the Class I Cannabis Cultivator business is to be located, testified in support of Denver Cole's request for a Resolution of Support from the Borough Council; and

WHEREAS, the Borough Council adopted a Resolution 214-2022 issuing a Resolution of Support to Denver Cole Farms, to operate a Class 1 Cannabis Cultivator business located at the Property; and

WHEREAS, Denver Cole Labs New Jersey, LLC ("Denver Cole Labs") filed a New Marijuana Business License Application (the "Application") with the Borough to operate a Class II Cannabis Manufacturing business located at the property bearing the address 275 Industrial Way West (Block 3503, Lot 8 on the Borough Tax Map), Eatontown, New Jersey (the "Property"); and

WHEREAS, the Zoning Officer found that the proposed location of Denver Cole Labs' Class II Cannabis Manufacturing businesses located at the Property is consistent with the Borough's zoning requirements for such businesses; and

WHEREAS, the Borough Council conducted a hearing on Denver Cole Labs' request for a Resolution of Support on January 10, 2024 (the "Hearing") with Denver Cole Labs representatives Ron Wollner, Jeffrey Larson and Randy Lanier having been sworn as witnesses and testified before the Borough Council in support of Denver Cole Labs' request; and

WHEREAS, the Borough Council adopted Resolution 34-2024 issuing a Resolution of Support to Denver Cole Labs to operate a Class 2 Cannabis Manufacturer business at the property located at 275 Industrial Way West, Eatontown, New Jersey; and

WHEREAS, the Cannabis Regulatory Commission requested that Denver Cole Labs (Class 2 operation) change its name to Denver Cole Farms to reflect the same named legal entity operating both Class 1 and Class 2 cannabis operations at the same Property; and

WHEREAS, the Zoning Officer has confirmed that the Property continues to be zoned for Cannabis Class 2 operations and the Borough Council believes it is in the best interest of the Borough to continue to support lawful Cannabis Class 2 operations at the Property.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown in the County of Monmouth, State of New Jersey that it hereby issues this Resolution of Support to Denver Cole Farms New Jersey, LLC to operate a Class 2 Cannabis Manufacturing business at the premises located at 275 Industrial Way West, Eatontown, New Jersey; and

BE IT FURTHER RESOLVED as follows:

1. Denver Cole Farms New Jersey, LLC is registered to do business in the State of New Jersey.
2. The Borough of Eatontown has authorized up to two Class 2 Cannabis Manufacturing licenses and it has received applications for Class 2 Manufacturing Licenses, thereby exceeding the number of authorized Class 2 Manufacturing facilities permitted to be operated in Eatontown by the Cannabis Ordinance.
3. The Borough Council reserves the right to issue additional Resolutions of Support to other Class 2 Cannabis Manufacturing facilities which have applied for such support, and the Borough ultimately reserves the right to issue a license or other required approvals necessary to locate and operate a Class 2 Manufacturing business to the first and second fully approved Class 2 Manufacturing business which have obtained all other necessary approvals to locate and operate a Class 2 Manufacturing cannabis facility within the Borough, including but not limited to all required land use approvals, outside state agency approvals and ultimately a certificate of occupancy.
4. All other terms and conditions of Resolution 34-2024 not inconsistent with this Resolution shall remain in effect.
5. A copy of this Resolution shall be forwarded to the following:

- a. Denver Cole Farms New Jersey, LLC
- b. Kathy Muscillo, Director of Planning and Zoning

RESOLUTION 191-2024 - RESOLUTION OF SUPPORT FOR HIGH TIDE INDUSTRIES, LLC TO OPERATE A CLASS ONE AND TWO CANNABIS WHOLESALE FACILITY AT THE PROPERTY LOCATED AT 246 INDUSTRIAL WAY WEST, UNIT W, EATONTOWN, NEW JERSEY

WHEREAS, on August 5, 2021, the Borough of Eatontown adopted Ordinance No. 19-2021 (the "Cannabis Ordinance") authorizing and limiting cannabis business establishments in the Borough including two (2) Class 1 Cannabis Grower businesses and two (2) Class 2 Cannabis Manufacturer businesses on Industrial Way West of Route 35; and **WHEREAS**, the Borough Council adopted Resolution No. 176-2021 on October 27, 2021 approving a New Marijuana Business License Application requirement for all potential Cannabis businesses seeking to do business in the Borough; and **WHEREAS**, the Borough Council adopted Ordinance 16-2023 amending Ordinance 19-2021 expanding the eligible locations for Class 1 through 5 Cannabis operations, defined a "School", the manner in which the distance to a School is measured, further authorized Cannabis Microbusiness operations for Classes 1 through 4 facilities, and increased the number of Class 5 licenses from three to four; and

WHEREAS, the Borough Council adopted Ordinance 01-2024 modifying the permitted hours of operation by Cannabis Class and further allowing a Class 5 microbusiness while also authorizing Class 1, 2, 3, and 4 Microbusinesses to be located on Industrial Way, West, Industrial Way East to Wall Street, Meridian Road, Corbett Way, Christopher Way and James Way (Ordinances 19-2021, Ordinance 16-2023 and Ordinance 1-2024 shall be collectively referred to as the "Cannabis Ordinance"); and

WHEREAS, High Tide Industries, LLC ("High Tide") filed a New Marijuana Business License Application with the Borough to operate a Class 1 Cannabis Grower facility and a Class 2 Cannabis Manufacturer at the property bearing the address 246 Industrial Way West, Unit W, Eatontown, New Jersey (the "Property"); and

WHEREAS, the Zoning Officer found that the proposed location and operation of High Tide's proposed facility is consistent with the Borough's zoning requirements for such cannabis operations; and

WHEREAS, the Borough Council reviewed High Tide application and held a public hearing during the September 25, 2024 Council meeting wherein it considered the sworn testimony of Bernard Gruberg and Charles Robinson on behalf of High Tide; and

WHEREAS, at said public hearing, High Tide acknowledged that it was aware and understood: (1) the Borough has reserved its right to issue more letters of support beyond the permitted number establishments permitted by the Cannabis Ordinance, (2) that another Marijuana Business License Application had already been received by the Borough from another applicant seeking to open an establishment at the exact same location as High Tide, particularly 246 Industrial Way West, Unit W, Eatontown, New Jersey, (3) the Borough's Resolution in Support of High Tide to operate a Class 1 Cannabis Grower business and a Class 2 Cannabis Manufacturer business would be specifically for 246 Industrial Way West, Unit W, Eatontown, New Jersey and not any other unit at that address, and (4) the Borough will not issue a Marijuana Business License to both High Tide and the other applicant to both operate cannabis business establishments at the exact same address; and

WHEREAS, the Borough Council having found that High Tide meets the criteria to obtain a Resolution of Support for the operation of a Class 1 Cannabis Grower business and a Class 2 Cannabis Manufacturer business at the Property.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby issues this Resolution of Support to High Tide Industries, LLC, to operate a Class 1 Cannabis Grower business and a Class 2 Cannabis Manufacturer business facility at the property located at 246 Industrial Way West, Unit W, Eatontown, New Jersey; and

BE IT FURTHER RESOLVED as follows:

6. High Tide Industries, LLC, is registered to do business in the State of New Jersey.
7. The Borough of Eatontown has authorized up to two (2) Class 1 Cannabis Grower business and two (2) Class 2 Cannabis Manufacturer business facilities through the adoption of the Cannabis Ordinance.
8. The Borough Council reserves the right to issue additional Resolutions of Support to other Class 1 Cannabis Grower businesses and Class 2 Cannabis Manufacturer businesses facility applicants and the Borough shall ultimately issue up to two licenses to locate and operate Class 1 Cannabis Grower businesses and Class 2 Cannabis Manufacturer businesses facilities operators to applicants which meet the criteria to obtain a Cannabis license from the Borough in conformance with the requirements of the Cannabis Ordinance.

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

- c. High Tide Industries, LLC
- d. Kathy Muscillo, Director of Planning and Zoning

RESOLUTION 192-2024 - 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, 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, 2024 through September 30, 2025; 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 25, 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, 2024, through September 30, 2025.

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

14. REMARKS OF COUNCIL AND CITIZENS

Councilmember Jones commented on a few announcements.

Councilmember Faust commented that a Councilmember from Montclair reached out and wanted to review the Complete Streets Ordinance. Councilmember Faust then commented that the New Jersey Bike and Walk Coalition will be having a webinar on October 15th.

Councilmember Araman explained that regarding the streetlights issue, he would like to set up a meeting/presentation with a company that explains how the Borough can deal with the local electrical company. Mayor Talerico responded. Councilmember Araman then asked if it is possible to make Eatontown Day for two days in the future. Mayor Talerico responded.

The meeting was open to the public.

Richard Neale, Eatontown, informed council that he will be handing in a micro retail application. Mr. Neale then spoke about his goals, products and benefits. Mayor Talerico responded. The discussion continued between Mr. Neale and Mayor Talerico.

Rita Ruggieri, Eatontown Cannabis Business Owner, advocated for Mr. Neale and urged the council to approve his micro cannabis resolution. Mayor Talerico responded.

Ron Wollner, 275 Industrial Way, advocated for Mr. Neale. Mr. Wollner then provided the council with an update on his cannabis facility. Mr. Wollner then thanked the council for their support. Mayor Talerico asked Mr. Wollner to provide him updates to the Borough Clerk per the cannabis ordinance. Mr. Wollner responded. The discussion continued between Mr. Wollner and Mayor Talerico. Councilmember Araman asked Mr. Wollner for a tour of his cannabis facility. Mr. Wollner responded.

Rita Ruggieri, Eatontown Cannabis Business Owner, told the council she would love to have them for a tour as well. There being no further comments, the meeting was closed to the public.

5. CLOSED SESSION

Resolution 189-2024

- 1) Contract Negotiations - Howard Commons
- 2) Attorney Client Privilege - Affordable Housing

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

Attorney Bayer read the resolution into the record.

RESOLUTION 189-2024

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

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

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

- 1) Contract Negotiation - Howard Commons; 2) Attorney Client Privilege - Affordable Housing

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

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the above-referenced executive session to be held closed to the public, on Wednesday, September 25, 2024.

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

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

Council entered Closed Session at 8:20pm

Council returned from Closed Session at 8:38pm

Motion to enter into open session by C/East; seconded C/Lawson

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

16. ADJOURNMENT – 8:38pm

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

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



By: Julie Martin, RMC, Borough Clerk

P.O. Type: All

Range: First to Last

Format: Condensed

Vendors: All

Rev'd 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
AT5001	SITEONE LANDSCAPE SUPPLY	24-00714	03/15/24	OPEN FOR 2024	Open	955.94	0.00		B
AMAZ001	AMAZON.COM SERVICES, INC.	24-01735	08/06/24	PUBLIC EVENTS BLANKET PURCHASE	Open	166.46	0.00		B
		24-01737	08/06/24	HISTORICAL ICE CREAM SOCIAL	Open	42.95	0.00		
						209.41			
AMERT001	AMERTIFLEX BUSINESS SOLUTIONS	24-00406	02/08/24	2024 FSA ADMIN/COBRA FEES	Open	115.00	0.00		B
ASFT001	ATLANTIC SECURITY & FIRE, INC.	24-01817	08/20/24		Open	297.00	0.00		
ATS001	ATLANTIC TREE EXPERTS CO.	24-01867	08/21/24	45 CEDAR & 7/9 MARILYN CT	Open	2,000.00	0.00		
ATTM002	AT&T MOBILITY - 287306454448	24-02067	09/19/24	BORO MONTHLY CELL PHONE USUAGE	Open	419.53	0.00		
TM003	AT&T MOBILE 287306454309	24-02068	09/19/24	BORO/POLICE CELL USUAGE	Open	2,744.11	0.00		
AUTO001	AUTO PARTS CENTER	24-01053	05/02/24	OPEN FOR 2024	Open	102.93	0.00		B
		24-01242	05/24/24	OPEN FOR 2024	Open	859.53	0.00		B
						962.46			
BBBA001	BROWN & BROWN BENEFITS ADV.	24-02010	09/12/24	OCT 2024 CONSULTING FEE	Open	1,500.00	0.00		
BOE001	EATONTOWN BOARD OF EDUCATION	24-01974	09/09/24	TAX LEVY OCTOBER 2024	Open	1,599,989.00	0.00		
BRG001	BOARD OF RECREATION COMMISSION	24-01588	07/17/24	NATURE STORY TIME SESSION I	Open	150.00	0.00		
		24-01742	08/07/24	NATURE EXPLORERS 2024	Open	70.00	0.00		
						220.00			
BRUN001	MATZ BRUNO	24-01701	07/31/24	WORKBOOT REIMBURSEMENT	Open	400.00	0.00		
BTF001	BOROUGH OF TINTON FALLS	24-01861	08/21/24	RECYCLING MEETING & INSPECTION	Open	862.48	0.00		
COO1	DOUGLAS BUCHAN	24-01844	08/20/24	WOOKBOOT REIMBURSEMENT	Open	154.99	0.00		

September 20, 2024
11:58 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
CAG001	CLEAR, GIACOBBE ALFIERI & JACO								
		24-01708	07/31/24	MUNICIPAL PROSECUTOR SERVICES	Open	3,000.00	0.00		B
CAPIC001	RONALD CAPICIANA								
		24-01968	09/06/24	DJ Community Day 9.21.24	Open	250.00	0.00		
CGPH001	CGP&H, LLC								
		24-01908	08/29/24	HOUSING REHABILITATION PROGRAM	Open	550.00	0.00		
COM006	COMCAST BUSINESS								
		24-02035	09/16/24	BORO INTERNET SERVICES	Open	779.95	0.00		
COM004	COMCAST								
		24-02034	09/16/24	LIBRARY INTERNET SERVICES	Open	96.90	0.00		
CFCE001	CHRISTIANA T C/F CEL/IST TRUST								
		24-01897	08/28/24	Lien 23-00010 Redemption	Open	28,327.09	0.00		
DGHE0005	DCH FORD OF EATONTOWN								
		24-00029	01/05/24	OPEN FOR 2024	Open	379.48	0.00		B
		24-00736	03/18/24	OPEN FOR 2024	Open	543.57	0.00		B
						923.05			
DELTA001	DELTA DENTAL								
		24-02029	09/16/24	BILILING PERIOD 10/1/24-10/31/2	Open	11,018.86	0.00		
DENA001	DENA AMODEA								
		24-00914	04/12/24	2024 CELL PHONE REIMBURSEMENT	Open	90.00	0.00		B
DOREE010	DOREEN R JACKSON								
		24-01964	09/06/24	MEDICARE INS REIMBURSEMENT	Open	733.80	0.00		
FIRE001	FIRE FIGHTER ONE								
		24-01610	07/17/24	FIRE DEPT EQUIPMENT PURCHASE	Open	2,703.43	0.00		
FMERA001	FMERA								
		24-02036	09/16/24	RTE 537 STREET LIGHTS SERVICE	Open	382.20	0.00		
FOLE002	FOLEY INCORPORATED								
		24-00011	01/05/24	OPEN FOR 2024	Open	550.61	0.00		B
FOO001	SAKER SHOPPRITES, INC								
		24-01521	07/09/24	AUGUST SNACKS	Open	51.42	0.00		
		24-01522	07/09/24	AUGUST SNACKS	Open	25.36	0.00		
		24-01760	08/08/24	SEPTEMBER AFTERCARE SNACKS	Open	351.13	0.00		
						427.91			
GAGL001	GAGLIANO & COMPANY								
		24-01864	08/21/24	Professional Services Rendered	Open	3,000.00	0.00		
		24-01866	08/21/24	Professional Services Rendered	Open	3,000.00	0.00		
						6,000.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NAC001	BOROUGH OF EATONTOWN GENERAL A								
		24-01927	09/04/24	PAY PERIOD 9/13/24 O/S DETAIL	Open	14,493.00	0.00		
GLENG001	GLENCO SUPPLY, INC								
		24-01042	05/02/24	OPEN FOR 2024	Open	320.00	0.00		B
GPG001	GENUINE PARTS COMPANY INC								
		24-00227	01/19/24	OPEN FOR 2024 - OILS/LUBES	Open	483.20	0.00		B
		24-00525	02/22/24	OPEN FOR 2024	Open	1,921.82	0.00		B
		24-01055	05/02/24	OPEN FOR 2024	Open	859.92	0.00		B
						3,264.94			
GREE001	GREEN PLANET PRODUCTIONS LLC								
		24-00944	04/16/24	Crunchy T-Rex Performance	Open	1,000.00	0.00		
GRIFF006	GRIFFIN AUTOMOTIVE INFO SERV								
		24-01662	07/23/24	MUNICIPAL SCANNER MASTER TABLE	Open	5,500.00	0.00		
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC								
		24-00017	01/05/24	OPEN FOR 2024	Open	529.70	0.00		B
GSB002	GARDEN STATE BOBCAT, INC								
		24-01369	06/18/24	STUMP GRINDER	Open	403.56	0.00		
GW001	GEORGE WALL, LINCOLN MERCURY, IN								
		24-00739	03/18/24	OPEN FOR 2024	Open	29.04	0.00		B
		24-01403	06/19/24	OPEN FOR 2024	Open	50.79	0.00		B
						79.83			
HOMED01	HOME DEPOT/6035322538819545								
		24-01506	07/08/24	Community Garden supplies	Open	79.96	0.00		
JAC001	GEORGE JACKSON								
		24-01963	09/06/24	MEDICARE INS REIMBURSEMENT	Open	733.80	0.00		
JERS001	JCP&L								
		24-02073	09/19/24	BORO MONTHLY ELECTRIC USAGE	Open	11,199.49	0.00		
JERS002	HUNTER JERSEY PETERBILT LP								
		24-00018	01/05/24	OPEN FOR 2024	Open	145.27	0.00		B
		24-00740	03/18/24	OPEN FOR 2024	Open	230.60	0.00		B
						375.87			
JFWL001	JOSEPH FAZZIO-HOWELL LLC								
		24-00255	01/24/24	OPEN FOR 2024	Open	3.39	0.00		B
		24-00997	04/23/24	OPEN FOR 2024	Open	1,512.04	0.00		B
						1,515.43			
JGG001	John Guire Supply LLC								
		24-00054	01/08/24	OPEN FOR 2024	Open	83.60	0.00		B
		24-00261	01/24/24	OPEN FOR 2024	Open	126.98	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
JGC001	John Guine Supply LLC			Continued					
		24-01845	08/20/24	FW 20 CUTQUICK BASE CART	Open	2,183.97	0.00		
						2,394.55			
LETT002	LEITCH RECYCLING CO, INC								
		23-00928	03/30/23	OPEN FOR 2023	Open	1,925.43	0.00		B
		24-00259	01/24/24	OPEN FOR 2024 - OUTGOING	Open	211.55	0.00		B
		24-00260	01/24/24	OPEN FOR 2024 - INCOMING	Open	65.55	0.00		B
		24-01871	08/22/24	CRUSHED CONCRETE	Open	331.77	0.00		
						2,534.30			
LUCT001	WILLIAM LUCIA								
		24-01959	09/06/24	SEPT REIMBURSEMENT ZOOM	Open	234.47	0.00		
MAZ003	MAZZA RECYCLING SERVICES INC								
		24-01933	09/04/24	BULKY WASTE AUG 2024	Open	5,842.00	0.00		
		24-01941	09/05/24	RESIDENTIAL RECYCLING AUG '24	Open	328.10	0.00		
						6,170.10			
MAZ004	MAZZA MULCH								
		24-00627	03/06/24	OPEN FOR 2024	Open	4,932.00	0.00		B
		24-00823	04/02/24	OPEN FOR 2024	Open	4,788.00	0.00		B
		24-01847	08/20/24	CHIPS	Open	900.00	0.00		
						10,620.00			
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC								
		24-00022	01/05/24	OPEN FOR 2024	Open	1,403.19	0.00		B
		24-01650	07/22/24	PACKER 14 TANK, SURGE TANK	Open	694.50	0.00		
						2,097.69			
MON002	MONMOUTH BUILDING CENTER								
		24-00825	04/02/24	OPEN FOR 2024	Open	25.99	0.00		B
MRH001	MONMOUTH REGIONAL H.S. BD. OF								
		24-01975	09/09/24	TAX LEVY OCTOBER 2024	Open	966,543.67	0.00		
NJB001	VERIZON								
		24-02033	09/16/24	MUSEUM PHONE SERVICES	Open	87.73	0.00		
NJSHD001	NEW JERSEY STATE VET HEALTH DE								
		24-01916	08/30/24	Dog License Monthly Report	Open	18.60	0.00		
PASHSTET	PASHMAN STEIN WALDER HAYDEN								
		24-02026	09/16/24	TAX APPEALS	Open	2,205.00	0.00		
		24-02027	09/16/24	RETAINER	Open	1,541.66	0.00		
		24-02028	09/16/24	GENERAL FEES	Open	10,511.84	0.00		
						14,258.50			
PATRI020	PATRICIA R. DOMINACH								
		24-01776	08/15/24	August Chair Yoga Classes	Open	100.00	0.00		
		24-01777	08/15/24	September Chair Yoga Classes	Open	100.00	0.00		
						200.00			

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TR002	PETRO KING SERVICE								
		24-01875	08/22/24	PUMP #1 NOT WORKING - INSPECT/	Open	288.00	0.00		
POORJ005	POOR JOHN'S PORTABLE TOILETS								
		24-00659	03/08/24		Open	732.00	0.00		B
PROGA006	PRO CAP 8, LLC								
		24-01899	08/28/24	Lien 23-00016 Redemption	Open	1,507.07	0.00		
QUAUT001	QUALITY AUTO GLASS, INC.								
		24-01600	07/17/24	WINDSHIELD GREEN TINT/BLUE SHA	Open	920.23	0.00		
		24-01649	07/22/24	COMMUNITY CENTER BUS	Open	790.00	0.00		
						1,710.23			
REP001	REPUBLIC SERVICES								
		24-01891	08/27/24	SEPTEMBER '24 RESI SERVICES	Open	85,402.63	0.00		
REPT001	REPUBLIC SERVICES								
		24-01940	09/05/24	TONNAGE AUG 24	Open	26,588.38	0.00		
RHELF005	R HELFRICH & SON CHARTER BUS								
		24-01792	08/19/24	JULY AC TRIP 07/16/24	Open	1,000.00	0.00		
SCH001	SCM ASSOCIATES								
		24-01682	07/25/24	Surrey Eq Escrow #1618	Open	14,741.47	0.00		
		24-01859	08/21/24	Monmouth Square Escrow #1615	Open	3,419.75	0.00		
						18,161.22			
SEACST01	SEA COAST CHEVROLET OLDSMOBILE								
		24-00025	01/05/24	OPEN FOR 2024	Open	129.91	0.00		B
		24-00624	03/06/24	OPEN FOR 2024	Open	761.09	0.00		B
						891.00			
SEAVI005	SEA VIEW AUTO CORP								
		24-00030	01/05/24	OPEN FOR 2024	Open	640.00	0.00		B
SEC002	THYSSEN KRUPP ELEVATOR								
		24-01978	09/09/24		Open	744.99	0.00		
SHORE002	THE HOSE SHOP, INC.								
		24-00031	01/05/24	OPEN FOR 2024	Open	730.86	0.00		B
SHORIN01	SHORE INFLATABLES								
		24-01743	08/07/24	6 IN 1 MINIONS COMBO WET SLIDE	Open	431.00	0.00		
SNEAK005	SNEAKERS PLUS OF WALL								
		24-01900	08/28/24	Soccer League Uniforms	Open	836.00	0.00		
STAO01	STAVOLA CONTRACTING CO. INC.								
		24-00625	03/06/24	OPEN FOR 2024	Open	2,548.96	0.00		B
		24-00822	04/02/24	OPEN FOR 2024	Open	1,640.68	0.00		B
						4,189.64			

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
STORR001	STORR TRACTOR COMPANY								
		24-00403	02/07/24	OPEN FOR 2024	Open	666.77	0.00		B
TARGE005	TARGETED TECHNOLOGIES LLC								
		24-01904	08/29/24	DELL LATITUDE PRO SUPPORT	Open	177.00	0.00		
		24-01910	08/29/24	POWEREDGE R640 PRO SUPPORT	Open	1,781.00	0.00		
						1,958.00			
TEAM003	TEAM LIFE								
		24-01860	08/21/24	AED SILVER PLAN RENEWAL	Open	280.00	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT								
		24-01818	08/20/24		Open	75.00	0.00		B
		24-01923	09/03/24		Open	349.00	0.00		B
						424.00			
TURF001	TURF TRADE								
		24-01000	04/23/24	OPEN FOR 2024	Open	412.00	0.00		B
VERTZ005	VERIZON - ALBANY								
		24-02066	09/19/24	BORO FIBEROPTIC ACCOUNT SERV	Open	832.60	0.00		
Total Purchase Orders: 105						Total P.O. Line Items: 0	Total List Amount: 2,859,771.29	Total Void Amount:	0.00

Totals by Year-Fund							
nd Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	3-01	2,257.20	0.00	2,257.20	0.00	0.00	2,257.20
CURRENT FUND:	4-01	2,794,309.88	0.00	2,794,309.88	0.00	0.00	2,794,309.88
GRANT FUND	G-02	147.23	0.00	147.23	0.00	0.00	147.23
	T-12	18.60	0.00	18.60	0.00	0.00	18.60
	T-15	44,877.16	0.00	44,877.16	0.00	0.00	44,877.16
	T-17	18,161.22	0.00	18,161.22	0.00	0.00	18,161.22
Year Total:		63,056.98	0.00	63,056.98	0.00	0.00	63,056.98
Total of All Funds:		2,859,771.29	0.00	2,859,771.29	0.00	0.00	2,859,771.29