

**Regular Meeting
Borough of Eatontown Governing Body
Wednesday, December 4, 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 7:33pm, 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 (by phone)

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

ABSENT: Councilmember David Gindi

The Flag Salute was held during workshop.

2. APPROVAL OF MINUTES

A. Regular Meeting – 11/18/2024

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

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

3. COMMUNICATIONS

- A. Notice to Property Owners - ZBA Variance Application, 105 Reynolds Drive (Blk 2502, Lot 38)
- B. Monmouth County Commissioners - Resolution Urging State to Reject Adoption of Proposed Protecting Against Climate Threat/Resilient Environments & Landscape Rules
- C. Notice of Hearing, Eatontown Sewerage Authority - Increase of Connection Fees/Annual Sewer Fees
- D. Dynamic Engineering - Public Notification - Old Orchard Country Club
- E. Dynamic Engineering - Notification for Use of Alternative Fill, Old Orchard Country Club
- F. Notice of public Hearing - Eatontown Planning Board, 2 Country Club Road
- G. Notice to Property Owners - Eatontown Zoning Board, 5 Iris Street
- H. Public Notice, Eatontown Zoning Board, 18 Judy Road

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

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

4. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico had nothing to report.

5. REPORTS OF COMMITTEES

A. EMERGENCY SERVICES - Council President East

Council President East reported on the Fire Department's and First Aid Squad's total number of calls and the top responders for November. Council President East further reported on the Fire Department's appointments for next year, the annual Santa run, the Eatontown Cadet's training, their First Aid Skills, and on their next meetings. Council President East then reported on the Historical Committee's annual Christmas Open House, and their next meeting. Council President East then reported on the Senior Housing Board's holiday party being held on December 12th for the residents. Council President East then made a few announcements.

B. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones reported on the next meetings of the Cannabis Regulatory Commission, the Eatontown Board of Education, the Monmouth Regional High School Board of Education, the Environmental Commission, the Health and Human Services Committee and the Cannabis Ad Hoc Committee.

C. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Gindi

Councilmember Gindi was absent, therefore had no report.

D. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman

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

Councilmember East asked if the accidents are in the same area. Interim Administrator Lucia explained they are throughout the Borough, but some areas are prone to more.

E. PARKS & RECREATION - Councilmember Lawson

Councilmember Lawson reported on the Recreational Basketball Clinic and League, on the next Recreation Advisory Committee meeting and on the annual Eatontown Christmas tree lighting and iceless skating rink. Councilmember Lawson then reported on the community center advisory committee meeting that was held in November.

F. PUBLIC WORKS & INSURANCE - Councilmember Faust

Councilmember Faust reported on the Department of Public Works' November report.

6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia had nothing to report.

7. OLD BUSINESS

A. RESOLUTION ADOPTION

- 1) **Resolution 232-2024** - Approving Developer's Agreement with US Homes at Howard Commons Urban Renewal, LLC For the Property Identified as Block 601, Lot 1 and Block 701, Lot 1 Along Pinebrook Road (*carried from 11/18/24*)

Attorney Bayer and Mayor Talerico explained why the resolution needs to be carried to the next meeting.
The resolution was carried.

B. ORDINANCE ADOPTION

- 1) **Ordinance 24-2024** - An Ordinance Approving the Downtown Village Redevelopment Plan for the Properties Identified on the Borough Tax Map as Block 301, Lots 13 and 18, Block 304, Lots 1-26, Block 401, Lots 61-68 and Block 901, Lots 1-8 - ***Public Hearing/Adoption***

Attorney Bayer read the ordinance by title.

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

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

No comments were made.

Mayo Talerico closed the meeting to the public.

Attorney Bayer read the ordinance by title.

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

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

ORDINANCE 24-2024**BOROUGH OF EATONTOWN****COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

AN ORDINANCE APPROVING THE DOWNTOWN VILLAGE REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 301, LOTS 13 and 18, BLOCK 304, LOTS 1-26, BLOCK 401, LOTS 61-68 AND BLOCK 901, LOTS 1-8.

WHEREAS, the Mayor and Council of the Borough of Eatontown adopted Resolution 44-2021 on February 24, 2021 directing the Planning Board to conduct a preliminary investigation of the properties officially designated as Block 304, Lots 1, 2, 3, 4, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26; Block 901, Lots 1, 2, 3, 4, 5, 6, 7, and 8; and Block 401, Lots 61, 62, and 63 on the tax map of the Borough of Eatontown (the "Downtown Redevelopment Area") so as to determine whether the Downtown Redevelopment Area meets the criteria to be designated as a Non-Condensation Area in Need of Redevelopment under the ; and

WHEREAS, the Planning Board conducted an investigation which included consideration of the report prepared by Jennifer C. Beahm, P.P., AICP of Leon S. Avakian Inc., dated April 2021 entitled "Area in Need of Redevelopment Investigation Report" and conducted a public hearing on May 17, 2021 in accordance with the requirements of applicable law; and

WHEREAS, the Planning Board determined the Downtown Redevelopment Area meets the criteria under the LRHL to be declared a Non-Condensation Area in Need of Redevelopment and adopted a resolution on June 7, 2021, confirming that finding; and

WHEREAS, Borough Council adopted Resolution 102-2021 determining the Downtown Redevelopment Area constitutes an Area in Need of Redevelopment under N.J.S.A. 40A:12A-5 (a) and (b); and

WHEREAS, the Borough Council adopted Resolution 38-2024 authorizing the Planning Board to conduct a preliminary investigation to determine whether additional properties in the Downtown designated as Block 304, Lots 5, 6, 7, 8, 9, 10, 12, 13, 15, and 16 and Block 301, Lots 13 and 18 and Block 401, Lots 64, 65, 66, 67 and 68 on the Borough Tax Map (the "Amended Downtown Study Area meets the criteria to be declared an Area in Need of Redevelopment in conjunction with its previous determination that the Downtown Study Area met the redevelopment designation under the LRHL; and

WHEREAS, the Planning Board conducted a public hearing and considered the report by the Planning Board Planner Jennifer C. Beahm, P.P. AICP of Leon S. Avakian, Inc. dated April 2021 which recommends the designation of the Amended Downtown Study Area as a non-condemnation Area in Need Redevelopment and the Planning Board adopted a Resolution on April 15, 2024 recommending that the Downtown Study Area continues to qualify as a Non-Condensation Area in Need of Redevelopment; and the Amended Downtown Study Area constitutes a Non-Condensation Area in Need of Redevelopment premised upon N.J.S.A. 40A:12A-5 (a) (b) (c), (d) and (h); and

WHEREAS, the Borough Council adopted Resolution 97-2024 on April 25, 2024 designating the Amended Study Downtown Study Area as Non-Condensation Area in Need of Redevelopment premised upon N.J.S.A. 40A:12A-5(a)(b)(c)(d) and (h)

WHEREAS, the Borough Council authorized the Borough Planner, Jennifer C. Beahm, PP, AICP, to prepare a redevelopment plan for the Downtown Redevelopment Area including the Amended Downtown Study Area; ; and

WHEREAS, pursuant to the Governing Body's authorization, the Downtown Village Redevelopment Plan, dated October, 2024, was prepared by Jennifer C. Beahm, PP, AICP; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to adopt a Redevelopment Plan for the Downtown to encourage redevelopment in the downtown of the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves and adopts the Downtown Village Redevelopment Plan prepared by Jennifer C. Beahm, PP, AICP, dated October 2024 for the properties identified on the Borough Tax Map as Block 301, Lots 13 and 18, Block 304, Lots 1-26, Block 401, Lots 61-68 and Block 901, Lots 1-8.

BE IT FURTHER ORDAINED THAT in accordance with N.J.S.A. 40A:12A-7 (c), the Downtown Village Redevelopment Plan contains superseding zoning, and the Zoning District Map of the Borough of Eatontown is hereby amended to include the Downtown Village Redevelopment Plan as a zoning district.

BE IT FURTHER ORDAINED THAT the superseding zoning standards contained within the Downtown Village Redevelopment Plan shall supersede the applicable regulations in the Eatontown Borough Land Use Ordinances governing the properties within the Downtown Redevelopment Area and if a particular land use, development regulations or site standards are not addressed in this Redevelopment Plan, compliance with the Eatontown Borough Land Use Ordinances or other applicable code requirements apply.

BE IT FURTHER ORDAINED, that.

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
 - B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
 - C. This Ordinance shall take effect upon its passage and publication as required by law.
- 2) **Ordinance 25-2024** - An Ordinance Amending Chapter 89, Article IX, Deleting Section 89-74 of the Borough Code "Sidewalks and Aprons" and Moving this Section in its Entirety to a New Section, Chapter 89, Article VII "Area Bulk and Use Requirements" Section 89-53 Entitled "Sidewalks and Aprons" Requiring a Variance from the Requirement to Construct Sidewalks in Lieu of Allowing a Waiver and Amending Section 89-104 of the Borough Code Delineating the Permitted Uses for the Monies in the Sidewalk Trust Fund - ***Public Hearing/Adoption***

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

Councilmember Araman asked what the funds will be used for. Mayor Talerico and Attorney Bayer responded.

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

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 Bayer 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 25-2024**BOROUGH OF EATONTOWN****COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

AN ORDINANCE AMENDING CHAPTER 89, ARTICLE IX, DELETING SECTION 89-74 OF THE BOROUGH CODE "SIDEWALKS AND APRONS" AND MOVING THIS SECTION IN ITS ENTIRETY TO A NEW SECTION, CHAPTER 89, ARTICLE VII "AREA BULK, AND USE REQUIREMENTS" SECTION 89-53 "ENTITLED SIDEWALKS AND APRONS" REQUIRING A VARIANCE FROM THE REQUIREMENT TO CONSTRUCT SIDEWALKS IN LIEU OF ALLOWING A WAIVER AND AMENDING SECTION 89-104 OF THE BOROUGH CODE DELINEATING THE PERMITTED USES FOR THE MONIES IN THE SIDEWALK TRUST FUND

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., and specifically N.J.S.A. 40:55D-62, the Borough of Eatontown ("Borough") is authorized to adopt and amend zoning ordinances and standards; and

WHEREAS, the Borough code currently requires sidewalks to be constructed on both sides of all streets, and around the perimeter of cul-de-sacs, within a development, or on one side where the development abuts an existing street; and

WHEREAS, the Borough Council adopted Ordinance 08-2020 on July 9, 2020 authorizing the Planning and Zoning Boards to grant a waiver from the requirement to install sidewalks with the payment of an in-lieu contribution to the Borough's Special trust account for sidewalk construction so that sidewalks and related improvements maybe installed elsewhere in more appropriate locations in the Borough; and

WHEREAS, the Borough Council recognizes the importance of connecting sidewalks throughout the Borough to ensure connectivity and pedestrian safety and therefore seeks to ensure that the granting of relief from the requirement to construct sidewalks is limited to the circumstances where an applicant to the Planning or Zoning Boards meets the stricter requirements of obtaining a variance rather than a waiver from the requirement under the standards set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq.

NOW THEREFORE BE IT ORDAINED, by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter 89, Article IX, Design Standards and Improvement Specifications, Section 89-74, Sidwalks and Aprons is hereby deleted and the Section in its entirety is hereby moved into a new section within the Land Use Chapter of the Borough Code, Chapter 89, Land Use, Article VII, Area, Bulk and Use Requirements, creating a new section 89-53 entitled "Sidewalks and Aprons" as follows:

SECTION I (89-74) (89-53) Sidewalks and Aprons**A. General requirements.**

- (1) Sidewalks shall be constructed on both sides of all streets within a development and entirely around the perimeter of all culs-de-sac. Where the development abuts an existing street, the sidewalk shall be constructed only on that side. Sidewalks shall also be constructed at any other places, such as pedestrian walkways or access points to open space, parking lots, etc., as shown on or required at the approval of the subdivision or site plan.
- (2) The requirements of the Standard Specifications regarding curing precautions ~~must~~ shall be strictly observed.
- (3) Construction of sidewalks may be ~~waived~~ granted a variance by the Planning Board or Zoning Board of Adjustment. When sidewalk construction is ~~waived~~ granted a variance, an in-lieu contribution to the Borough's Sidewalk Fund is required. The Board shall make one or more of the following findings when waiving sidewalk installation:
 - (a) The installation of sidewalks along the frontage of the property involved would have a detrimental impact and be out of character with the area in question.
 - (b) The street upon which the sidewalks would be installed does not provide direct pedestrian access to a public facility such as a school, an actively used park, or a public transportation facility.
 - (c) The road upon which the property fronts is unimproved.
 - (d) The application will result in no new construction or the construction of an accessory building(s) only.
- (4) When contribution to the Sidewalk Trust Fund is required, the fee shall be paid prior to the release of signed plans and shall be based upon the fee schedule in § 89-104.
- (5) Exception. The ~~Board~~ Borough Council may waive entirely the in-lieu contribution when it finds that the development which will result from the application is so minor in scope that its impact on the community, relative to existing conditions, will be insignificant.

SECTION II (89-104)

Chapter 89 Article XIII Section 89-104 (J) is hereby amended as follows:

J. Capital contribution for sidewalk construction. When contributions for sidewalk construction are required, the fee shall be paid into a ~~capital reserve account for sidewalk trust fund construction~~ prior to issuance of a building permit and shall be based upon the following fee schedule:

- (1) Minor subdivision: \$85 per square yard.
- (2) Minor site plan: \$85 per square yard.
- (3) Use variance; or undersized lot variance resulting in a new single-family dwelling: \$85 per square yard.
- (4) Major site plan or major subdivision. An amount equal to 100% of the reasonable cost of installing sidewalks along the entire frontage of the property where sidewalks do not exist. The amount shall be calculated by the Borough Engineer based upon typical costs at the time, with a minimum of \$85 per square yard.
- (5) In the case of an application requiring multiple approvals: \$85 per square yard.

The Borough may utilize the sidewalk trust fund for including but not limited to the following purposes: The design and installation of sidewalks where no sidewalk exists; the design, repair and extension of existing sidewalks; the design, repair or installation of items accessory and coincidental to sidewalks and crosswalks usage such as lighting, striping and signage which are either required by local, county, state or Public Utility regulations or recommended by the Borough Engineer for safety purposes.

SECTION III-EFFECTIVE DATE

This ordinance shall take effect immediately after its final adoption.

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

Attorney Bayer explained there is a walk-on resolution for a non-fair and open professional services agreement with Adam Pfeffer of the law firm Levin Shea Pfeffer & Goldman to defend the Borough in the tax court litigation with Tinton Falls.

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/Jones; seconded by C/Araman

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

10. NEW BUSINESS**A. ORDINANCE INTRODUCTION**

1. **Ordinance 26-2024** - Ordinance Establishing the Expiration of the Timing of the Land Use Approvals - *First Reading/Introduction (Public Hearing 12/18/24)*

Attorney Bayer read the ordinance by title and explained the ordinance. The public hearing will be held on 12/18/24.

Councilmember Araman explained his belief that the approval should go with the land. Attorney Bayer responded. The discussion continued.

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

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

ORDINANCE 26-2024**BOROUGH OF EATONTOWN****COUNTY OF MONMOUTH, STATE OF NEW JERSEY****ORDINANCE ESTABLISHING THE TIMING OF THE EXPIRATION OF LAND USE APPROVALS**

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq. (the "MLUL"), and specifically N.J.S.A.

40:55D-62, the Borough of Eatontown ("Borough") is authorized to adopt and amend zoning ordinances and standards; and

WHEREAS, the MLUL at N.J.S.A. 40:55D-52 a. provides protection from the change of zoning requirements for site plan and subdivision approvals for two years from the date of the adoption of the Resolution of Approval by the municipal Zoning Board or Planning Board; and

WHEREAS, the Borough wants to encourage property owners and/or developers to timely act upon their land use approvals to further enhance the Borough and as such, the Borough Council believes it is in the best interest of the Borough to provide that after the two year protection from the change in zoning requirements set forth in N.J.S.A. 40:55D-52a.. expires, the land use approval also expires unless an extension is granted pursuant to applicable law and that variances granted by Zoning Boards and Planning Boards under N.J.S.A. 40:55D-70 (c) (d) and N.J.S.A. 40:55D-60 without related site plan or subdivision approvals expire after one year if the applicant or property owner does not act on the approval within that year; and

NOW THEREFORE BE IT ORDAINED, by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter 89, Article V, Application, Review and Approval Procedures is hereby amended creating a new section 89-17.2 entitled "Timing of Expiration of Land Use Approvals" as follows:

§89.17.2 Expiration of Land Use Approvals**A. Expiration of Variances.**

Any variance granted by the Zoning Board or Planning Board pursuant to N.J.S.A. 40:55D-70 c or d and/or N.J.S.A. 40:55D-60 from the terms of the Eatontown Land Use Ordinance Chapter 89 without a related subdivision or site plan approval, permitting the erection or alteration of any structure or structures or permitting a specified use of any premises, shall expire by limitation unless substantial construction or alteration shall have been actually commenced on each and every structure permitted by said variance, or unless such use has actually been commenced, within one year from the date of the resolution of approval of the Zoning Board or Planning Board. If the variances were granted as part of a site plan or subdivision approval, then the variances shall expire along with the site plan or subdivision approval in accordance with Section B below. Except, however, that the running of the period of limitation provided shall be tolled from the date of filing an appeal from the decision of the Board of Adjustment to the Borough Council, or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding.

B. Expiration of Final Site Plan and Subdivision

Final site plan and subdivision approvals by the Zoning Board or Planning Board subject to N.J.S.A. 40:55D-52a. and/or N.J.S.A. 40:55D-46.1 shall expire by limitation after 2 years, unless building permits have been obtained and/or substantial construction or alteration shall have been commenced, or in the case of a subdivision that the plat or subdivision deed has been filed within the time required by N.J.S.A. 40:55D-52.a and/or N.J.S.A. 40:55D-47. However, that the running of the period of limitation provided shall be tolled from the date of filing an appeal from the decision of the Board to the governing body, or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding.

C. Expiration of Preliminary Site Plan Approval

Preliminary approvals of major site plan and subdivision applications by the Zoning Board and Planning Board shall expire by limitation three years from the date of adoption of the resolution of approval if an application for final approval has not been filed with the applicable Board. Nothing contained herein shall prevent an applicant from requesting an extension of preliminary approval at the same time as the application for final approval is made. The Board shall have the discretion to consider the extension of the preliminary approval first as a threshold question to proceed with the application for final, or to consider both applications simultaneously.

D. Extension of Land Use Approvals

Nothing contained herein shall limit the ability of the Zoning Board or Planning Board to grant extensions of variances, and preliminary or final site plan and or subdivision approvals as provided for in the Municipal Land Use Law upon proper application to the applicable Board by the applicant or property owner.

BE IT FURTHER ORDAINED, that:

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

2. Ordinance 27-2024 - Bond Ordinance Providing Various Park Improvements, Appropriating \$866,000 Therefor and Authorizing the Issuance of \$165,000 Bonds and Notes to Finance a Portion of the Cost Thereof, Authorized in and by the Borough of Eatontown, in the County of Monmouth, New Jersey - *First Reading/Introduction (Public Hearing 12/18/24)*

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

The public hearing will be held on 12/18/24.

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

BOROUGH OF EATONTOWN**COUNTY OF MONMOUTH****BOND ORDINANCE NO. 27-2024****NOTICE OF PENDING BOND ORDINANCE**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Eatontown, in the County of Monmouth, New Jersey (the "Borough"), held on December 4, 2024. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Council Meeting Room on the 2nd floor of Borough Hall located at 47 Broad Street, Eatontown, New Jersey, on December 18, 2024, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Borough during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Eatontown, in the County of Monmouth, New Jersey. The summary of the terms of such bond ordinance follows:

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS PARK IMPROVEMENTS, APPROPRIATING \$866,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$165,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

Purpose(s): Providing for various park improvements within the Borough, including (i) the repair and resurfacing of two basketball courts and a handball court at Wolcott Park; (ii) the Wolcott Park Jake's Law Playground Project; and (iii) Fresh Start 80 Acres Park Improvements – Phase II.

Appropriation: \$866,000

Bonds/Notes Authorized: \$165,000

Section 20 Costs: \$173,200

Grants Appropriated: \$56,000 NJDCA LRIG; \$495,000 NJDEP Green Acres; \$150,000 MCOSG

Useful Life: 20 Years

JULIE MARTIN, Municipal Clerk

Borough of Eatontown

County of Monmouth, New Jersey

B. CONSENT AGENDA RESOLUTIONS

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

- 1) **Resolution 234-2024** - Auth. Transfer of Tax Overpayments Due to Tax Appeals
- 2) **Resolution 235-2024** - Amend. Reso. 203-2024 Auth. Refund of Overpaid Property Taxes (Blk 2608, Lot 12)
- 3) **Resolution 236-2024** - Cancelling Grant Fund Budget Appropriation and Revenue
- 4) **Resolution 237-2024** - Supporting Reuse Plan Amend. #21 FMERA
- 5) **Resolution 238-2024** - Auth. Change Order in Connection with the Rehabilitation of 5 Maxwell Road
- 6) **Resolution 239-2024** - Auth. Agreement with County for Provision of Temporary Electrical Service (Gurbisz Park)
- 7) **Resolution 240-2024** - Authorizing Engineer to Perform Continued Services for Stormwater GIS Mapping, PH II
- 8) **Resolution 241-2024** - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (Defibrillator)
- 9) **Resolution 242-2024** - Auth. Purchase of Four (4) 2025 Chevy Tahoe's Through Cranford Coop, PD (\$199,152)
- 10) **Resolution 243-2024** - Amend 2024 Capital Budget **
- 11) **Resolution 244-2024** - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (Bulletproof Vest)
- 12) **Resolution 245-2024** - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (Forensic Enc. Block)
- 13) **Resolution 246-2024** - Awarding a Non-Fair and Open Professional Services Agreement to Adam Pfeffer, Esq. of Levin, Shea Pfeffer and Goldman, PC to Defend Tax Court Litigation Initiated by the Borough of Tinton Falls

Motion to approve Consent Items 1-13 (Resolutions 234-246) as a group by C/East; seconded by C/Araman

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

ABSENT - C/Gindi

RESOLUTION 234-2024 - AUTHORIZING TRANSFER OF TAX OVERPAYMENTS DUE TO TAX APPEALS

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 transferred from 2024 4th quarter to the 1st quarter of 2025.

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 transferred to the first quarter of 2025 based upon the recommendation of the tax collector:

BLOCK	LOT	NAME	AMOUNT
2303	1	EATONTOWN, WYCKOFF, LLC	\$47,910.10

RESOLUTION 235-2024 - AMENDING RESOLUTION 203-2024 AUTHORIZING REFUND OF OVERPAID PROPERTY TAXES

WHEREAS, the Borough of Eatontown adopted Resolution 203-2024 on October 22, 2024 authorizing refund of overpaid property taxes to Sandra Kennedy (Block 2608, Lot 12), in the amount of \$3,263.33; and

WHEREAS, the Tax Collector has requested the refund amount be amended.

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

BLOCK	LOT	NAME	AMOUNT
2608	12	Sandra Kennedy	3,160.42

RESOLUTION 236-2024 - CANCELLING GRANT FUND BUDGET APPROPRIATION AND REVENUE

WHEREAS, the following Grant Fund Budget Appropriation & Revenue balance remains unexpended and unencumbered:

WHEREAS, the Chief Financial Officer is requesting that the unexpended balance that is no longer required be cancelled.

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues off-set with Appropriations:

American Rescue Plan Arboretum Drainage 1,485.63

General Appropriations:

Operations – Excluded from “CAPS”

Public and Private Programs Offset by Revenues:

American Rescue Plan Arboretum Drainage1,485.63

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Eatontown, that said balance be hereby canceled.

RESOLUTION 237-2024 - RESOLUTION SUPPORTING REUSE PLAN AMENDMENT #21 TO THE FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN

WHEREAS, the Fort Monmouth Economic Revitalization Authority (“FMERA”) adopted the Fort Monmouth Reuse and Redevelopment Plan on October 15, 2008 which envisioned that Allison Hall Parcel located in the Borough of Oceanport (Building 209) would be reused as office space and the remaining buildings onsite, (i.e., Buildings 196, 199, 210 and 359), would be demolished. The Reuse Plan planned that the Allison Hall Parcel would be part of the mixed-use (i.e., retail, office, and residential uses) Oceanport Horseneck Center along Oceanport Avenue. This portion of the Reuse Area would serve as a gateway to the Fort Monmouth Historic District. The Reuse Plan also anticipated that Signal Avenue would be open from Oceanport Avenue and that a second entrance from Oceanport Avenue between Signal Avenue and the main gate at Hildreth Avenue would be created; and

WHEREAS, Plan Amendment #11, adopted in September 2018, permitted an alternative development scenario on the Allison Hall Parcel and Plan Amendment #21 aims to expand upon the allowable permitted uses, while leaving the remainder of the adopted overlay zoning largely unchanged; and

WHEREAS, Plan Amendment #21 continues to permit a mix of commercial uses, including office, retail, restaurant, entertainment, hotel, and recreational uses for the Allison Hall Parcel. Plan Amendment #11 grouped permitted uses in Table 1 and subsequently assigned the uses to a specific building. However, in light of the significant changes in the development landscape and market conditions in recent years, FMERA believes Plan Amendment #11 limits the flexibility needed for the parcel's successful redevelopment, so Plan Amendment #21 aims to eliminate Table 1 of Plan Amendment #11, and instead, permit the uses outlined in Plan Amendment #11 across the entire site.

WHEREAS, Amendment No. 21 was submitted to and reviewed by the Borough Planning Board and the Planning Board had no comments; and

WHEREAS, the Borough Council reviewed the Plan Amendment, the Planning Board comments and believes that it is therefore in the best interest of the Borough to support the Amendment to bolster the redevelopment opportunities of the Allison Hall Parcel in Oceanport.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough of Eatontown recommends FMERA approve FMERA Plan Amendment No. 21 to the Fort Monmouth Reuse and Redevelopment Plan.

RESOLUTION 238-2024 - RESOLUTION AUTHORIZING CHANGE ORDER AUTHORIZATION IN CONNECTION WITH 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 at 5 Maxwell Road (the "Property") and received bids on behalf of the homeowner for such improvements with the low bidder being R.S. Construction, LLC; and

WHEREAS, the Borough Council adopted Resolution 175-2024 authorizing the Program Administrator to proceed with the Rehabilitation of 5 Maxwell Road within the Home Improvement Program limit of \$24,000; and

WHEREAS, the original contract between the Program Administrator and R.S. Construction, LLC was in the amount of \$19,600.00; and

WHEREAS, the Program Administrator recommends to the Borough to approve a Change Order Authorization with R.S. Construction, LLC which arises from the discovery of a non-functional gas range and two leaks in the gas piping thereby requiring remediation with a new gas range for a total cost of \$1250.00 increasing the total contract amount from \$19,600.00 to \$20,850.00; and

WHEREAS, the Program Administrator recommends approval of the Change Order and Borough Council believes it is in the best interest of the Borough to follow the recommendation of the Program Administrator and approve the Change Order Authorization to render the household safe for occupancy.

NOW THEREFORE BE IT RESOLVED that the Borough Council hereby authorizes the Change Order Authorization for the contract as between Community Grants Planning & Housing and R.S. Construction, LLC for the rehabilitation of the 5 Maxwell Road in the amount of \$1,250.00

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 239-2024 - RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF EATONTOWN AND COUNTY OF MONMOUTH FOR THE PROVISION OF TEMPORARY ELECTRIC SERVICE FROM MONMOUTH COUNTY HIGHWAY DISTRICT NO. 6 PROPERTY TO THE JAMES M. GURBISZ MEMORIAL PARK LOCATED ON FORT MONMOUTH

WHEREAS, the Uniform Shares Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to contract with each other for shared services; and

WHEREAS, the Borough and the County of Monmouth Communications Division (the "County") seek to enter into a Shared Service Agreement Concerning the Provision of Temporary Electric Service from the County Highway District No 6 property (the "County Property") to the Borough's Cpt. James M. Gurbisz Memorial Park (the "Borough Park") located at the former Fort Monmouth property through the installation of temporary two pole 100 amp single phase 208 electric service until such time as the Borough is able to obtain permanent electric service to the Borough Park; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough and its residents to enter into the share Service Agreement with Monmouth County to provide temporary electric service to the Borough Park y until such time as the Borough can install permanent electric service.

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 Mayor to execute the Shared Service Agreement between the Borough of Eatontown and the County of Monmouth for the Provision of Temporary Electric Service from the Monmouth Highway District No. 6 Property to the Borough's James M. Gurbisz Memorial Park located on the Former Fort Monmouth property. in a form approved by the Borough Attorney.

BE IT FURTHER RESOLVED that a certified copy of the Resolution be provided to each of the following:

1. Monmouth County
2. William P. Lucia, III, Police Chief and Interim Borough Administrator

RESOLUTION 240-2024 - RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PERFORM CONTINUED SERVICES FOR PHASE TWO STORMWATER GIS MAPPING AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS the New Jersey Department of Environmental Protection ("NJDEP") is requiring the Borough to update its stormwater system information to meet the DEP's MS4 mapping guidelines; and

WHEREAS, the Borough Engineer's office, T&M Associates, submitted a proposal to the Borough dated December 2, 2024 entitled Professional Services Proposal for Stormwater Mapping to GIS, NJDEP MS4 Mapping Program, Phase Two in the amount of \$65,500.00 to perform the necessary engineering services to perform a field inventory of stormwater assets, to collect and verify the locations and characteristics of both new previously identifying assets and to use this information to

submit to the NJDEP; and update the stormwater system information for the Borough as required by NJDEP for purposes of Stormwater System reporting.

WHEREAS the Borough Council of the Borough of Eatontown believes it is in the best interests of the Borough to meet its obligations under New Jersey law by updating the Borough's stormwater system information to protect the health, safety, and welfare of its residents.

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 December 2, 2024, in an amount not to exceed \$65,500.00.

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 Amodea, Chief Financial Officer

RESOLUTION 241-2024 - APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)

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

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

WHEREAS, the Borough of Eatontown has received notice of an award of \$12,831.00 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2024 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2024 in the sum of \$ 12,831 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with

Appropriations:

Defibrillator Adult & Child \$12,831

BE IT FURTHER RESOLVED that a like sum of \$12,831 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Defibrillator Adult & Child

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

RESOLUTION 242-2024 - AUTHORIZING PURCHASE OF FOUR (4) 2025 CHEVROLET TAHOE'S THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM

WHEREAS, the Eatontown Police Department is desirous of purchasing four (4) 2025 Chevrolet Tahoe's through the Cranford Police Cooperative Pricing System Contract No. 24-01, System Identifier 47-CPCPS in a total amount not to exceed \$199,152; and

WHEREAS, said purchase will be billed in the amount of \$199,152.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Eatontown hereby authorizes the purchase as stated above from Fred Beans Ford of Washington, Washington, NJ.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Chief Financial Officer, the Borough DPW Supervisor and Fred Beans Ford.

RESOLUTION 243-2024 - AUTHORIZING AMENDMENT TO 2024 CAPITAL BUDGET

Whereas, the 2024 Capital Budget of the Borough of Eatontown was adopted on June 5, 2024; and

Whereas, it is desired to amend said adopted 2024 Capital Budget relative to Various Park Improvements,

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Eatontown of the County of Monmouth, that the following amendments to the adopted 2024 Capital Budget be made:

Capital Budget of the
Borough of Eatontown
(Current Year Action)
2024

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Imp. Fund</u>	<u>Grants In Aid</u>	<u>Debt Authorized</u>	<u>To be Funded in Future Years</u>
Various Park Improvements	5	\$866,000.00		\$701,000.00	\$165,000.00	
Totals - All Projects		<u>\$22,976,674.00</u>	<u>\$170,450.00</u>	<u>\$1,877,674.00</u>	<u>\$3,403,550.00</u>	<u>\$17,525,000.00</u>

Capital Budget of the
Borough of Eatontown
6 Year Capital Program 2024 - 2029
Anticipated Project Schedule and Requirements

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Budget Year 2024</u>	<u>Budget Years 2025-2029</u>
Various Park Improvements	5	\$866,000.00	\$866,000.00	-
Totals - All Projects		<u>\$22,976,674.00</u>	<u>\$5,451,674.00</u>	<u>\$17,525,000.00</u>

Capital Budget of the
Borough of Eatontown
6 Year Capital Program 2024 - 2029
Summary of Anticipated Funding Sources and Amounts

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Imp. Fund</u>	<u>Grants In Aid</u>	<u>Bonds and Notes General</u>
Various Park Improvements	5	\$866,000.00		\$701,000.00	\$165,000.00
Totals - All Projects		<u>\$22,976,674.00</u>	<u>\$1,046,700.00</u>	<u>\$1,877,674.00</u>	<u>\$20,052,300.00</u>

The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these amendments to the 2024 Adopted Capital Budget.

RESOLUTION 244-2024 - APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)

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

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

WHEREAS, the Borough of Eatontown has received notice of an award of \$9,828 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2024 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2024 in the sum of \$ 9,828 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with

Appropriations:

Bulletproof Vest \$9,828

BE IT FURTHER RESOLVED that a like sum of \$9,828 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Bulletproof Vest

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

RESOLUTION 245-2024 - APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)

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

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

WHEREAS, the Borough of Eatontown has received notice of an award of \$2,890 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2024 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2024 in the sum of \$ 2,890 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with

Appropriations:

Forensic enclosure block \$2,890

BE IT FURTHER RESOLVED that a like sum of \$2,890 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Forensic enclosure block

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

RESOLUTION 246-2024 - AWARDING A NON-FAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT TO ADAM PFEFFER, ESQ. OF LEVIN, SHEA PFEFFER AND GOLDMAN, PC TO DEFEND TAX COURT LITIGATION INITIATED BY THE BOROUGH OF TINTON FALLS

WHEREAS, the Borough of Tinton Falls filed a lawsuit in the New Jersey Tax Court against the Borough of Eatontown and the New Jersey Division of Taxation in the matter captioned Borough of Tinton Falls v. Borough of Eatontown, et. al., Docket No. 10030-24 (the "Tax Court Litigation"); and

WHEREAS, the Borough is in need of Special Counsel in the Tax Court Litigation and the Borough Attorney has recommended that the Borough hire Adam Pfeffer, Esq. of Levin, Shea, Pfeffer and Goldman, PC ("Special Counsel") due to his experience and qualifications; and

WEREAS, N.J.S.A. 40A:11-5 (1) (a) (i) provides that the award of a contract for professional services is an exception to the bidding requirements of the Local Public Contracts Law; and

WHEREAS, the maximum award of the contract shall not exceed \$17,500.00 with no obligation on the part of the Borough to spend the maximum amount; and

WHEREAS, Special Counsel has completed and submitted all required documentation to the Borough Clerk to be awarded a non-fair and open contract and the Borough Council believes it is in the best interest of the Borough to hire Special Counsel to defend the Tax Court Litigation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown, County of Monmouth that it hereby awards a professionals services agreement to Adam Pfeffer, Esq., Levin, Shea, Pfeffer and Goldman, PC to represent Eatontown in the Tax Court Litigation.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a Professional Services Agreement, with Adam Pfeffer, Esq. of Levin, Shea, Pfeffer and Goldman, PC in a form approved by the Borough Attorney.

11. REMARKS OF COUNCIL AND CITIZENS

Councilmember Jones explained that some of her committees are scheduling events for 2025, then wished the brothers of Alpha Phi Alpha Fraternity Incorporated a Happy Founders Day and mentioned their upcoming event.

The meeting was open to the public.

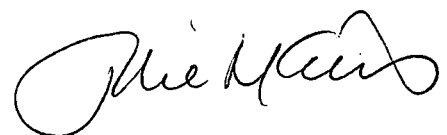
No comments were made.

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

12. ADJOURNMENT – 8:10pm

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

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



By: Julie Martin, RMC, Borough Clerk

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

Approval 12/18/2024

December 3, 2024
12:27 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All

Open: N Paid: N Void: N

Rcvd: Y Held: Y Aprv: N

Bid: Y State: Y Other: Y Exempt: Y

Range: First to Last

Format: Condensed

Vendors: All

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ALFRE005	ALFREDO MOLINA								
		24-02378	10/23/24	EYEGLOSS REIMBURSTMENT	Open	1,200.00	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		24-02025	09/16/24		Open	421.34	0.00		
		24-02091	09/20/24	FIREHOUSE TOOLS/SUPPLIES	Open	901.22	0.00		
		24-02119	09/25/24		Open	325.54	0.00		
		24-02120	09/25/24		Open	82.54	0.00		
		24-02390	10/23/24	HISTORICAL HOLIDAY SUPPLIES	Open	87.18	0.00		
		24-02502	11/05/24	Basketball League Supplies	Open	781.20	0.00		
		24-02576	11/12/24	Bible	Open	17.36	0.00		
		24-02621	11/13/24	FIRE PREVENTION TAGS/SNEAKERS	Open	87.93	0.00		
						2,704.31			
AMER1001	AMERIFLEX BUSINESS SOLUTIONS								
		24-00406	02/08/24	2024 FSA ADMIN/COBRA FEES	Open	115.00	0.00		B
ANTHO030	ANTHONY CHERRY/CHERRY LAW FIRM								
		24-02407	10/24/24	BORO PUBLIC DEFENDER SERVICES	Open	2,500.00	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		24-02017	09/12/24	Legal Advertisements	Open	166.32	0.00		B
		24-02561	11/08/24	Legal Advertisements	Open	207.68	0.00		B
						374.00			
APS002	ATLANTIC PLUMBING & SUPPLY COR								
		24-00767	03/20/24		Open	240.72	0.00		B
ARH001	ADAMS, REHMANN HEGGAN ASSOC INC								
		24-02299	10/15/24	#1648 FMERA-NICADEMUS/BROAD ST	Open	4,563.00	0.00		
ASFI001	ATLANTIC SECURITY & FIRE, INC.								
		24-02221	10/07/24		Open	320.85	0.00		
ATS001	ATLANTIC TREE EXPERTS CO.								
		24-02295	10/15/24	53 CEDAR - TRIM/REMOVE OAK	Open	850.00	0.00		
ATTA001	ATLANTIC TACTICAL								
		23-00222	01/23/23	Firearms Supplies	Open	50.98	0.00		
ATTM002	AT&T MOBILITY - 287306454448								
		24-02713	11/25/24	BORO/PWORKS CELL PHONE USAGE	Open	419.76	0.00		
ITM003	AT&T MOBILE 287306454309								
		24-02712	11/25/24	POLICE/BORO CELL PHONE USAGE	Open	2,708.31	0.00		

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Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
AUER001	ANDREW AUERBACH	24-02385	10/23/24	2024 Boot Reimbursement	open	100.00	0.00		
BBBA001	BROWN & BROWN BENEFITS ADV.	24-02578	11/12/24	DECEMBER 2024 CONSULT FEE	open	1,500.00	0.00		
BEN002	DALE BENNETT	24-02535	11/06/24	FIRE PREVENTION BOARD STIPEND	open	350.00	0.00		
BOE001	EATONTOWN BOARD OF EDUCATION	24-02540	11/07/24	FACILITY USAGE FOR ELECTIONS	open	400.00	0.00		
BRA001	KENNETH BRAND	24-02534	11/06/24	FIRE PREVENTION BOARD STIPEND	open	350.00	0.00		
BROAD001	BROAD STREET DOUGH CO.	24-02618	11/13/24	Tree Lighting Donuts 12.6.24	open	624.75	0.00		
BUC001	DOUGLAS BUCHAN	24-02599	11/12/24	EYEGLASS REIMBURSMENT	open	900.00	0.00		
CAG001	CLEARY GIACOBBE ALFIERI & JACO	24-01708	07/31/24	MUNICIPAL PROSECUTOR SERVICES	open	3,000.00	0.00		B
CARLOS01	CARLOS & SON JANITORIAL	24-02291	10/15/24		open	3,675.00	0.00		
		24-02292	10/15/24		open	1,575.00	0.00		
						5,250.00			
CELL01	CELLEBRITE INC	24-02616	11/13/24	Cellebrite Recertification	open	620.00	0.00		
CHRIS021	CHRISTOPHER CASSON	24-02440	10/29/24	EYEGLASS REIMBURSMENT	open	721.08	0.00		
CHRIS026	CHRISTMAS DECOR OF NJ	24-02704	11/25/24		open	2,449.00	0.00		
COMC004	COMCAST	24-02705	11/25/24	PINEBROOK ONLINE SERVICES	open	157.94	0.00		
		24-02706	11/25/24	LIBRARY ONLINE SERVICES	open	96.90	0.00		
						254.84			
CONNO02	CONNELL CONSULTING, LLC	24-02366	10/22/24	OPRA Training	open	159.00	0.00		
CTCF001	CHRISTIANA T C/F CE1/1ST TRUST	24-02623	11/13/24	Lien #22000024 Redemption	open	3,917.73	0.00		
DANEM005	DANE M. RICHARDS	24-02591	11/12/24	FIREMEN ASSOC CONFERENCE REIMB	open	436.00	0.00		

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DELAG01	DE LAGE LANDEN FINANCIAL INC								
		24-02700	11/21/24	COMM CTR COPIER LEASE	Open	146.85	0.00		
		24-02701	11/21/24	MAILROOM COPIER LEASE	Open	146.85	0.00		
						293.70			
DELTA001	DELTA DENTAL								
		24-02353	10/21/24	NOV DELTA DENTAL	Open	13,303.56	0.00		
DENA001	DENA AMODEA								
		24-00914	04/12/24	2024 CELL PHONE REIMBURSEMENT	Open	90.00	0.00		B
DFS001	DIVISION OF FIRE SAFETY								
		24-02496	11/05/24	FIRE OFFICIAL LICENSE RENEWAL	Open	91.00	0.00		
DSS001	DISCOUNT SCHOOL SUPPLY								
		24-02203	10/02/24	9 X 12 YELLOW CONST PAPER	Open	129.90	0.00		
DUNNA001	ALEX DUNN								
		24-02537	11/06/24	FIRE PREVENTION BOARD STIPEND	Open	350.00	0.00		
E-Z001	E-Z PASS								
		24-02491	11/04/24	REPLENISHMENT OF FUNDS	Open	200.00	0.00		
FI0001	FIORE PAVING CO. INC.								
		24-02523	11/06/24	GRANT AVE IMPROVEMENT	Open	29,985.00	0.00		B
FMERA001	FMERA								
		24-02731	12/03/24	STREET LIGHTS 537 EXTENSION	Open	382.20	0.00		
FOO001	SAKER SHOPRITES, INC.								
		24-02071	09/19/24	NOVEMBER AFTERCARE SNACKS	Open	350.93	0.00		
		24-02085	09/20/24	HISTORICAL MUSEUM EVENTS	Open	102.52	0.00		
		24-02200	10/02/24	NOVEMBER HOLIDAY SUPPLIES	Open	254.06	0.00		
		24-02201	10/02/24	NOVEMBER BIRTHDAY LUNCHEON	Open	104.09	0.00		
		24-02202	10/02/24	NOVEMBER BINGO SUPPLIES	Open	54.14	0.00		
		24-02204	10/02/24	NOVEMBER SNACKS	Open	81.00	0.00		
		24-02207	10/03/24	HOLIDAY CENTER DECORATING	Open	246.67	0.00		
						1,193.41			
FWWEB005	F.W. WEBB COMPANY								
		24-02181	10/01/24		Open	333.71	0.00		B
		24-02410	10/24/24		Open	430.96	0.00		B
						764.67			
GEN001	GENERAL CODE PUBLISHERS CORP.								
		24-01551	07/15/24	NEW 4TH EDITION 2023	Open	160.00	0.00		
GLO001	GLOBE PETROLEUM, INC.								
		24-00049	01/08/24		Open	593.65	0.00		B
LORI010	GLORIA ADERTON								
		24-02515	11/05/24	EYEGLASS REIMBURSMENT	Open	310.00	0.00		

December 3, 2024
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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
GM001	G&M TROPHY CO, INC	24-02461	10/31/24	BEAUTIFY ETNT DEDICATION PLAQ.	Open	180.00	0.00		
GTBM001	GTBM, INC	24-02566	11/11/24	ICOP Back Trace Renewal	Open	1,776.00	0.00		
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA	24-02251	10/10/24	40 Broad Farrah Escrow #1649	Open	1,331.25	0.00		
		24-02553	11/07/24	Farrah 40 Broad Escrow #1649	Open	<u>1,912.50</u>	0.00		
						3,243.75			
HHPO01	HUNTERDON HILLS PLAYHOUSE	24-02360	10/21/24	12/17 Sr Trip	Open	2,168.32	0.00		
HOMED01	HOME DEPOT/6035322538819545	24-02328	10/16/24	CHRISTMAS DECORATIONS	Open	263.94	0.00		
IDEMA001	IDEMAI Identity & Security INC	24-02617	11/13/24	Livescan System	Open	2,805.00	0.00		
IMP001	IMPRINT SHOP LLC	24-02447	10/30/24	Badge Embroidery 304	Open	25.00	0.00		
IPD001	INST. FOR PROFESSIONAL DEVELOP	24-02594	11/12/24	FINANCE WEBINAR DENA AMODEA	Open	50.00	0.00		
		24-02595	11/12/24	FINANCE WEBINAR DENA AMODEA	Open	50.00	0.00		
		24-02627	11/14/24	Tax Collector Webinar	Open	<u>50.00</u>	0.00		
						150.00			
JERS001	JCP&L	24-02707	11/25/24	BORO MONTHLY ELECTRIC USAGE	Open	10,833.75	0.00		
JGC001	John Guire Supply LLC	24-02076	09/20/24	Stone Work for Impound Shed	Open	1,347.00	0.00		
JORGE001	JORGE GONZALEZ	24-02429	10/28/24	EYEGLASS REIMBURSEMENT	Open	411.66	0.00		
JULIE001	JULIE MARTIN	24-02487	11/04/24	Cell Phone Reimbursement	Open	90.00	0.00		
		24-02531	11/06/24	METTING EXP/GENERAL ELECTION	Open	<u>39.04</u>	0.00		
						129.04			
KATHL005	KATHLEEN MUSCILLO	24-02525	11/06/24	Mileage Reimbursement	Open	19.65	0.00		
KBS001	K.B.D. SUPPLY LLC	24-02436	10/29/24		Open	2,151.08	0.00		
		24-02492	11/05/24		Open	<u>436.93</u>	0.00		
						2,588.01			
KEN002	KENNETH A. SNEATH	24-02593	11/12/24	FIREMEN ASSOC CONFERENCE REIMB	Open	208.50	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
KIMBE005	KIMBERLY LOFGREN	24-02334	10/16/24	Borough Calendar Project 2025	Open	2,750.00	0.00		
KIME005	KIM E. CONNELLY	24-02603	11/13/24	MEDICARE INS REIMBURSEMENT	Open	698.80	0.00		
KLEIN1	KENNETH KLEINMAN	24-02426	10/28/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
KLEINE01	EILEEN KLEINMAN	24-02427	10/28/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
LASER001	LASER SAVE	24-02344	10/17/24	HP 64XL Printer Cart.	Open	179.00	0.00		
		24-02349	10/18/24	Rec printer supplies	Open	486.00	0.00		
		24-02370	10/22/24	Printer Ink Cartridges	Open	600.00	0.00		
						1,265.00			
LAURE005	LAUREN HENNING	24-02495	11/05/24		Open	71.21	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC	24-02424	10/28/24	#1661 Talerico ZB2024-15	Open	1,000.00	0.00		
		24-02554	11/07/24	ZB Meeting 11.2024	Open	500.00	0.00		
		24-02598	11/12/24	Monmouth Square Escrow #1615	Open	300.00	0.00		
		24-02654	11/18/24	Sweetman Escrow #1657	Open	250.00	0.00		
						2,050.00			
LUCI001	WILLIAM LUCIA	24-02357	10/21/24	NOV ZOOM BUDGETED	Open	234.47	0.00		
MAD002	MAD SCIENCE OF WNJ	24-02265	10/11/24	WOODMERE SCHOOL MAD SCIENCE	Open	1,000.00	0.00		
MCBT001	COUNTY TAX ADMINISTRATOR	24-02446	10/30/24	RECORDS ACCESS FEES FOR MOD-IV	Open	1,375.92	0.00		
MGL001	MGL PRINTING SOLUTIONS	24-02414	10/24/24	PRINTING OF TAX SALE FORMS	Open	877.00	0.00		
MICHA010	MICHAEL HREHA	24-02620	11/13/24	3rd QTR REIMBURSE PHONE BILL	Open	90.00	0.00		
MRK001	MR KEYS INC	24-00042	01/08/24		Open	238.00	0.00		B
MU002	MONMOUTH UNIVERSITY	24-02363	10/22/24	FEDERAL WORK STUDY PROGRAM	Open	301.55	0.00		
		24-02570	11/12/24	FEDERAL WORK STUDY PROGRAM	Open	243.79	0.00		
						545.34			
INA001	NINA BERNARDO	24-02530	11/06/24	GENERAL ELECTION 11-5-24	Open	38.19	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJAWC001 NEW JERSEY AMERICAN WATER								
	24-02708	11/25/24	BORO MONTHLY WATER USUAGE	Open	5,443.27	0.00		
NJB001 VERIZON								
	24-02709	11/25/24	MUSEUM PHONE USUAGE	Open	87.98	0.00		
NJDL003 NJ DEPT OF LABOR & WORKFORCE-D								
	24-02657	11/19/24	FEDERAL UI BENEFIT CHARGES	Open	95.94	0.00		
NJFE001 NEW JERSEY FIRE EQUIPMENT CO.								
	23-02824	11/15/23	FIRE DEPT REPLACEMENT PATCHES	Open	602.00	0.00		
	23-02825	11/15/23	FIRE DEPT TURN OUT GEAR	Open	9,600.00	0.00		
	23-02854	11/20/23	FIRE DEPT TURNOUT GEAR	Open	1,616.00	0.00		
					11,818.00			
NJN001 NJ NATURAL GAS CO.								
	24-02714	11/25/24	BORO MONTHLY GAS USUAGE	Open	2,610.87	0.00		
NJPO001 NEW JERSEY PLANNING OFFICIALS								
	24-02211	10/03/24	Mandatory Training	Open	96.00	0.00		
	24-02359	10/21/24		Open	370.00	0.00		
					466.00			
NOR002 NORTHWIND MECHANICAL SYSTEMS								
	24-02117	09/25/24		Open	1,393.00	0.00		
NRDRP005 NRDR PROPERTIES								
	24-02371	10/22/24	Lien 24-00002 Redemption	Open	909.22	0.00		
	24-02372	10/22/24	Lien 24-00010 Redemption	Open	1,126.73	0.00		
	24-02606	11/13/24	Lien #24-00008 Redemption	Open	907.62	0.00		
					2,943.57			
OLIO02 OLIVA & COMPANY								
	24-02597	11/12/24	EATONTOWN PROFESSIONAL SERVICE	Open	450.00	0.00		
OLIVIO05 OLIVIA'S II								
	24-02231	10/08/24	BEAUTIFY EATONTOWN CLEAN-UP	Open	123.65	0.00		B
PATRIO20 PATRICIA R. DOMINACH								
	24-02303	10/15/24	Cyoga 11/6 11/12 11/19 11/26	Open	200.00	0.00		
PELLE005 PELLEGRINO CHEVROLET								
	24-02415	10/25/24	2024ChevyVin#KL79MRS16RB197553	Open	31,375.00	0.00		
POORJ005 POOR JOHN'S PORTABLE TOILETS								
	24-00659	03/08/24		Open	732.00	0.00		B
PROCA006 PRO CAP 8, LLC								
	24-02526	11/06/24	Lien 24-00018 Redemption	Open	1,118.96	0.00		
PTM001 PANGARO TRAINING AND MANAGEMEN								
	24-01882	08/23/24	Licensure Training	Open	189.00	0.00		

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PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
REPT001 REPUBLIC SERVICES							
24-02485	11/04/24	TONNAGE OCTOBER 2024	Open	25,358.11	0.00		
RICOH005 RICOH USA, INC							
24-01710	07/31/24	FINANCE DEPT COPIER LEASE	Open	166.75	0.00		B
ROT002 BARRY ROTH							
24-02536	11/06/24	FIRE PREVENTION BOARD STIPEND	Open	350.00	0.00		
24-02592	11/12/24	FIREMEN ASSOC CONFERENCE REIMB	Open	436.00	0.00		
				786.00			
SAMAN005 SAMANTHA OKROS							
24-01717	07/31/24	COMM CTR SUMMER CAMP REFUND	Open	660.00	0.00		
SBATA005 S. BATATA CONSTRUCTION, INC							
24-00080	01/09/24	REPAIRS EATONTOWN FIREHOUSE	Open	17,170.00	0.00		B
SCH001 T&M ASSOCIATES							
24-02466	11/01/24	Meadowbrook Escrow #1650	Open	3,311.51	0.00		
SEA002 SEABOARD WELDING SUPPLY, INC.							
24-01030	04/30/24	FIRST AID OPEN OXYGEN REFILLS	Open	160.00	0.00		B
SHEA001 TANNER SHEA							
24-02533	11/06/24	FIRE PREVENTION BOARD STIPEND	Open	350.00	0.00		
SIC003 STANDARD INSURANCE COMPANY INC							
24-02355	10/21/24	NOV BUDGETED STANDARD	Open	3,367.06	0.00		
SNEAK005 SNEAKERS PLUS OF WALL							
24-02367	10/22/24	Rec Adult Softball shirts	Open	287.00	0.00		
STAP003 STAPLES ADVANTAGE							
24-00610	03/05/24	LIBRARY OFFICE SUPPLIES	Open	83.42	0.00		
STORR001 STORR TRACTOR COMPANY							
24-02241	10/09/24	DPW VENTRAC SERVICE	Open	1,341.82	0.00		
SYNAT005 SYNATECH, INC							
24-02052	09/18/24		Open	9,900.00	0.00		
TARGE005 TARGETED TECHNOLOGIES LLC							
24-02418	10/28/24		Open	1,946.00	0.00		
24-02563	11/08/24	CISCO 24 PORT POE SWITCH	Open	664.00	0.00		
24-02698	11/21/24	BORO IT MONTHLY SERVICES	Open	7,858.00	0.00		
24-02699	11/21/24	POLICE IT MONTHLY SERVICES	Open	4,186.00	0.00		
				14,654.00			
TEPS001 STATE OF NJ DEPT OF TREASURY							
24-02729	12/02/24	SHBP CONTRIBUTION DECEMBER 24	Open	316,025.07	0.00		
TERM001 TERMINATOR TERMITE & PEST MGT							
24-01818	08/20/24		Open	75.00	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
THINK005	THINK NJ LLC	24-02302	10/15/24	Rec Soccer Referee Services	Open	514.50	0.00		
TNJ002	TREASURER, STATE OF NJ	24-02624	11/13/24	3RD QTR DCA FEES - 2024	Open	12,362.00	0.00		
TRA001	RUDOLPH R. TRASK	24-02532	11/06/24	FIRE PREVENTION BOARD STIPEND	Open	500.00	0.00		
TRIUS001	TRIUS, INC	24-02293	10/15/24	WINTER CURB GUARDS	Open	4,636.20	0.00		
UGIEN005	UGI ENERGY SERVICE,LLC	24-02732	12/03/24	BORO NATURAL GAS USAGE	Open	1,025.76	0.00		
ULINE001	ULINE	24-02406	10/24/24	Chrome Mobile Shelving	Open	699.80	0.00		
VBF001	VERIZON BUSINESS FIOS	24-02710	11/25/24	FIREHOUSE FIOS SERVICES	Open	420.22	0.00		
VERIZ005	VERIZON -- ALBANY	24-02711	11/25/24	BORO FIBEROPTIC ACCT	Open	838.16	0.00		
VIKTOR01	VIKTOR FLORIAN SCHANTZ ENT	24-02373	10/22/24	12/18 jazz bal of donation	Open	375.00	0.00		
WALTE005	WALTER SMITH	24-02604	11/13/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
Total Purchase Orders:					151	Total P.O. Line Items:	0	Total List Amount:	596,948.69
								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:	3-01	652.98	0.00	652.98	0.00	0.00	652.98
CURRENT FUND:	4-01	469,724.19	0.00	469,724.19	660.00	0.00	470,384.19
GENERAL CAPITAL F	C-04	105,388.00	0.00	105,388.00	0.00	0.00	105,388.00
	T-15	8,355.26	0.00	8,355.26	0.00	0.00	8,355.26
	T-17	12,168.26	0.00	12,168.26	0.00	0.00	12,168.26
Year Total:		20,523.52	0.00	20,523.52	0.00	0.00	20,523.52
Total of All Funds:		596,288.69	0.00	596,288.69	660.00	0.00	596,948.69