

Mayor
ANTHONY TALERICO, JR.

Council
KEVIN L. GONZALEZ, President
MARK REGAN, JR.
MARIA ESCALANTE
DANIELLE M. JONES
DAVID GINDI
EVERETT D. LUCAS



BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

AGENDA
Mayor and Council
Wednesday, September 14, 2022

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.

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Proclamation - Recognizing the Volunteer Service of Mr. Pete Siino
3. Memorialization of Mr. Samuel "Mingo Jack" Johnson annually on March 5th (C/Jones)
4. **CLOSED SESSION**

Resolution 202-2022

- 1) Contract Negotiations - Monmouth Mall
- 2) Contract Negotiations - Howard Commons
- 3) Potential Litigation - Employment

REGULAR MEETING 7:30 pm (or as soon thereafter)

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting/Closed Session - 8/24/2022
3. **COMMUNICATIONS**
 - A. Dynamic Engineering Consultants, PC - Flood Hazard Area Notification, Monmouth Road, and NJ-36
 - B. Spring Lake Heights Resolution Supporting Assembly for Veterans Deduction
 - C. Resolution of the Board of Education of the Monmouth Regional High School District Authorizing the Submission of a Bond Proposal Question to the School District Voters at a School District Election
 - D. Tinton Falls Ordinance Amending Chapter 40 Section 37(B)(22) of the Borough Code Entitled "Cannabis Facilities"
4. **MAYOR'S REPORT** - Mayor Talerico
5. **REPORTS OF COMMITTEES**
 - A. POLICE, PUBLIC LIGHTS & PARKING - Council President Gonzalez
 - B. EMERGENCY SERVICES - Councilmember Regan, Jr.
 - C. PARKS & RECREATION - Councilmember Escalante
 - D. FINANCE & ORDINANCE - Councilmember Jones
 - E. PUBLIC WORKS & INSURANCE - Councilmember Gindi
 - F. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Lucas

6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia
7. **PRESENTATION - CANNABIS APPLICATION** – Denver Cole Farms
8. **PUBLIC HEARING** - Monmouth County Municipal Open Space Grant Program 2022
Playground Structure at Gurbisz Park Located at Nicodemus & Wilson Avenues, Part of Block 301, Lot 1
9. **OLD BUSINESS** (rc)
 - A. **ORDINANCE ADOPTION** (rc)
 1. **Ordinance 18-2022** - An Ordinance Amending Chapter 35 of the Borough Code "First Aid and Fire Company Volunteers", Article One "General Provisions" Creating a New Section 35-5.1 Entitled "First Aid Service for Patient Care Facilities" and Amending Section 35-1 "Definitions" - **Public Hearing/Adoption**
10. **PUBLIC COMMENT ON AGENDA ITEMS ONLY**
11. **BILLS & CLAIMS AND BI-WEEKLY PAYROLL** (vv)
12. **NEW BUSINESS**
 - A. **ORDINANCE INTRODUCTION** (rc)
 1. **Ordinance 19-2022** - An Ordinance of The Borough of Eatontown Amending and Supplementing Chapter 39 "Historical Committee, Section 39 "Historical Committee", And Chapter 89 "Land Use", Section 4 "Definitions and Word Usage", Section 16 "Review Procedure", And Section 89-44 "Individual Zone Regulations", Concerning the Issuance of Certificates and Permits in The Historic District - **First Reading/Introduction (Public Hearing 9/28/22)**
 2. **Ordinance 20-2022** - An Ordinance Amending Chapter 198 of the Borough Code "Licensed Occupations", and Chapter 257 of the Borough Code "Rental Properties", Concerning the Registration of Certificates of Insurance of All Business, Rental Units, and Multi-Family Homes Located in the Borough. - **First Reading/Introduction (Public Hearing 9/28/22)**
 - B. **CONSENT AGENDA RESOLUTIONS** (rc)

(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 203-2022** - Auth. Municipal Clerk/Purchasing Agent to Advertise RFPs for 2022 Borough Professionals
 - 2) **Resolution 204-2022** - Auth. Purchase and Installation of Playground Equipment and Surfacing for 80 Acres Park from ESCNJ Co-Op, Challenger Park Phase 2
 - 3) **Resolution 205-2022** - Auth. Tax Sale Certificate Redemptions
 - 4) **Resolution 206-2022** - Auth. Purchase of a Caterpillar Model: 308 Mini Hydraulic Excavator through Sourcewell Co-Op
 - 5) **Resolution 207-2022** - Governing Body Certification of the 2021 Annual Audit
 - 6) **Resolution 208-2022** - Auth. Application for County of Monmouth Open Space Trust Funds
 - 7) **Resolution 209-2022** - Auth. Purchase of Utility Body for Service Truck (DPW)
 - 8) **Resolution 210-2022** - Auth. Release of Escrow Funds to 556 Industrial Way West, LLC (Blk 3502, Lot 1)
 - 9) **Resolution 211-2022** - Auth. Release of Performance Bond and Cash Bond to CP Plaza 35, LLC C/O Cyzner Properties for the Property Designated on the Tax Map as Block 3801, Lots 21 and 22
 - 10) **Resolution 212-2022** - Auth. Reimbursement for Fire Department Length of Service Awards
 - 11) **Resolution 213-2022** - Auth. Access Agreement with Zoom Plaza, LLC for Access onto Borough Property Located at Block 2302, Lot 23 to Permit the Construction of a Retaining Wall
 - C. **CONSENT AGENDA MOTIONS** (vv)
 - 1) Acceptance of Tax Collector Report, August 2022
 - 2) Acceptance of Planning/Zoning Report, August 2022

13. REMARKS OF COUNCIL AND CITIZENS

14. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday, September 28, 2022 @ 7:00 p.m.***

RESOLUTION 202-2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**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 Negotiations - Monmouth Mall
- 2) Contract Negotiations - Howard Commons
- 3) Potential Litigation - Employment

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 September 14, 2022.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on September 14, 2022. Julie Martin, RMC, Borough Clerk
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Mayor Talerico							

ORDINANCE 18-2022

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 35 OF THE BOROUGH CODE "FIRST AID AND FIRE COMPANY VOLUNTEERS", ARTICLE ONE "GENERAL PROVISIONS" CREATING A NEW SECTION 35-5.1 ENTITLED "FIRST AID SERVICE FOR PATIENT CARE FACILITIES" AND AMENDING SECTION 35-1 "DEFINITIONS"

WHEREAS the Borough's First Aid Squad's resources are strained, and it is always seeking new volunteers to provide service to the Borough's residents; and

WHEREAS, there have been an advent of new patient care facilities in the Borough and its surrounding communities which has and could further strain the First Aid Squad's resources; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to ensure that patient care facilities either hire or contract their own private ambulance services to service their residents and patients for non-emergency medical care.

NOW THEREFORE, BET IT ORDAINED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 35 of the Borough Code, "First Aid and Fire Company Volunteers", Article One, "General Provisions by amending Section 35-1 "Definitions" and creating a new section 35-6 entitled "First Aid Service for Patient Care Facilities" as follows:

[Underline is added and strike-out is deleted]

Section 1

§35-1 is hereby amended as follows:

Patient Care Facilities

All state-licensed nursing homes, rest homes, health maintenance organizations, assisted living facilities, health-care facilities providing in-patient services, and other licensed or unlicensed medical care providers with the capacity to treat 10 or more outpatients simultaneously.

Section 2

§35-5.1 shall read as follows:

- a. All Patient Care Facilities located within the Borough are hereby required to own, lease, rent or have promptly available by contract sufficient appropriately staffed private ambulance services for the treatment and transport of residents and/or patients in need of non-emergency medical care. Such ambulance services shall be available 365 days per year and 24 hours per day.
- b. In order to satisfy the requirements of subsection (a), each Patient Care Facility subject to this chapter shall file proof of the availability of private ambulance services with the Borough Clerk within 60 days after final passage of this chapter, and on or before January 1 of each year thereafter. For purposes of this subchapter, proof of private ambulance availability shall consist of a contract with no less than two private ambulance service providers under which such providers are obliged to respond promptly to the Patient Care Facility.
- c. Alternatively, if a Patient Care Facility elects to own and operate its own ambulance(s), such proof shall consist of documentation of the make, model, year, color, serial number, license plate number, location, and staffing of such ambulance(s). As part of the proofs required under this section, the resident director, manager or authorized corporate officer of each Patient Care Facility shall make and file with the Borough

Clerk a signed certification that adequate private ambulance services are available, and that all agents and employees of such facility involved with patient care have been apprised of and trained in the use of such private ambulance services. The failure of a Patient Care Facility to comply with the requirements of this subsection shall constitute an ordinance violation by the Patient Care Facility and its resident director, manager, or authorized corporate officer punishable by a fine not to exceed \$2,000.

- d. In the event that an employee or agent of a Patient Care Facility located in the Borough takes action resulting in the dispatch of a volunteer first aid squad regulated pursuant to the provisions of Section 35-6, and the responding volunteer first aid squad determines in its sole discretion that the basis for dispatch did not constitute circumstances requiring the use of basic life support or advanced life support, the volunteer first aid squad shall certify accordingly to the Borough Administrator and the Private Care Facility shall be subject to a volunteer first aid squad dispatch fee of \$750. This fee shall be payable to the Borough of Eatontown. The Borough of Eatontown may contribute fee revenue generated under this subsection to the volunteer first aid squad.

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.

DATE INTRODUCED: AUGUST 24, 2022

PUBLIC HEARING: SEPTEMBER 14, 2022

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8X8IN005	8X8 INC								
		22-01912	08/17/22	DPW PHONE INSTALLATION	Open	260.17	0.00		
		22-02003	09/06/22	BORO MONTHLY PHONE SERVICE	Open	2,902.66	0.00		
		22-02004	09/06/22	BORO PHONE PRODUCT INSTALLED	Open	49.00	0.00		
						3,211.83			
ALLE002	ALLEGRA								
		22-01891	08/15/22	UCC FOLDERS AND STICKERS	Open	515.00	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		22-01949	08/25/22	Traffic Safety Equipment	Open	419.85	0.00		
		22-01976	08/29/22	SOCCER GOALIE GLOVES/SHIRTS	Open	146.31	0.00		
						566.16			
ANDRE015	ANDREW HUISMAN								
		22-01864	08/12/22	2022 Boot Reimbursement	Open	100.00	0.00		
AOC001	ALLIED OIL LLC								
		22-01800	08/04/22	93 REF UNLEADED GAS/ETHANOL	Open	20,420.69	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		22-01868	08/12/22	CLERK DEPT ADVERTISEMENTS	Open	382.92	0.00		B
ARCHI005	ARCHIVESOCIAL, INC								
		22-01872	08/15/22	Social Media Archiving Subsc.	Open	2,994.00	0.00		
ATTM002	AT&T MOBILITY - 287306454448								
		22-02045	09/08/22	BORO/PW CELL PHONE USAGE	Open	485.53	0.00		
ATTM003	AT&T MOBILE 287306454309								
		22-02046	09/08/22	POLICE CELL PHONE USAGE	Open	3,733.43	0.00		
AUTO001	AUTO PARTS CENTER								
		22-01519	07/06/22	OPEN FOR 2022	Open	403.02	0.00		B
BAILO01	MATT BAILEY								
		22-01947	08/25/22	2022 Boot Reimbursement	Open	100.00	0.00		
		22-01972	08/29/22	EYEGLASS REIMBURSEMENT	Open	600.00	0.00		
						700.00			
BAND001	BANDAG, INC								
		22-00025	01/06/22	OPEN FOR 2022	Open	36.00	0.00		B
		22-01599	07/15/22	DPW STOCK TRUCK TIRES	Open	4,382.72	0.00		
						4,418.72			
BELOP005	BELO PIZZERIA								
		22-01575	07/12/22	Pizza 7/22/22 H.C. Program	Open	132.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BELOP005	BELO PIZZERIA	Continued							
		22-01842	08/11/22	LAST DAY OF CAMP PIZZA	Open	295.00	0.00		
						427.00			
BEN001	BEN SHAFFER RECREATION INC	21-01874	08/19/21		Open	14,761.25	0.00		
BORG001	BORGATA HOTEL CASINO AND SPA	22-01953	08/25/22	NJLM HOTEL RESERVATION-COUNCIL	Open	300.00	0.00		
BRC001	BOARD OF RECREATION COMMISSION	22-01261	06/01/22	NATURE STORY HOUR	Open	44.00	0.00		
BRUCE001	BRUCE MILLER	22-00365	02/07/22		Open	537.00	0.00		B
BSA001	BOY SCOUTS OF AMERICA	22-00026	01/06/22	OPEN FOR 2022	Open	125.00	0.00		B
CAPIC001	RONALD CAPICHANA	22-01844	08/11/22	DJ LABOR DAY 5K RUN	Open	250.00	0.00		
CARD001	JASON CARDAMONI	22-01862	08/12/22	EYEGLASS REIMBURSMENT	Open	361.20	0.00		
CAV002	CAVANAUGH'S TERMITE & PEST SER	22-01270	06/03/22		Open	136.00	0.00		B
CBART001	CHRISTOPHER BARTLETT	22-01948	08/25/22	2022 Boot Reimbursement	Open	100.00	0.00		
CHEM001	CHEM-TEK INDUSTRIES INC.	22-01703	07/25/22	PAPER ROLL TOWEL WHITE 2 PLY J	Open	2,638.75	0.00		
CHOR001	THE CHORALTIERS	22-01959	08/25/22	RES 25-2022 2022 AGREEMENT	Open	250.00	0.00		
CINQ002	JASON CINQUEGRANA	22-01871	08/12/22	EYEGLASS REIMBURSMENT	Open	476.05	0.00		
COM006	COMCAST BUSINESS	22-02017	09/07/22	BORO FIBEROPTIC SERVICES	Open	779.25	0.00		
COMC004	COMCAST	22-02020	09/07/22	BORO ONLINE BUSINESS ACCT	Open	431.29	0.00		
		22-02044	09/08/22	BORO SPC VIDEO PACKAGE	Open	116.12	0.00		
						547.41			
DELAG01	DE LAGE LANDEN FINANCIAL INC	22-01963	08/26/22	COMM CTR COPIER LEASE	Open	146.85	0.00		
		22-01964	08/26/22	MAILROOM COPIER LEASE	Open	146.85	0.00		
						293.70			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DELTA001	DELTA DENTAL								
		22-02058	09/09/22	SEPTEMBER 2022 CONTRIBUTION	Open	12,836.77	0.00		
		22-02059	09/09/22	2022 OCTOBER CONTRIBUTIONS	Open	12,720.08	0.00		
						25,556.85			
DEMI001	Direct Energy Marketing, Inc								
		22-02001	09/06/22	BORO MONTHLY GAS USAGE	Open	172.09	0.00		
DET002	DETCON								
		22-01806	08/05/22	DPW #10 CABLE AND HOOKS	Open	843.24	0.00		
DMV001	NJ DIVISION OF MOTOR VEHICLES								
		22-01942	08/25/22	Vehicle Registrations	Open	180.00	0.00		
DONN002	JUNE ESCUDERO								
		22-01822	08/08/22	MANHATTAN LIFE REFUND	Open	13.78	0.00		
		22-01863	08/12/22	ORTHODONTIC REIMBURMENT	Open	875.00	0.00		
						888.78			
EATON35	EATONTOWN 35 DEVELOPERS LLC								
		22-01824	08/09/22	REFUND DUE TO APPEAL	Open	23,891.54	0.00		
EML001	ELECTRONIC MEASUREMENT LAB INC								
		22-00681	03/16/22	FIRE DEPT MULTI GAS METER	Open	169.20	0.00		
ERRIC001	KENNETH ERRICKSON								
		22-01823	08/09/22	2022 Boot Reimbursement	Open	100.00	0.00		
FMEAR001	FMEAR								
		22-02043	09/08/22	STREET LIGHT USAGE RT 537/FT	Open	382.20	0.00		
FOLE002	FOLEY, INCORPORATED								
		22-00027	01/06/22	OPEN FOR 2022	Open	277.88	0.00		B
		22-01433	06/23/22	OPEN FOR 2022	Open	1,965.90	0.00		B
		22-01808	08/05/22	WINDSHIELD FOR 25	Open	1,059.25	0.00		
		22-01870	08/12/22	OPEN FOR 2022	Open	268.74	0.00		B
						3,571.77			
FOO001	SAKER SHOPPRITES, INC.								
		22-01454	06/27/22	Lunch Supplies Aug. 2022	Open	91.99	0.00		
		22-01455	06/27/22	Bingo/Prizes/Snacks Aug. 2022	Open	79.84	0.00		
		22-01726	07/28/22	Bingo Prizes/Snacks Sept 2022	Open	63.80	0.00		
		22-01728	07/28/22	Breakfast Supplies Sept. 2022	Open	49.67	0.00		
		22-01731	07/28/22	Breakfast Supplies Oct. 2022	Open	50.96	0.00		
		22-01785	08/03/22	AFTERCARE SNACKS SEPTEMBER	Open	246.51	0.00		
		22-01835	08/10/22	COUNCIL ROOM WATER	Open	44.36	0.00		
						627.13			
FRED003	MATTHEW FREDERICK								
		22-01925	08/22/22	WORKBOOT REIMBURSEMENT	Open	76.49	0.00		
GEN001	GENERAL CODE PUBLISHERS CORP.								
		22-01982	08/30/22	CODE SUPPLEMENTS	Open	2,977.66	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		22-01929	08/23/22	PAY PERIOD 9/2/22 O/S DETAIL	Open	1,408.00	0.00		
		22-02006	09/07/22	PAY PERIOD 9-16-22 O/S DETAIL	Open	1,140.00	0.00		
						2,548.00			
GHW001	GEORGE H. WITTENBERG								
		22-01876	08/15/22	MEDICARE REIMBURSEMENT 2022	Open	510.30	0.00		
GLENC001	LENCO SUPPLY, INC								
		22-01757	08/01/22	SP60 60" SIGN POST IMPACT W/ B	Open	496.00	0.00		
GM001	G&M TROPHY CO, INC								
		22-01750	07/29/22	FIRE PREVENTION NAME PLATE	Open	20.00	0.00		
GRAM001	BUSINESS INFORMATION SYSTEM								
		22-01860	08/12/22	LIBERTY DIGITAL RECORDING SYST	Open	1,045.00	0.00		
		22-01908	08/17/22	SUPERSCOPE DIGITAL RECORD SYST	Open	495.00	0.00		
						1,540.00			
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC								
		22-00775	03/28/22	OPEN FOR 2022	Open	994.85	0.00		B
		22-00991	04/25/22	OPEN FOR 2022	Open	906.28	0.00		B
						1,901.13			
GUG002	JOHN GUGLIUZZA								
		22-01946	08/25/22	2022 Boot Reimbursement	Open	100.00	0.00		
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		22-00030	01/06/22	OPEN FOR 2022	Open	2.67	0.00		B
		22-00772	03/28/22	OPEN FOR 2022	Open	136.28	0.00		B
		22-01398	06/20/22	OPEN FOR 2022	Open	617.12	0.00		B
						756.07			
HARDR005	HARD ROCK HOTEL CASINO								
		22-01907	08/16/22	LEAGUE CONFERENCE HOTEL RESERV	Open	160.00	0.00		
		22-01921	08/19/22	ANNUAL CONFERENCE HOTEL RESV	Open	320.00	0.00		
		22-01952	08/25/22	NJLM HOTEL RESERVATIONS	Open	160.00	0.00		
						640.00			
HOMED01	HOME DEPOT/6035322538819545								
		22-00418	02/14/22	Blanket for Purchases	Open	396.86	0.00		B
HUNT001	JOANNE HUNT								
		22-00729	03/21/22	NJRPA CONFERENCE EXPENSES	Open	154.70	0.00		
IMA003	MARCO TECHNOLOGIES, LLC								
		22-01965	08/26/22	POLICE/CONSTRUCT OVERAGE CHG	Open	397.01	0.00		
IMP001	IMPRINT SHOP LLC								
		22-01793	08/04/22	5K RUN SHIRTS - YOUTH & ADULT	Open	4,380.25	0.00		
IPD001	INST. FOR PROFESSIONAL DEVELOP								
		22-01926	08/22/22	CLERK WEBINAR	Open	50.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
JAMAR001	JAMAR Technologies, Inc.	22-01887	08/15/22	Traffic Counter Repair	Open	522.78	0.00		
JERS001	JCP&L	22-02008	09/07/22	BORO STREET LIGHT SERVICES	Open	9,936.60	0.00		
		22-02015	09/07/22	BORO ELECTRIC USUAGE	Open	910.26	0.00		
						10,846.86			
JFWLL001	JOSEPH FAZZIO-HOWELL LLC	22-00615	03/09/22	OPEN FOR 2022	Open	51.69	0.00		B
JORGE001	JORGE GONZALEZ	22-01941	08/25/22	2022 Boot Reimbursement	Open	97.50	0.00		
JSPOT01	JOHNNY ON THE SPOT, LLC	22-01748	07/29/22	STANDARD TEMP RESTROOM SERVICE	Open	94.50	0.00		
		22-01928	08/23/22	STANDARD TEMPORARY RESTROOM SE	Open	94.50	0.00		
						189.00			
KATIE005	KATIE PEARSON	22-01881	08/15/22	RECREATION REFUND SOCCER LEAG	Open	95.00	0.00		
KBS001	K.B.D. SUPPLY LLC	22-00008	01/05/22		Open	661.06	0.00		B
		22-01733	07/28/22		Open	1,494.84	0.00		
						2,155.90			
KLEIN1	KENNETH KLEINMAN	22-01901	08/16/22	MEDICARE REIMBURSEMENT 2022	Open	238.10	0.00		
KLEINE01	EILEEN KLEINMAN	22-01902	08/16/22	MEDICARE REIMBURSEMENT 2022	Open	238.10	0.00		
LAS002	LASER RENEW	22-01865	08/12/22	Ink Cartridge Recharge	Open	870.00	0.00		
LASTB005	LAST BITE MOSQUITO & TICK, LLC	22-00785	03/28/22	SPRAY & GRANULAR MOSQUITO & TI	Open	910.00	0.00		B
LOEFF001	LOEFFEL'S WASTE OIL COMPANY	22-01724	07/28/22	OPEN FOR 2022	Open	210.00	0.00		B
MAR001	REPUBLIC SERVICES	22-01938	08/24/22	JULY 2022 DISPOSAL RECYCLING	Open	23,954.29	0.00		
		22-02031	09/08/22	JULY 2022 TONNAGE	Open	5,587.79	0.00		
						29,542.08			
MAZ003	MAZZA RECYCLING SERVICES, INC	22-01803	08/04/22	JULY RECYCLING	Open	1,253.85	0.00		
MCMA5005	MCMASTER CARR SUPPLY COMPANY	22-01719	07/27/22		Open	208.21	0.00		
		22-01753	07/29/22		Open	127.45	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MCMAS005	MCMASTER CARR SUPPLY COMPANY	Continued							
		22-01812	08/05/22		Open	119.31	0.00		
						454.97			
MCT001	MONMOUTH COUNTY TREASURER								
		22-01873	08/15/22	MUNICIPAL HOUSEHOLD WASTE	Open	1,372.08	0.00		
MSW001	MOTOROLA SOLUTIONS								
		22-01680	07/21/22	FIRE DEPT EXTENDED CABLE	Open	105.60	0.00		
MUNCL021	MUN CLERK ASSOC OF MON COUNTY								
		22-01937	08/24/22	2022 MEMBERSHIP DUES DEPT CLRK	Open	75.00	0.00		
NJAWC001	NEW JERSEY AMERICAN WATER								
		22-02018	09/07/22	BORO FIRE HYDRANT SERVICE	Open	14,234.00	0.00		
NJB001	VERIZON								
		22-02002	09/06/22	BORO PHONE SERVICES	Open	224.29	0.00		
		22-02016	09/07/22	POLICE CELL TOWER SERVICE	Open	2,624.90	0.00		
		22-02062	09/12/22	BORO MONTHLY PHONE USAGE	Open	12,468.22	0.00		
						15,317.41			
NJBOA001	NJBOA								
		22-01689	07/21/22	NJBOA Annual Dues	Open	100.00	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		22-01898	08/16/22	NJLM ANNUAL CONFERENCE REG	Open	60.00	0.00		
		22-01905	08/16/22	ANNUAL LEAGUE CONFERENCE	Open	60.00	0.00		
		22-01906	08/16/22	ANNUAL LEAGUE CONFERENCE	Open	60.00	0.00		
		22-01920	08/19/22	ANNUAL LEAGUE CONFERENCE	Open	60.00	0.00		
		22-01930	08/23/22	NJLM CONFERENCE ATLANTIC CITY	Open	60.00	0.00		
		22-01931	08/23/22	NJLM CONFERENCE ATLANTIC CITY	Open	60.00	0.00		
		22-01935	08/23/22	2022 Convention	Open	120.00	0.00		
		22-01944	08/25/22	NOTICE OF RFP FOR PROF. SRVCS	Open	160.00	0.00		
						640.00			
NJN001	NJ NATURAL GAS CO.								
		22-02019	09/07/22	BORO GAS USAGE SERVICE	Open	1,656.63	0.00		
NJSHD001	NEW JERSEY STATE VET HEALTH DE								
		22-01997	09/02/22	MONTHLY DOG LICENSE REPORT	Open	12.60	0.00		
NOR002	NORTHWIND MECHANICAL SYSTEMS								
		22-00255	01/26/22		Open	570.00	0.00		B
NUNES010	NUNES-VAIS, ANDREW								
		22-01817	08/08/22	REFUND OVERPAYMENT	Open	2,661.10	0.00		
OLIVIO05	OLIVIA'S II								
		22-01804	08/04/22	HAPPY CAMPERS	Open	134.00	0.00		
OMEG002	OMEGA GRAPHICS								
		22-01917	08/18/22	Officer Business Cards	Open	1,020.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PAB001	PROCRAFT AUTO BODY, INC.	22-01156	05/18/22	Repairs for Unit 5	Open	2,647.30	0.00		
PAE001	WINDSTREAM	22-02005	09/06/22	BORO PHONE COMMUNICATION SERV	Open	830.15	0.00		
PASHSTEI	PASHMAN STEIN WALDER HAYDEN	22-01968	08/26/22	EATONTOWN RETAINER JULY 2022	Open	1,458.33	0.00		
		22-01969	08/26/22	BORO EATONTOWN TAX APPEALS	Open	1,810.50	0.00		
		22-01970	08/26/22	ETNT ADV. FRESH DISPENSARY	Open	5,559.00	0.00		
		22-01971	08/26/22	BORO EATONTOWN GENERAL SERVICE	Open	9,306.99	0.00		
		22-01973	08/29/22	DELEPERS AGREEMENT	Open	650.00	0.00		
						18,784.82			
PAU001	BRETT J. PAULUS	22-01861	08/12/22	EYEGLASS REIMBURSMENT	Open	110.00	0.00		
PAY003	LOUISE M. PAYNE	22-01895	08/15/22	MEDICARE INSURANCE REIMBURSE	Open	318.64	0.00		
		22-01904	08/16/22	MEDICARE REIMBURSEMENT 2022	Open	318.64	0.00		
						637.28			
POORJ005	POOR JOHN'S PORTABLE TOILETS	22-00682	03/16/22	PORTABLE RESTROOMS - PARKS	Open	732.00	0.00		B
QUAUT001	QUALITY AUTO GLASS, INC.	22-01809	08/05/22	INSTALL FOR DPW #25	Open	795.00	0.00		
REP001	REPUBLIC SERVICES	22-02023	09/08/22	SEPTEMBER 22 RESI SERVICE	Open	72,286.07	0.00		
RESC002	ALBERT J. RESCINIO, ESQ.	22-01961	08/26/22	PUBLIC DEFENDER SERVICES	Open	7,345.00	0.00		
RICOH005	RICOH USA, INC.	22-01960	08/26/22	FINANCE COPIER LEASE SERVICE	Open	166.75	0.00		
RONAL005	RONALD J. TROPOLI, ESQ.	22-01894	08/15/22	MUNICIPAL COURT JUDGE SERVICE	Open	500.00	0.00		
RRD001	R.R. DONNELLEY	22-01073	05/05/22	Safety Paper	Open	71.90	0.00		
RSUNJ001	RUTGERS, STATE UNIVERSITY OF N	22-01585	07/13/22	INTRODUCTION TO PRUNING TECHNIQ	Open	195.00	0.00		
RUTG099	RUTGERS CONTINUING STUDIES GOV	22-01943	08/25/22	LOCAL ELECTIONS ADMINISTRATION	Open	653.00	0.00		
SCH001	T&M ASSOCIATES	21-01755	08/06/21	INDUSTRIAL WAY WEST	Open	455.00	0.00		B
		21-01757	08/06/21	REC PROPERTY DEMO	Open	441.90	0.00		B
		21-02119	09/17/21	ENVIRONMENTAL INVESTIGATION	Open	643.49	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SCH001	T&M ASSOCIATES	Continued							
		21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	1,754.50	0.00		B
						3,294.89			
SIC003	STANDARD INSURANCE COMPANY INC								
		22-01977	08/29/22	ETNT TRUCK & HOSE LIFE INS	Open	527.29	0.00		
		22-01978	08/29/22	ENTN DISABLITY INSURANCE	Open	2,233.42	0.00		
						2,760.71			
SPCA001	MONMOUTH COUNTY-SPCA								
		22-01958	08/25/22	BORO ANIMAL CONTROL SERVICES	Open	1,500.00	0.00		
SSW001	S&S WORLDWIDE								
		22-01302	06/07/22	SUMMER CAMP ACTIVITY SUPPLIES	Open	1,322.21	0.00		
		22-01770	08/02/22	NOK HOCKEY SUMMER CAMP	Open	234.62	0.00		
						1,556.83			
STAP003	STAPLES ADVANTAGE								
		22-01736	07/28/22	COMMUNITY CTR OFFICE SUPPLIES	Open	49.59	0.00		
		22-01738	07/28/22	FINANCE OFFICE SUPPLIES	Open	35.34	0.00		
		22-01896	08/15/22	PLAN/ZONING OFFICE SUPPLIES	Open	111.56	0.00		
		22-01897	08/15/22	TAX/FINANCE OFFICE SUPPLIES	Open	82.46	0.00		
		22-01956	08/25/22	POLICE CHIEF OFFICE SUPPLIES	Open	616.55	0.00		
		22-01957	08/25/22	HOUSING DEPT OFFICE SUPPLIES	Open	173.32	0.00		
						1,068.82			
STORR001	STORR TRACTOR COMPANY								
		22-01353	06/13/22	DPW YORK RAKE-SADDLE BAR	Open	1,428.93	0.00		
SYN003	SYN-TECH SYSTEMS, INC.								
		22-01811	08/05/22	FUEL MASTER LIMITED SERVICE	Open	550.00	0.00		
TCLAY001	THOMAS CLAYTON								
		22-01641	07/19/22	2022 SHBP RETIREE REIMBURSEMENT	Open	721.80	0.00		
TEAM001	T.E.A.M. LIFE								
		22-01845	08/11/22	AED Batteries	open	1,095.00	0.00		
TEPS001	STATE OF NJ DEPT OF TREASURY								
		22-01994	09/01/22	SHBP CONTRIBUTION SEPTEMBER 22	Open	252,181.07	0.00		
THYG001	SENIORCIZE WITH CORINNE, LLC								
		22-00223	01/21/22	CARDIO CORE & MORE JAN-DEC2022	Open	200.00	0.00		B
USPS002	US POSTAL SERVICE								
		22-01995	09/01/22	REPLENISH MAILROOM FUNDS	Open	5,000.00	0.00		
VBF001	VERIZON BUSINESS FIOS								
		22-02000	09/06/22	BORO INTERNET/TV SERVICES	Open	586.78	0.00		
VIT002	WILLIAM VITAL								
		22-01867	08/12/22	Fire Police	Open	35.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
VIVIA005	VIVIANA ZUNIGA	22-01880	08/15/22	RECREATION REFUND SOCCER LEAG	Open	95.00	0.00		
VULCA005	VULCAN CONSTRUCTION GROUP INC	22-00923	04/12/22	WAMPUM PARK BIKE PATH	Open	69,100.41	0.00		B
WCE001	WIRELESS ELECTRONICS	22-01866	08/12/22	Labor for 700 band	Open	300.00	0.00		
WINSL005	WINSLOW INVESTMENTS LLC	22-01732	07/28/22	RELEASE PERFORMANCE BOND #1523	Open	5,360.19	0.00		
WORLD001	WORLD JEEP LLC	22-00050	01/06/22	OPEN FOR 2022	Open	12.08	0.00		B
WVG001	GRAINGER INC	22-00637	03/11/22	OPEN FOR 2022	Open	70.69	0.00		B
Total Purchase Orders: 173 Total P.O. Line Items: 0 Total List Amount: 671,531.90 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:	1-01	600.46	0.00	600.46	0.00	0.00	600.46
CURRENT FUND:	2-01	568,819.98	0.00	568,819.98	190.00	0.00	569,009.98
GENERAL CAPITAL F	C-04	16,561.81	0.00	16,561.81	0.00	0.00	16,561.81
GRANT FUND	G-02	74,139.86	0.00	74,139.86	0.00	0.00	74,139.86
	T-12	12.60	0.00	12.60	0.00	0.00	12.60
	T-15	5,197.00	0.00	5,197.00	0.00	0.00	5,197.00
	T-17	6,010.19	0.00	6,010.19	0.00	0.00	6,010.19
Year Total:		11,219.79	0.00	11,219.79	0.00	0.00	11,219.79
Total of All Funds:		671,341.90	0.00	671,341.90	190.00	0.00	671,531.90

ORDINANCE 19-2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING AND SUPPLEMENTING CHAPTER 39 "HISTORICAL COMMITTEE, SECTION 39 "HISTORICAL COMMITTEE", AND CHAPTER 89 "LAND USE", SECTION 4 "DEFINITIONS AND WORD USAGE", SECTION 16 "REVIEW PROCEDURE", AND SECTION 89-44 "INDIVIDUAL ZONE REGULATIONS", CONCERNING THE ISSUANCE OF CERTIFICATES AND PERMITS IN THE HISTORIC DISTRICT

WHEREAS, the Borough's Zoning Officer has proposed to the Borough Administrator and the Borough Council to modernize and update the Borough Code concerning the involvement of the Historical Committee in with certain regulated activities to Historical Sites and Structures and within the Borough's Historic District;

WHEREAS, the Borough Council believes it is in the best interest of its residents to uphold the Zoning Officer's recommendations to ensure that the Historical Committee can give input on land use applications concerning properties located in the Borough's Historic District.

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

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

Section 39-8. Construction, Planning and Zoning Code Compliance.

The Historical Committee shall also serve as a review or advisory committee to the Eatontown Construction Official, Zoning Board and Planning Board with respect to applications for development of historic sites and for applications for building permits within the Historic District Zone or of properties identified in the Borough's Historic Preservation Element of the Master Plan as amended.

Section 89-4. Definitions and Word Usage.

"Historic Site Or Structure" - Any real property, man-made structure, natural object or configuration or portion or group of the foregoing which have been formally designated in the Master Plan as being of historical, archeological, cultural, scenic or architectural significance, including but not limited to:

Historic Name (if known)	Block/Lot	Address
1.	905/1	35 Clinton Avenue - NE cr. Clinton Avenue and Franklin Avenue
2. Sun Eagles Country Clubhouse (Gibbs Hall and Pool)	501/1	S. side Tinton Avenue, 0.2 mi. W. of Maxwell Road, Fort Monmouth
3. Drummond Farm (Tinton Woods Clubhouse)	104/1	301 Tinton Avenue
4. Fields Cemetery		Tess Court
5. F. Littlefield House	1001/10	50 Broad Street
6. Washington F.A.M. Lodge #9	1001/8	40 Broad Street
7. Benjamin C. White House	1001/9	44 Broad Street
8.	1002/11	40 Byrnes Lane
9. Hathaway House	1002/2	68 Broad Street

10. Presbyterian Church	1002/3	72 Broad Street
11. Harmony Guest House	1003/7	154 Broad Street
12.	1113/3	395 Broad Street
13. A.M.E. Zion Church	1401/23	271 South Street
14.	1502/10	18 Buttonwood Avenue
15.	1502/15	188 South Street
16. Friends School	201/15	35 Tinton Avenue
17. Captain Flower	201/8	152 Main Street
18. Locust Grove Cemetery	2302/2	South Street
19.	2501/15.01	64 Wyckoff Road
20.	2607/9	7 Campbell Drive
21. White Ridge Cemetery (earliest section)	3001/7-9	Wall Street
22.	301/14	37 Throckmorton Avenue
23. Brower House	301/16	43 Throckmorton Avenue
24. Fred G. Steelman School	301/51	215 Broad Street
25. Eatontown Museum	303/18	75 Broad Street
26. St. James Episcopal	303/19	69 Broad Street
27.	304/15	21 Broad Street
28.	401/19	74 Tinton Avenue
29. Eaton's Mill Site	401/36-39	Hwy35
30. Wolcott's Tenants' House	802/29.01	67 Buttonwood Avenue
31.	902/42	84 South Street
32. Henry Corlies Farmhouse	904/5	128 South Street

Section 89-16. Review procedure.

C. Additional Historical Committee Review Required.

(1) No person shall engage or cause other persons to engage in any regulated activity as defined in § 89-44(F) on a Historical Site or Structure or within a Historic District until such person shall have applied for and received a certificate of approval or certificate of appropriateness from the Planning Board and applied for and received a development permit from the Zoning Officer.

(2) It shall be the duty and responsibility of the Administrative Officer (Zoning Officer) to refer all applications for issuance of permits pertaining to regulated activities on Historic Site or Structure or within a Historic District as set forth in § 89-44(f) to the Historical Committee for a written report on the application of the Zoning Ordinance provisions concerning historic preservation to any of those aspects of the change proposed which aspects were not determined by approval of an application for development by a municipal agency pursuant to the Municipal Land Use Law, P.L. 1975 c. 291. The Historical Committee shall submit its written report to the Administrative Officer (Zoning Officer) and shall send a copy of the report to the applicant within 45 days of its referral to the Commission. If within the forty-five-day period the Historical Committee recommends against the issuance of a permit or recommends conditions to the permit to be issued, the Administrative Officer (Zoning Officer) shall deny issuance of the permit or include the conditions in the permit. Failure to report within the forty-five-day period shall be deemed to constitute a report in favor of issuance of the permit and without the recommendation of conditions to the permit.

(3) Applications for development which are in an Historic District or on an Historic Site or Structure and require approval by the Planning Board or Board of Adjustment shall be referred by the Administrative Officer (Zoning Officer) directly to

the appropriate Board. The Board shall forward a copy of the complete application to the Historical Committee at least 14 days prior to the hearing. Failure to forward the copy shall not invalidate any hearing or proceeding. The Historical Committee may provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing on the application and to explain any written report which may have been submitted.

(4) The Historical Committee review shall not be required when a Historic Site or Structure requires immediate emergency repair to preserve the continued habitability of the landmark and/or the health and safety of its occupants or others. Emergency repairs may be performed in accordance with Borough codes, without the necessity of first obtaining the Historical Committee's review. Under such circumstances, the repairs performed shall be only such as are necessary to protect the health and safety of the occupants of the historic landmark, or others, and/or to maintain the habitability of the structure. A request for the Committee's review shall be made as soon as possible, and no further work shall be performed upon the structure until an appropriate request for approval is made and obtained in accordance with the procedures set forth in this chapter. All work done under this section shall conform to the criteria set forth in § 89-44.

D. Where an application for development is found by the Administrative Officer (Zoning Officer) to require Historical Committee's review pursuant to this section, the applicant shall be required to submit an application for certificate of appropriateness to the Administrative Officer (Zoning Officer). As part of this application, the Historical Committee may require the submission of such materials as are reasonably required for it to render a decision on the application. This application shall accompany the application for development when it is referred to the Historical Committee for review and must be complete in order to be considered. The Historical Committee shall advise the applicant in writing of the time, date, and place of the meeting at which the matter will be reviewed at least three days prior to the meeting. The Historical Committee may advise other interested parties of the meeting and may publish notices of the meeting in the newspaper. The applicant shall not be required to appear or to be represented at the meeting. The applicant may appear at the meeting and may submit additional information if he so chooses.

E. Time limit and effect of certificate of appropriateness. A certificate of appropriateness shall confer upon the applicant the right that the general terms and conditions upon which the certificate was granted shall not be changed for one year. Any certificate hereafter granted shall expire by limitation unless the approved activity has commenced within one year of the date of the certificate. The Historical Committee may extend the time period. Where other approvals or permits are required pursuant to this chapter, the certificate of appropriateness shall be valid for the life of those approvals or permits or extensions thereof.

Section 89-44 Individual Zone Regulations.

F. Regulations applying to the HD Zone District.

(1) ~~¶~~ The HD (Historic District) Zone is for the purpose of preserving cultural, social economic and architectural history through the preservation of historically significant buildings and to create an appropriate and harmonious neighborhood for the historically significant buildings. Therefore, ~~¶~~the HD (Historic District) Zone shall ~~not~~ regulate the use of land or buildings the following activities (hereinafter "regulated activities") on any Historic Site or Structure or within a historic district:

(a) Change in the exterior appearance of any building, structure or improvement by addition, reconstruction, alteration, replacement or maintenance;

(b) Any additional or new construction of an improvement;

(c) Replacement, changes in, or addition of signs, shutters, outdoor displays, fences and hedges, street furniture, awnings, off-street driveway and parking materials, or exterior lighting;

(d) Installation or replacement of porches, fire escapes, solar panels, and satellite dish antennas.

~~It is for the purpose of preserving cultural, social economic and architectural history through the preservation of historically significant buildings and to create an appropriate and harmonious neighborhood for the historically significant buildings.~~

(2) In addition to all other requirements of this chapter, no building or structure shall ~~hereafter be erected, reconstructed, altered, restored or demolished~~ undergo any regulated activity within the Historic District unless and until an application for a building permit shall have been approved as to exterior architectural features which are subject to public view from a public street, way or place. Evidence of such required approval shall be a certificate of appropriateness issued by the Planning Board. Upon receiving an application for a building permit in the Historic Zone, the Construction Official shall promptly forward three copies thereof to the Administrative Secretary, who shall place it on the agenda of the next meeting of the Planning Board. The Construction Official shall promptly forward a copy thereof to the Secretary of the Historical Committee for the Committee's review and comment pursuant to the procedure set forth in Section 89-16..

(3) In reviewing the plans, the Planning Board shall give consideration to:

- (a) The historical or architectural value and significance of the structure and its relationship to the historic value of the surrounding area;
- (b) The general compatibility of exterior design, arrangement, texture and materials proposed to be used; ~~and~~
- (c) Any other factor, including aesthetic, which it deems pertinent; and
- (d) The input and recommendations of the Historical Committee.

(4) The Planning Board shall pass only on exterior features of a structure and shall not consider interior arrangements, nor shall it disapprove applications except in regard to considerations as set forth in the previous paragraph.

(5) It is the intent of this section that the Planning Board be strict in its judgment of plans for ~~alteration, repair or demolition~~ regulated activities of Historical Sites and Structures and existing structures deemed to be valuable according to studies, approved by the Planning Board of the Borough of Eatontown, by qualified persons using as the criteria of evaluation those developed by the National Trust for Historic Preservation. In addition to the list of structures listed in § 89-4, a A list of such structures designated by street address and block and lot number is maintained by the Eatontown Historic Society to guide the Planning Board in its judgments.

(6) It is the intent of this section that the Planning Board and Historical Committee shall encourage any alterations or repairs to structures on this list be made in the spirit of their architectural style, and that any additions will be made in such a manner as not to detract from a building's original appearance.

(7)-(16) No changes.

(17) The following shall not be considered regulated activities under this Section:

- (a) Changes to the interior of structures.
- (b) Ordinary repairs and maintenance or the exact replacement of any existing architectural details that are otherwise permitted by law, provided this work on a Historic Site or Structure does not alter the exterior appearance of the building. The following are some of the activities which may be permitted according to this criteria:
 - (1) Complete identical replacement of existing windows and doors.
 - (2) Repair of existing windows and doors involving no change in their design, scale or appearance. Installation of storm windows and doors.
 - (3) Complete replacement of existing material with identical material.
 - (4) Maintenance and repair of existing roofing material involving no change in the design, scale or appearance of the structure.
 - (5) Structural repairs which do not alter the exterior appearance of the building.

- (6) Complete identical replacement of existing roof structures such as cupolas, dormers and chimneys, or the repair of same which does not alter their exterior appearance.
- (7) Complete replacement of existing shingles, clapboards, or other siding with identical material.
- (8) Maintenance and repair of existing shingles, clapboards, or other siding involving no change in design, scale or appearance of the structure.
- (9) Exterior painting of existing structures. The Historical Committee may recommend colors harmonious with those currently used in the historic district.

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.

DATE INTRODUCED: September 14, 2022

PUBLIC HEARING: September 28, 2022

ORDINANCE 20-2022

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 198 OF THE BOROUGH CODE "LICENSED OCCUPATIONS", AND CHAPTER 257 OF THE BOROUGH CODE "RENTAL PROPERTIES", CONCERNING THE REGISTRATION OF CERTIFICATES OF INSURANCE OF ALL BUSINESS, RENTAL UNITS, AND MULTI-FAMILY HOMES LOCATED IN THE BOROUGH.

WHEREAS on August 5, 2022, the New Jersey Legislature approved Bill S1368 (the "Legislation") requiring the owner of a business, rental unit(s), and/or multi-family homes of four or fewer units (collectively "Business and Rental Property Owner(s)") to maintain certain amounts of liability insurance; and

WHEREAS, the Legislation also requires that the impacted Business and Rental Property Owners to demonstrate that they have maintained the required insurance by annually registering their certificates of insurance with the municipality in which the business, rental property, or multi-family home is located; and

WHEREAS, the Legislation also permits municipalities to establish by ordinance a reasonable fee for the administration of the insurance certification registration, and to collect penalties against any Business and Rental Property Owner who fails to comply with the Legislation; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to ensure that Business and Rental Property Owners located within the Borough are complying with the Legislation by maintaining required levels of insurance and registering certifications of insurance with the Borough, and that the Borough Code is consistent with the Legislation.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 198 of the Borough Code, "Licensed Occupations", and Chapter 257 of the Borough Code, "Rental Properties", as follows:

[Underline is added and ~~strike-out~~ is deleted]

Chapter 198 Licensed Occupations.

§ 198-8 Registration of Certificates of Insurance.

A. The owner of a business located in the Borough shall annually register with the Office of the Borough Clerk the certificate of insurance demonstrating compliance with N.J.S.A. 40A:10A-1. At the time of registration, the owner of the business shall pay an annual administrative fee in the amount of \$200.

B. Enforcement, violations and penalties.

(1) The Zoning Officer, or any other Borough officer designated by the Borough Administrator is hereby authorized and directed to enforce Section 198-8.

(2) The penalty for each violation of Section 198-8(A) shall be a minimum fine of \$500 and a maximum fine up to \$5,000, which the Borough may collect through a summary proceeding pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10 et. seq.

Chapter 257 Rental Properties.

§ 257-6. Registration of Certificates of Insurance.

A. The owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register with the Office of the Borough Clerk the certificate of insurance demonstrating compliance with N.J.S.A. 40A:10A-1. At the time of registration, the owner of the business shall pay an annual administrative fee in the amount of \$200.

B. Enforcement, violations and penalties.

(1) The Zoning Officer, or any other Borough officer designated by the Borough Administrator may be and is hereby authorized and directed to enforce Section 198-8.

(2) The penalty for each violation of Section 257-6(A) shall be a minimum fine of \$500 and a maximum fine up to \$5,000, which the Borough may collect through a summary proceeding pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10 et. seq.

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.

DATE INTRODUCED: September 14, 2022

PUBLIC HEARING: September 28, 2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, Chapter 57, Section 2 of the Borough Code establishes annual advertisements for professional position: and

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 18, 2022, with receipts of proposals on Thursday, November 10, 2022.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan, Jr.						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION

I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022.

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Dena Amodea
Dena Amodea, CFO

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindl						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION

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Julie Martin, RMC, Borough Clerk

RESOLUTION 205-2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

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

LOT	Qual.	NAME	AMOUNT CERTIFICATE	AMOUNT PREMIUM
19		FIG CUST FIGNJ19LLC & SEC PTY	\$2071.04	\$2,600.00
13.01	C075	US BANK CUST/PRO CAP 8/PRO CAPITAL MGT II	\$1,083.73	\$200.00

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022. Julie Martin, RMC, Borough Clerk
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Mayor Talerico							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Julie Martin, RMC, Borough Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan, Jr.						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION

I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on September 14, 2022.

Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation, and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

1. Eatontown Borough Administrator is authorized to (a) make application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondence of the above-named municipality; and
2. The Borough of Eatontown is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations, and statutes thereto; and
4. The Mayor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open space Trust Funds; and
5. This resolution shall take effect immediately.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan, Jr.						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION

I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022.

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Department of Public Works is desirous of purchasing a Utility Body for a Service Truck;

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan, Jr.						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindl						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION
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Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Gonzalez						
Councilmember Regan						
Councilmember Escalante						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Mayor Talerico						

CERTIFICATION

I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022.

Julie Martin, RMC, Borough Clerk

RESOLUTION 211-2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND CASH BOND TO CP PLAZA 35, LLC
C/O CYZNER PROPERTIES FOR THE PROPERTY DESIGNATED ON THE TAX MAP AS BLOCK 3801, LOTS 21
AND 22.**

WHEREAS, CP Plaza 35, LLC, c/o Cyzner Properties ("CP Plaza") posted a performance bond in the amount of \$343, 573.00 and an associated cash guarantee in Borough account #1173 the amount of \$38,273.53 in connection to its approval to make improvements to the property designated on the Borough Tax Map as Block 3801, Lots 21 and 22 (the "Property"); and

WHEREAS, the Borough Engineer issued a letter to the Zoning Officer dated August 18, 2022 advising that CP Plaza has made all required improvements to the Property and the Borough Engineer recommends that the Borough Council release the performance bond and the associated cash guarantee it without the posting of a maintenance bond because the improvements to the Property are substantially completed without the posting of a maintenance bond given the duration of time the performance guarantees have been in effect and the improvements completed; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to abide by the Borough Engineer's recommendation and release the performance guarantees related to the Property inasmuch as all the required improvements have been effectuated and the site is now operational with on-site tenants.

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 the release of the performance bond in the amount of \$343,573.00 and the cash guarantee posted in the amount of \$38,273.53 in account #1173 posted by to CP Plaza 35, LLC c/o Cyzner Properties in connection with the improvements made to the property designated as Block 3801, Lots 21 and 22.

BE IT FURTHER RESOLVED that the release of the performance bond and cash bond is contingent upon CP Plaza 35, LLC making payment on or otherwise meeting the legal requirements for the payment of all outstanding inspection invoices to the Borough Engineer's office.

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

1. CP Plaza 35, LLC
2. Dena Amodea, Chief Financial Officer

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022. _____ Julie Martin, RMC, Borough Clerk
Council President Gonzalez							
Councilmember Escalante							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Mayor Talerico							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Whereas, the Borough of Eatontown has a need to purchase Fire Department Service Awards; and

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement in an amount not to exceed amount of \$250.00 to Interim Administrator Lucia.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022. <u>Julie Martin, RMC, Borough Clerk</u>
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Mayor Talerico							

RESOLUTION 213-2022

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING ACCESS AGREEMENT WITH ZOOM PLAZA, LLC FOR ACCESS ONTO
BOROUGH PROPERTY LOCATED AT BLOCK 2302, LOT 23 TO PERMIT THE CONSTRUCTION OF A
RETAINING WALL**

WHEREAS, Zoom Plaza, LLC ("Zoom Plaza") is the owner of a certain real property located at 128 Wycoff Road and bearing the designation Block 2302, Lot 3 on the tax map of the Borough of Eatontown (the "Zoom Plaza Property") which is adjacent to Borough owned property located at Block 2302, Lot 2 where an historic cemetery is located (the "Borough Property") and

WHEREAS, the Borough entered into an Access Agreement with Monmouth Queen Realty Co. Inc. ("MQR"), the prior owner of the Zoom Plaza Property on September 24, 2020 which provided MQR access to the Borough Property for 90 days to replace the failing retaining wall which straddled the two properties and MQR failed to implement the replacement; and

WHEREAS, Code Enforcement issued violations of the Borough Code to Zoom Plaza's predecessor owner, Monmouth Queen Realty Co., Inc. ("MQR") for failing to repair and maintain the retaining wall and MQR plead guilty in municipal court on May 28, 2021 to a violation of Chapter 250, Section 5 of the Property Maintenance section of the Borough Code and agreed to pay a \$5,000 fine with an additional \$4,000 suspended fine so long as the retaining wall was replaced within 90 days of the plea agreement.

WHEREAS, Zoom Plaza is intending to replace the present retaining wall with a brand new retaining wall along the property line between the Zoom Plaza Property and Borough Property; and

WHEREAS, the Borough Engineer reviewed and approved the Retaining Wall Plan by memorandum dated July 20, 2022; and

WHEREAS, Zoom Plaza has requested the Borough enter into an Access Agreement to permit it to access Borough Property to replace the retaining wall and abate the long standing code violations; and

WHEREAS, the Borough Council believes it is in the best interests of the Borough to enter into the Access Agreement with Zoom Plaza, LLC so as to permit the repair and replacement of the retaining wall to enhance the Borough Property and the historical cemetery.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby approves the Access Agreement with Zoom Plaza, LLC and authorizes the Mayor to execute the Access Agreement conditioned upon Zoom Plaza, LLC paying all applicable Borough fees for the preparation and recording of the Access Agreement.

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

1. Zoom Plaza, LLC
2. Kathy Muscillo, Zoning Officer
3. Andrew Bayer, Borough Attorney

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on September 14, 2022. _____ Julie Martin, RMC, Borough Clerk
Council President Gonzalez							
Councilmember Escalante							
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Councilmember Lucas							
Mayor Talerico							