

Mayor
ANTHONY TALERICO, JR.

Council
VIRGINA EAST, President
MARK REGAN, JR.
DANIELLE M. JONES
DAVID GINDI
EVERETT D. LUCAS
MEIR ARAMAN



BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

AGENDA
Mayor and Council
Wednesday, January 11, 2023

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

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. Also, Notice of the Regular Meeting Time Change was transmitted to 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.

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Discussion - Ordinance 26-2022 (Pay to Play Restrictions) - New Ordinance for 2023 (C/Gindi)
3. Discussion - Ordinance 20-2022 (Registration of Certificates of Insurance) - Repeal/Reduce Fee (Mayor Talerico)
4. Transparency Resolution Introduction and Discussion (C/Gindi)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting/Closed Session Meetings - 12/21/2022
 - B. Reorganization Meeting - 1/1/2023
3. **COMMUNICATIONS**
 - A. Notice of ZB Hearing, Block 30, Lot 51 (1/3/23)
4. **MAYOR'S REPORT** - Mayor Talerico
5. **REPORTS OF COMMITTEES**
 - A. PARKS & RECREATION - Council President East
 - B. EMERGENCY SERVICES - Councilmember Regan, Jr.
 - C. FINANCE & ORDINANCE - Councilmember Jones
 - D. PUBLIC WORKS & INSURANCE - Councilmember Gindi
 - E. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Lucas
 - F. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia
7. **PRESENTATION - CANNABIS APPLICATION** - Cana-Bosem, LLC

8. OLD BUSINESS (rc)

9. PUBLIC COMMENT ON AGENDA ITEMS ONLY

10. BILLS & CLAIMS AND BI-WEEKLY PAYROLL (vv)

11. NEW BUSINESS

A. ORDINANCE INTRODUCTION

1) **Ordinance 01-2023** - An Ordinance of the Borough of Eatontown Amending Chapter 161 Fire Prevention, Section 9 Permit Fees - **First Reading/Introduction (Public Hearing 1/25/23)**

2) **Ordinance 02-2023** - An Ordinance of the Borough of Eatontown Amending Chapter 57 Professional Services, Article I Professional Contracts and Article II, Pay to Play Restrictions - **First Reading/Introduction (Public Hearing 1/25/23)**

3) **Ordinance 03-2023** - An Ordinance Repealing Ordinance 20-2022 Requiring the Owners of Businesses in the Borough to Register with the Borough Clerk and Provide Proof of Liability Insurance - **First Reading/Introduction (Public Hearing 1/25/23)**

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 23-2023** - Auth Grant Application to NJ DCA, 80 Acres Basketball Court Resurfacing

2) **Resolution 24-2023** - Auth. Participation in the Volunteer Tuition-Credit Program

3) **Resolution 25-2023** - Auth. Release of Street Opening Escrow Funds (21 Pearce)

4) **Resolution 26-2023** - Auth. Cancellation of Property Taxes due to Totally Exempt Veteran (Blk 2602, Lot 8)

5) **Resolution 27-2023** - Auth. Refunds of Overpaid Taxes (Blk 4103, Lot 7)

6) **Resolution 28-2023** - Auth. Participation in Defense Logistics Agency, Law Enforcement Support 1033 Program

7) **Resolution 29-2023** - Rejecting Bid and Auth. Rebid, Chevrolet Tahoes, Police Department

8) **Resolution 30-2023** - Adopting Technology Risk Management Standards in Compliance with the MEL Cyber Risk Management Plan Tier Three Requirements and the MEL's Cyber Incident Response Plan

C. CONSENT AGENDA MOTIONS (vv)

1) Acceptance of Tax Collector Report, December 2022

2) Acceptance of Planning/Zoning Report, December 2022

3) Acceptance of NJ State Firemen's Assn. Application for Membership (S. Finch)

4) Acceptance of Annual Eatontown Historian Report, 2022

12. REMARKS OF COUNCIL AND CITIZENS

13. CLOSED SESSION (vv)

A. **Resolution 31-2023**

1) Contract Negotiations - Monmouth Mall

13. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday, January 25, 2023 @ 7:00 p.m.***

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All

Range: First to Last

Format: Condensed

Vendors: All

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

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.								
		23-00007	01/05/23	BORO MONTHLY PHONE USAGE	Open	2,981.96	0.00		
ABC001	NJ DIV. OF ALCOHOLIC BEVERAGE								
		22-02806	12/05/22		Open	51.00	0.00		
ACTIO005	ACTION UNIFORM CO, LLC								
		22-02160	09/21/22	Class III Uniforms 2022	Open	338.00	0.00		B
		22-02161	09/21/22	Class A & SLEO 2 2022 Uniforms	Open	418.00	0.00		B
						756.00			
AHH001	AMERICAN HOSE & HYDRAULICS INC								
		22-01052	05/04/22	OPEN FOR 2022	Open	40.08	0.00		B
AMER004	AMERICAN WEAR								
		22-02820	12/07/22	NOVEMBER 22 WEEKLING CLEANING	Open	493.40	0.00		
ANNAB005	ANNA BARCUME								
		22-02839	12/09/22	2022 MEDICARE REIMBURSEMENT	Open	340.20	0.00		
AOC001	ALLIED OIL LLC								
		22-02788	11/30/22	GASOLINE	Open	9,156.10	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		22-02302	10/04/22	LEGAL ADVERTISEMENT	Open	115.28	0.00		B
ARH001	ADAMS, REHMANN, HEGGAN ASSOC INC								
		22-02164	09/21/22	DOWNTOWN GREENWAY	Open	658.75	0.00		
ATH001	ATHLETE'S ALLEY								
		22-02534	10/27/22	ENGRAVED NAME PLATE-ESSAY	Open	20.00	0.00		
		22-02560	10/28/22	BASKETBALL JERSEY/EQUIPMENT	Open	2,209.60	0.00		
						2,229.60			
AUTO001	AUTO PARTS CENTER								
		22-02009	09/07/22	OPEN FOR 2022	Open	156.98	0.00		B
		22-02541	10/28/22	OPEN FOR 2022	Open	471.13	0.00		B
						628.11			
AVAKL001	LEON AVAKIAN, INC								
		22-02632	11/04/22	General Services Year End 2022	Open	4,417.50	0.00		B
AXONE005	AXON ENTERPRISE, INC								
		22-00122	01/12/22	Additional Licenses Yr. 1	Open	170.75	0.00		
BOE001	EATONTOWN BOARD OF EDUCATION								
		23-00003	01/05/23	TAX LEXY JANUARY 2023	open	1,396,189.50	0.00		

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BURK003	WILLIAM BURKE								
		22-02353	10/11/22	SANTA FOR TREE LIGHTING	Open	150.00	0.00		
COM006	COMCAST BUSINESS								
		23-00068	01/10/23	BORO FIBEROPTIC ACCT SERVICE	Open	779.25	0.00		
COMC004	COMCAST								
		23-00008	01/05/23	BORO SPC VIDEO ACCOUNT	Open	102.63	0.00		
		23-00070	01/10/23	PINEBROOK ONLINE ACCOUNT	Open	191.22	0.00		
		23-00071	01/10/23	LEWIS STREET ONLINE ACCT	Open	123.22	0.00		
						417.07			
CTCF001	CHRISTIANA T C/F GE1/1ST TRUST								
		22-02902	12/19/22	REDEEM CERT #22000035	Open	2,409.11	0.00		
DELAG01	DE LAGE LANDEN FINANCIAL INC								
		22-02935	12/30/22	COMM CTR COPIER LEASE	Open	146.85	0.00		
		22-02936	12/30/22	MAILROOM COPIER LEASE	Open	146.85	0.00		
						293.70			
DEMI001	Direct Energy Marketing, Inc								
		23-00009	01/05/23	BORO MONTHLY GAS USAGE	Open	2,547.02	0.00		
DONNA005	DONNA COOKE								
		22-02860	12/13/22	EYEGLASS REIMBURSEMENT	Open	181.30	0.00		
DTS001	DYNAMIC TESTING SERVICE								
		22-01769	08/02/22	POLICE RANDOM DRUG SCREENING	Open	320.00	0.00		
EAT004	EATONTOWN MEDICAL ASSOCIATES								
		22-02841	12/09/22	MEDICAL FOR EMPLOYMENT	Open	440.00	0.00		
ELITE011	ELITE CLEANERS LS LLC								
		22-02793	11/30/22	November Dry Cleaning	Open	632.00	0.00		
FMERA001	FMERA								
		23-00067	01/10/23	FORT MONMOUTH STREET LIGHT SVC	Open	382.20	0.00		
FOLE002	FOLEY, INCORPORATED								
		22-01870	08/12/22	OPEN FOR 2022	Open	146.88	0.00		B
FOO001	SAKER SHOPRITES, INC.								
		22-02221	09/26/22	DECEMBER AFTERCARE SNACKS	Open	252.14	0.00		
		22-02452	10/19/22	YOUTH COMMITTEE SUPPLIES 3	Open	101.90	0.00		
						354.04			
FUN001	FUN BUS								
		22-01259	06/01/22	7/28/22 10AM-11AM	Open	300.00	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		22-02830	12/08/22	PAY PERIOD 12-22-22 O/S DETAIL	Open	3,476.00	0.00		

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GM001	G&M TROPHY CO, INC								
		22-02783	11/29/22	NEW COUNCIL NAME PLATES	Open	30.00	0.00		
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC								
		22-00991	04/25/22	OPEN FOR 2022	Open	79.41	0.00		B
GSHP001	GARDEN STATE HIGHWAY PRODUCTS,								
		22-02417	10/17/22	TRAFFIC DEVICES DPW,OEM,PD	Open	5,878.36	0.00		
		22-02615	11/03/22	OEM EMERGENCY TRAFFIC DEVICES	Open	4,834.20	0.00		
						10,712.56			
GUID001	GUIDO'S PIZZA								
		22-02338	10/07/22	ROCKIN AROUND XMAS TREE LUNCH	Open	129.68	0.00		
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		22-01398	06/20/22	OPEN FOR 2022	Open	320.26	0.00		B
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA								
		22-02762	11/28/22	A&P PORK ESCROW #1571	Open	1,005.00	0.00		
		22-02858	12/12/22	A&P PORK ESCROW #1571	Open	112.50	0.00		
						1,117.50			
IMP001	IMPRINT SHOP LLC								
		22-02487	10/24/22	STYLE #3507 LAT LADIES V-NECK	Open	951.00	0.00		
		22-02498	10/24/22	STYLE #3507 LADIES V-NECK	Open	97.00	0.00		
		22-02519	10/27/22	Uniforms	Open	154.00	0.00		
						1,202.00			
JERS001	JCP&L								
		23-00005	01/05/23	BORO STREET LIGHTING SERVICE	Open	775.95	0.00		
		23-00066	01/10/23	BORO MONTHLY ELECTRIC CHARGES	Open	666.29	0.00		
						1,442.24			
JERS002	HUNTER JERSEY PETERBILT LP								
		22-00034	01/06/22	OPEN FOR 2022	Open	37.46	0.00		B
JFWLL001	JOSEPH FAZZIO-HOWELL LLC								
		22-00996	04/25/22	OPEN FOR 2022	Open	244.40	0.00		B
JGC001	John Guire Supply LLC								
		22-02495	10/24/22	TOPSOIL	Open	4,053.40	0.00		
JOHNS006	JOHN SANDERS								
		22-02845	12/09/22	OEM EMERGENCY OPERATIONS	Open	30.00	0.00		
JSPOT01	JOHNNY ON THE SPOT, LLC								
		22-02545	10/28/22	OPEN FOR 2022	Open	94.50	0.00		B
KEPWE005	KEPWEL SPRING WATER CO, INC								
		22-01354	06/13/22		Open	88.00	0.00		B
KORPA005	KORPACZ REALTY ADVISORS, INC								
		22-02882	12/15/22	APPRAISAL/VALUATION SERVICES	Open	15,000.00	0.00		

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 4

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LAN001	LANIGAN ASSOCIATES, INC.								
		22-00232	01/24/22	Uniform Purchases	Open	119.80	0.00		B
		22-02528	10/27/22	FIRE DEPT UNIFORM UPGRADES	Open	175.00	0.00		
						294.80			
LASER001	LASER SAVE								
		22-02859	12/12/22	Printer Ink Cartridges	Open	800.00	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		22-02855	12/12/22	ANDERSON ZB2022-20 RESO	Open	200.00	0.00		
		22-02857	12/12/22	ZONING BOARD 12.12.2022	Open	450.00	0.00		
						650.00			
MAAC0002	MAACO								
		22-01888	08/15/22	Vehicle Paint Repair	Open	1,960.19	0.00		
		22-01889	08/15/22	Vehicle Paint Repair	Open	1,454.31	0.00		
						3,414.50			
MON002	MONMOUTH BUILDING CENTER								
		22-01718	07/27/22		Open	770.71	0.00		B
		22-01779	08/03/22		Open	454.29	0.00		B
						1,225.00			
MRH001	MONMOUTH REGIONAL H.S. BD. OF								
		23-00004	01/05/23	TAX LEVY JANUARY 2023	Open	1,224,685.00	0.00		
MRK001	MR KEYS INC								
		22-01267	06/03/22		Open	400.00	0.00		B
MU002	MONMOUTH UNIVERSITY								
		22-02800	12/02/22	FEDERAL WORK STUDY EMPLOYMENT	Open	147.22	0.00		
NJB001	VERIZON								
		23-00006	01/05/23	POLICE CELL TOWERS/ANTENNA	Open	1,305.89	0.00		
		23-00069	01/10/23	BORO MONTHLY PHONE USAGE	Open	9,839.65	0.00		
						11,145.54			
NJDH001	NJ DEPT OF HEALTH AND SENIOR S								
		22-02856	12/12/22	DECEMBER DOG REPORT	Open	3.60	0.00		
NJFE001	NEW JERSEY FIRE EQUIPMENT CO.								
		22-02203	09/23/22	FIRE DEPT SCOTT REGULATORS	Open	18,747.00	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		22-02907	12/19/22	RFP 2023 PROFESSIONAL SERVICES	Open	210.00	0.00		
NJN001	NJ NATURAL GAS CO.								
		22-02924	12/28/22	BORO MONTHLY GAS USAGE	Open	5,212.15	0.00		
NOR002	NORTHWIND MECHANICAL SYSTEMS								
		21-02865	12/16/21		Open	457.63	0.00		B

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 5

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
NOR002	NORTHWIND MECHANICAL SYSTEMS	Continued				
22-02697	11/16/22	Open	2,515.00	0.00		
			2,972.63			
NWFG001	NW FINANCIAL GROUP LLC					
22-02833	12/08/22 FINANCIAL ADVISORY SERVICES	Open	1,687.50	0.00		
OLIVI005	OLIVIA'S II					
22-02269	09/30/22 FIRST AID MEETING/TRAININGS	Open	290.00	0.00		B
OMEG002	OMEGA GRAPHICS					
22-02777	11/29/22 NEW COUNCIL BUSINESS CARDS	Open	140.00	0.00		
PAB002	PABCO INDUSTRIES					
22-02574	10/28/22 LEAF BAGS	Open	1,183.15	0.00		
PAE001	WINDSTREAM					
22-02842	12/09/22 FINAL MONTHLY USAGE PHONE	Open	16.94	0.00		
PAY003	LOUISE M. PAYNE					
22-02840	12/09/22 2022 MEDICARE REIMBURSEMENT	Open	318.64	0.00		
ROKIN01	R.O.K. INDUSTRIES, INC					
22-02835	12/09/22 MUNIC TAX LIEN ADVERTISEMENT	Open	1,290.00	0.00		
RRD001	R.R. DONNELLEY					
22-02224	09/26/22 SAFETY PAPER	Open	297.00	0.00		
SCH001	T&M ASSOCIATES					
21-01757	08/06/21 REC PROPERTY DEMO	Open	45.50	0.00		B
21-02684	11/16/21 ARP WAMPUM BROOK FLOOD STUDY	Open	1,110.00	0.00		B
22-01903	08/16/22 INDUSTRIAL WAY PHASE 3	Open	6,428.72	0.00		B
22-02903	12/19/22 General Services 11.2022	Open	3,081.50	0.00		
22-02921	12/22/22 AMEND DCH FORD ESCROW #1500	Open	914.50	0.00		
			11,580.22			
SEC002	THYSSEN KRUPP ELEVATOR					
22-02853	12/12/22	Open	949.83	0.00		
STAP003	STAPLES ADVANTAGE					
22-02847	12/09/22 TAX COLLECTOR STAMP-SUPPLIES	Open	23.36	0.00		
22-02848	12/09/22 COMMUNITY CTR OFFICE SUPPLIES	Open	151.38	0.00		
22-02849	12/09/22 PUBLIC WORKS OFFICE SUPPLIES	Open	90.14	0.00		
22-02850	12/09/22 CLERK OFFICE SUPPLIES	Open	224.17	0.00		
22-02851	12/09/22 POLICE-CHIEF OFFICE SUPPLIES	Open	119.99	0.00		
22-02852	12/09/22 BUILDING DEPT OFFICE SUPPLIES	Open	204.94	0.00		
22-02925	12/28/22 CLERK OFFICE SUPPLIES	Open	357.76	0.00		
22-02926	12/28/22 CHIEF POLICE OFFICE SUPPLIES	Open	588.83	0.00		
22-02927	12/28/22 BUILDING DEPT DCA SUPPLIES	Open	311.53	0.00		
22-02928	12/28/22 TAX COLLECTOR OFFICE SUPPLIES	Open	92.42	0.00		
22-02929	12/28/22 FINANCE OFFICE SUPPLIES	Open	149.74	0.00		

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
STAP003		STAPLES ADVANTAGE	Continued				
22-02930	12/28/22	COMM CENTER OFFICE SUPPLIES	Open	156.89 2,471.15	0.00		
TARGE005		TARGETED TECHNOLOGIES LLC					
22-02829	12/08/22	Install of Patrol Computers	Open	187.50	0.00		
22-02899	12/19/22	BORO MEL TIER CONFIG/MANAGE	Open	9,920.00 10,107.50	0.00		
TEPS001		STATE OF NJ DEPT OF TREASURY					
23-00025	01/06/23	SHBP CONTRIBUTION JAN 2023	Open	294,190.37	0.00		
THYG001		SENIORCIZE WITH CORINNE, LLC					
22-00223	01/21/22	CARDIO CORE & MORE JAN-DEC2022	Open	250.00	0.00	B	
TIMEP005		TIMEPAYMENT CORP					
22-02889	12/15/22	BORO COOLER LEASE	Open	179.70	0.00		
USB001		US BANK					
23-00001	01/05/23	2018 DEBT SERVICE PAYMENT	Open	336,250.00	0.00		
VANB001		FLOWERS BY VAN BRUNT					
22-02846	12/09/22	FIRE DEPT VETERANS DAY WREATH	Open	125.00	0.00		
VER003		V.E. RALPH & SON, INC.					
22-02267	09/30/22	FIRST AID MEDICAL SUPPLIES	Open	3,975.29	0.00		
VIT002		WILLIAM VITAL					
22-02792	11/30/22	Fire Police Detail	Open	31.50	0.00		
WESTO005		WESTON LANDING					
22-02040	09/08/22	2021 SNOW REMOVAL REIMBURSMENT	Open	2,230.64	0.00		
WORLD001		WORLD JEEP LLC					
22-00050	01/06/22	OPEN FOR 2022	Open	468.00	0.00	B	
WVG001		GRAINGER INC					
22-02798	11/30/22	FIRE DEPT SUPPLIES HAZMAT	Open	423.00	0.00		
Total Purchase Orders: 114 Total P.O. Line Items:				0	Total List Amount: 3,404,001.08	Total Void Amount:	0.00

January 10, 2023
11:21 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 7

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	90,250.66	0.00	90,250.66	0.00	0.00	90,250.66
CURRENT FUND:	3-01	3,257,751.64	0.00	3,257,751.64	0.00	0.00	3,257,751.64
GENERAL CAPITAL F	C-04	44,537.43	0.00	44,537.43	0.00	0.00	44,537.43
GRANT FUND	G-02	1,110.00	0.00	1,110.00	0.00	0.00	1,110.00
	T-12	3.60	0.00	3.60	0.00	0.00	3.60
	T-15	8,115.75	0.00	8,115.75	0.00	0.00	8,115.75
	T-17	2,232.00	0.00	2,232.00	0.00	0.00	2,232.00
Year Total:		10,351.35	0.00	10,351.35	0.00	0.00	10,351.35
Total of All Funds:		3,404,001.08	0.00	3,404,001.08	0.00	0.00	3,404,001.08

ORDINANCE 01-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING
CHAPTER 161 FIRE PREVENTION, SECTION 9 PERMIT FEES**

WHEREAS, the Borough Fire Official has proposed to the Borough Council and the Borough Administrator to modernize and update the administrative fees charged in connection inspections of non-life-hazard-use businesses located within the Borough; and

WHEREAS, the Borough Council believes it to be in the best interest of its residents to abide by the recommendation of the Borough Fire Official to simplify the calculation of inspection fees and ensure that the fees charged in connection inspections of non-life-hazard-use businesses located within the Borough are commensurate with the associated administrative burden of same.

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:

The contents of Chapter 161-9(b) shall be deleted in its entirety and replaced with the following:

b. Mercantile, Factories, Warehouses, Repair shops, Business offices and all other non-life hazard businesses shall be inspected annually by the Bureau of Fire Prevention with a fee schedule of:

- (a) \$55 for the first 1000 square feet.
- (b) \$10 for each additional 1000 square feet.

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: 01/11/2023

DATE ADOPTED:

APPROVED:

Anthony Talerico, Jr. Mayor

Date:

ATTEST:

Julie Martin, Municipal Clerk

Date:

ORDINANCE 02-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 57 PROFESSIONAL SERVICES, ARTICLE I
PROFESSIONAL CONTRACTS AND ARTICLE II, PAY TO PLAY RESTRICTIONS**

WHEREAS, the New Jersey Legislature enacted a statute and the New Jersey Department of Community Affairs issued guidance to municipalities governing the amount of political contributions which can be made to local entities throughout the State of New Jersey; and

WHEREAS, there exists an endless variety of "pay-to-play" ordinances regulating the amount of political contributions which can be made by those seeking to contract with the local entity in many counties and municipalities, and there exists much confusion by those seeking to contract with local entities because of the lack of uniformity in local ordinances and because of the overriding state statute governing the same subject matter; and

WHEREAS, the Borough adopted such a local pay-to-play ordinance, Ordinance 2-2009, which is but an example of the confusion which limits political donations to not only Eatontown Borough candidates, but also to any County political party or Political Action Committee or Legislative Leadership Committee throughout the entire State of New Jersey; and

WHEREAS, the confusion has resulted in multiple inquiries to determine what unique peculiarities may be present in the Borough's pay-to-play" ordinance and there has been a call for uniform Statewide pay-to-play reform to create an understandable, level playing field; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to avoid the confusion amongst its potential professionals and seeks to enact the state-wide pay-to-play standard consistent with state law and it is the purpose of this ordinance to conform to the Borough's pay-to-play regulation to the state statute.

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~~)

Article I Professional Contracts

(§57-1 to §57-4-No changes)

§57-5 Standard for Fair and Open Process

~~The standard used by the Borough of Eatontown for a "fair and open" process shall be a competitive contracting criteria setting forth factors most advantageous for awarding the contract to the Borough of Eatontown.~~

Article II Pay to Play Restrictions

§57-6 Prohibition on Awarding Public Contracts to Certain Contributors:

Section 57-6 (A)-(B) and (D) are deleted and replaced in its entirety with the following:

(A) Notwithstanding any provision of law to the contrary, any business entities exempt from the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) contracting with the Borough of Eatontown shall be subject to the provisions of the Statewide pay-to-play law set forth at N.J.S.A. 19:44A-20.4 et seq.

(B) A business entity or Borough candidate or officeholder or municipal political party or County political party committee may cure a violation of 57-6 (A) of this section, if, within 30 days after the general election, the business entity notifies the Borough Clerk, in writing, and seeks and receives reimbursement of a contribution from the Borough candidate or municipal or County political party.

(C) No change.

(D) All Borough of Eatontown professional service agreements shall provide that it shall be a breach of the terms of the contract for a business entity as defined in subsection 57-6 (C) to violate subsection 57-6 (A).

(E) Any business entity as defined in subsection 57-6 (C) who knowingly fails to reveal a contribution made in violation of subsection 57-6 (A) of this section, or directs that a contribution made through another individual to circumvent this section, shall be disqualified from eligibility for future Borough contracts for a period of four calendar years from the date of the violation.

§57-7 Contributions Made Prior to Effective Date

This article does not apply retroactively. Political contributions, whether monetary or in-kind, made prior to the effective date of this article shall not be deemed to be a violation of this article. i

§57-9 Prohibition of entering and/or amended development and/or redevelopment agreements with Certain Contributors

A. Any other provision of law to the contrary notwithstanding, the Borough of Eatontown or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement, amend an agreement, or otherwise contract with any developer and/or redeveloper, as defined in Subsection C below for the planning, replanning, construction or undertaking of any development and/or redevelopment project including the acquisition or leasing of any public property in conjunction with the redevelopment of any area within the Borough of Eatontown pursuant to the Local Redevelopment and Housing Law^[1] and/or the Municipal Land Use Law,^[2] if that developer and/or redeveloper has knowingly solicited or made any contribution of money, pledge of contribution, including in-kind contributions (as such term is defined within N.J.A.C. 19:25-1.7), in excess of the thresholds specified in ~~§ 57-6D above~~ 19:44A-20.4 et seq., within one calendar year immediately preceding the date of entering into the developer's agreement, redevelopment agreement, amended agreement, or contract (hereinafter "agreement"), ~~except as permitted in § 57-6D above to:~~ (1) Any Borough candidate or holder of public office having ultimate responsibility for the award of the contract; or (2) Any campaign committee of such a candidate or holder of public office; or (3) Any Borough of Eatontown municipal party committee; or (4) Any county party committee within the State of New Jersey; or (5) Any candidate committee, state political party committee, legislative leadership committee, continuing political committee or political action committee (PAC) organized under § 527 of the Internal Revenue Code that is organized for the purpose of supporting Borough candidates or Borough officeholders and/or that has within the last calendar year provided financial or in-kind support to Borough of Eatontown municipal elections and/or Borough of Eatontown municipal or Borough parties.

§57-10-13 (No change)

§57-14 is deleted in its entirety.

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: 1/11/2023
ADOPTION DATE: 1/25/2023

APPROVED:

ATTEST:

Anthony Talerico, Jr. Mayor
Date:

Julie Martin, Municipal Clerk
Date:

ORDINANCE 03-2023

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE REPEALING ORDINANCE 20-2022 REQUIRING THE OWNERS OF BUSINESSES IN THE BOROUGH TO REGISTER WITH THE BOROUGH CLERK AND PROVIDE PROOF OF LIABILITY INSURANCE

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, in the absence of guidance from the State of New Jersey as to how municipalities should implement the Legislation and in an effort to comply with the provisions of the Legislation, the Borough Council adopted Ordinance 20-2022 on September 29, 2022 implementing the Legislation requiring businesses to register and provide proof of liability insurance with the Borough Clerk; and

WHEREAS, the implementation of the Legislation amounts to an unfunded mandate resulting in an immense administrative burden on the Borough and there have been numerous inquiries and nuances as to how the Legislation applies to certain businesses; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to repeal Ordinance #20-2022 until the State of New Jersey provides detailed guidance as to how municipalities should enforce the Legislation and to in the meantime alleviate the administrative burden on the Borough.

NOW THEREFORE, BET IT ORDAINED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby repeals Ordinance 20-2022 in its entirety amending 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: 01/11/2023

PUBLIC HEARING: 01/25/2023

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

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

CERTIFICATION

I, Julie Martin, RMC, 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 January 11, 2023.

Julie Martin, Borough Clerk

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

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Administrator, the Fire Department and the First Aid Squad.

	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 January 11, 2023.
Council President East							
Councilmember Regan, Jr							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mavor Talerico, Jr.							

Julie Martin, RMC, Borough Clerk	

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

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

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 January 11, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 26-2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

AUTHORIZE CANCELLATION OF PROPERTY TAXES DUE TO TOTALLY EXEMPT VETERAN

WHEREAS, the Tax Collector has forwarded to the Mayor and Council of the Borough of Eatontown, a recommendation to cancel uncollectible taxes, due to the property owner being approved for a totally exempt veteran; and

WHEREAS, in accordance with N.J.S.A. 54:4-99, there are provisions for the Borough of Eatontown to make adjustments with respect to uncollectible taxes.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown, Monmouth County, New Jersey, do hereby authorize the cancellation of taxes as follows, based upon the recommendation of the Tax Collector:

BLOCK	LOT	NAME	AMOUNT
2602	8	MORLEY, PAMELA & PETER	\$754.54 (4 th Q 2022) \$1,891.95 (1 st Q 2023) \$1,891.94 (2 nd Q 2023)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION
Council President East							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 January 11, 2023.
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							
							Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire (1) "DEMIL A" property that may be made available through the 1033 Program and (2) "DEMIL B through Q" property both of which that may be made available through the 1033 Program during the time period for which this Resolution authorizes, with program participation and all property request authorization terminating on December 31, 2023.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, RMC, 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 January 11, 2023.
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

Julie Martin, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

	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 January 11, 2023
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

Julie Martin, RMC, Borough Clerk

Julie Martin, RMC, Borough Clerk

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

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

1) Contract Negotiations - Monmouth Mall

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 January 11, 2023.

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

CERTIFICATION

I, Julie Martin, RMC, 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 January 11, 2023.

Julie Martin, Borough Clerk