

Mayor
ANTHONY TALERICO, JR.

Council
VIRGINIA M. 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, February 8, 2023

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

*** Amended 2/8/23**

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 Ryan Sneath for Creating Awareness of Congenital Heart Disease
3. Property Tax Card/Shop Eatontown (Mayor Talerico)
4. Municipal Government Internship Program (C/Jones)
5. NJ Local Government Week (C/Jones)
6. Health & Human Services Committee (C/Jones)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting/Closed Session - 1/25/2023
3. **COMMUNICATIONS**
 - A. DuBois Freshwater Wetlands Notice, Blk 67, Lot 8.01 West Long Branch
 - B. State of NJ DOT, Notice of Funding for Industrial West Resurfacing Phase 4 (\$384,000)
 - C. State of NJ DOT, Pedestrian Safety Project Update
 - D. Monmouth Municipal Joint Insurance Fund 2023 Meeting Schedule
 - E. NJAW Notice of Public Hearings
 - F. ZBA Eatontown Notice of Public Hearing, 57-61 Main Street (Blk 301, Lot 5)
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. OLD BUSINESS (rc)**A. ORDINANCE ADOPTION**

- 1) **Ordinance 04-2023** - An Ordinance of the Borough of Eatontown Amending Chapter 118 "Checks", Article I "Insufficient Funds" Section 118-1(A) "Service Charge; Other Remedies" to Reduce the Returned Check Fee - **Public Hearing/Adoption**
- 2) **Ordinance 07-2023** - Ordinance of the Borough of Eatontown Amending Chapter 312 "Vehicles and Traffic", Article XXI "Parking on Lawns". Chapter 312-82 of the Borough Code of the Borough of Eatontown Entitled "Prohibited Conduct" to Include Commercial Properties - **Public Hearing/Adoption**

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY**9. BILLS & CLAIMS AND BI-WEEKLY PAYROLL (vv)****10. NEW BUSINESS****A. ORDINANCE INTRODUCTION (rc)**

- 1) **Ordinance 06-2023** - Ordinance of the Borough of Eatontown Amending Chapter 281-26 of the Borough Code Entitled "Violation and Penalties" to Increase the Fine for Failure to comply with Chapter 281 Solid Waste, Article IV Bulk Trash – **First Reading/Introduction, Tabled from 1/25/22 (Public Hearing 2/22/23)**
- 2) **Ordinance 08-2023** - An Ordinance of the Borough of Eatontown Dissolving the Technical Advisory Committee and the Athletic Advisory Committee - **First Reading/Introduction (Public Hearing 2/22/23)**

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 46-2023** - Auth. Emergency Temporary Appropriation (No. 1)
- 2) **Resolution 47-2023** - Auth. Contracts for 2023 Professional Services
- 3) **Resolution 48-2023** - Auth. County of Monmouth Mosquito Control to Conduct Aerial Mosquito Control Operations
- 4) **Resolution 49-2023** - Approving Participation in NJ Federal Grant Program for Safe & Secure Communities
- 5) **Resolution 50-2023** - Auth. Reimbursement, Technical Assistant Course Attendance, A. Yates (\$473)
- 6) **Resolution 51-2023** - Auth. Fire Official to Maintain a Petty Cash Fund in the Amount of \$100.00
- 7) **Resolution 52-2023** - Rescinding Petty Cash Fund
- 8) **Resolution 53-2023** - Auth. Submission of Grant for Alcoholism and Drug Abuse, FY 2024
- 9) **Resolution 54-2023** - Awarding Bid for the Purchase of One 2023 Chevrolet Tahoe 4wd PPV Vehicle and Two 2023 Chevrolet Tahoe 4wd SSV Vehicles To Whitmoyer Buick-Chevrolet, Inc. (\$140,700)
- 10) **Resolution 55-2023** - Auth. Refunds of Payments Made to the Borough Under Ordinance 20-2022
- 11) **Resolution 56-2023** - Appointments to Emergency Services (Amending Resolution 03-2023)
- 12) **Resolution 57-2023** - Approving Amendment No. 8 to the Purchase/Sale Agreement and Redevelopment Agreement Between the Borough and Fort Monmouth Economic Revitalization Authority for Proposed DPW Facility Located on Fort Monmouth *

C. CONSENT AGENDA MOTIONS (vv)

- 1) Acceptance of Planning/Zoning Report, January 2023
- 2) Acceptance of Tax Collector Report, January 2023
- 3) Acceptance of Annual Report of the Eatontown Historical Committee 2022

11. REMARKS OF COUNCIL AND CITIZENS

12. CLOSED SESSION (vv)

A. Resolution 58-2023

Contractual - Monmouth Mall

13. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday, February 22, 2023 @ 7:00 p.m.***

ORDINANCE 04-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 118 "CHECKS",
ARTICLE I "INSUFFICIENT FUNDS" SECTION 118-1(a) "SERVICE CHARGE; OTHER REMEDIES" TO
REDUCE THE RETURNED CHECK FEE**

WHEREAS, Section 118-1(a) of the Code of the Borough of Eatontown (the "Borough") currently mandates a service charge of \$35.00 for any check made payable to the Borough that is returned due to insufficient funds; and

WHEREAS, the current fee of \$35.00 is above the statutory limit for returned check fees and thus, the Borough Council has determined it is appropriate to lower the fee from \$35.00 to \$20.00.

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 118, Section 118-1(a) shall be amended as follows:

[deletions are shown as stricken and additions are shown as underlined]

Whenever payment on any account owing to the Borough of Eatontown is made by check or other written instrument, which is subsequently returned for insufficient funds, the Chief Financial Officer or his/her designee may impose a service charge of ~~\$35~~ \$20.00 for each returned check or written instrument.

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: 1/25/2023

PUBLIC HEARING: 2/8/2023

ORDINANCE 07-2023

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

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 312 "VEHICLES AND TRAFFIC", ARTICLE XXI "PARKING ON LAWNS," CHAPTER 312-82 OF THE CODE OF THE BOROUGH OF EATONTOWN ENTITLED "PROHIBITED CONDUCT" TO INCLUDE COMMERCIAL PROPERTIES

WHEREAS, the Borough of Eatontown (the "Borough") is authorized, to enact ordinances necessary for public, health safety and welfare; and

WHEREAS, the Borough has enacted rules and regulations prohibiting parking in the front yard area of any residential dwelling beyond limits of hard surface parking; and

WHEREAS, the Borough seeks to amend Chapter 312-82 to enforce rules and regulations prohibiting parking in the front yard against commercial properties as well as residential properties; and

WHEREAS, the Borough Council believes it is in the best interests of the Borough's residents to prohibit off-street parking in the front yard area of any commercial property beyond the hard surface parking area;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Chapter 312-82 of the Code of the Borough of Eatontown, entitled, "Prohibited Conduct" shall be amended as follows:

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

§312-82 Prohibited Conduct

No off-street parking shall occur in the front yard area of any residential dwelling or frontage of a commercial property beyond the limits of the hard surface parking area required in Chapter 89.

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: 1/25/2023

PUBLIC HEARING: 2/8/2023

APPROVED:

Anthony Talerico, Jr. Mayor

Date:

ATTEST:

Julie Martin, Municipal Clerk

Date:

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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P.O. Type: All
Range: First to Last
Format: Condensed
Vendors: All
Rcvd Batch Id Range: First to Last
Include Non-Budgeted: Y
Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ACF001	ATLANTIC COAST FIBERS LLC	22-02565	10/28/22	INBOUND RECYCLING	Open	44.26	0.00		
ACTI005	ACTION UNIFORM CO, LLC	22-02161	09/21/22	Class A & SLEO 2 2022 Uniforms	Open	880.00	0.00		B
AHFE001	ALL HANDS FIRE EQUIPMENT	22-01604	07/15/22	FIRE DEPT FLOATATION VEST	Open	563.93	0.00		
AMAZ001	AMAZON.COM SERVICES, INC	23-00099	01/12/23		Open	216.57	0.00		
		23-00100	01/12/23		Open	144.94	0.00		
		23-00169	01/18/23	PHONE PLUGS - AYATES	Open	44.85	0.00		
		23-00328	02/02/23	PRINTER FOR A YATES	Open	188.59	0.00		
						594.95			
AMER004	AMERICAN WEAR	23-00102	01/12/23	DECEMBER 2022 REGULAR CLEANING	Open	321.32	0.00		
ANNAB005	ANNA BARCUME	23-00116	01/13/23	MEDICARE REIMBURSEMENT	Open	659.60	0.00		
AOC001	ALLIED OIL LLC	23-00110	01/12/23	GAS/ETHANOL	Open	5,826.00	0.00		
APP002	GANNETT NJ NEWSPAPERS	23-00286	01/26/23	LEGAL ADVERTISEMENTS	Open	191.84	0.00		B
ASFI001	ATLANTIC SECURITY & FIRE, INC	22-01014	04/27/22		Open	6,343.15	0.00		
ATTM002	AT&T MOBILITY - 287306454448	23-00218	01/23/23	BORO MOBILE CELL USAGE	Open	440.47	0.00		
AUTO001	AUTO PARTS CENTER	22-02541	10/28/22	OPEN FOR 2022	Open	571.38	0.00		B
		22-02582	10/28/22	JACK	Open	350.00	0.00		
						921.38			
BLA001	JUDITH CLAUSS BLAIR	23-00254	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
BOE001	EATONTOWN BOARD OF EDUCATION	23-00316	02/01/23	TAX LEVY FEBRUARY 2023	Open	1,396,189.50	0.00		
BRADY002	JEROME BRADY	23-00120	01/13/23	MEDICARE REIMBURSEMENT 2022	Open	1,020.60	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CIOK001	PEGGY CIOK	23-00261	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CIOK002	ROBERT S. CIOK	23-00262	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
COMC004	COMCAST	23-00340	02/03/23	BORO SPC VIDEO ACCOUNT	Open	20.39	0.00		
CSUT001	CAROL SUTPHIN	23-00276	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
DOBR001	JOHN DOBROWOLSKI	23-00267	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
DWOM001	DORIS M. WOMBOUGH	23-00280	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	434.70	0.00		B
EDSON01	DREW EDSON	23-00176	01/19/23	PESTICIDE LICENSE	Open	82.34	0.00		
EHR001	ARTHUR EHRLMANTRAUT	23-00075	01/11/23	ORTHODONTIC REIMBURSEMENT	Open	500.00	0.00		
ENG001	WALLACE ENGLEHART	23-00287	01/26/23	2023 STATE SHBP REIMB RETIREE	Open	2,237.09	0.00		B
		23-00294	01/27/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
						2,731.79			
FMERA001	FMERA	23-00341	02/03/23	FORT STREET LIGHT ELECTRIC	Open	382.20	0.00		
FOO001	SAKER SHOPRITES, INC.	23-00091	01/11/23	JANUARY BINGO PRIZES	Open	54.23	0.00		
		23-00092	01/11/23	JANUARY SNACKS	Open	81.21	0.00		
		23-00093	01/11/23	JANUARY BIRTHDAY LUNCHEON	Open	111.75	0.00		
		23-00241	01/24/23	ROID GRANT VALENTINE SUPPLIES	Open	99.22	0.00		
		23-00242	01/24/23	Feb Meeting Supplies	Open	98.91	0.00		
						445.32			
GENAC001	BOROUGH OF EATONTOWN GENERAL A	23-00278	01/25/23	POLICE O/S DETAIL PAY 2-03-23	Open	7,393.00	0.00		
GHW001	GEORGE H. WITTENBERG	23-00115	01/13/23	MEDICARE BALANCE OWED JAN/FEB	Open	340.20	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR	22-00031	01/06/22	OPEN FOR 2022	Open	125.00	0.00		B
GM001	G&M TROPHY CO, INC	23-00030	01/06/23	ENGRAVED PLATES	Open	25.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GPANJ001	GPANJ INC	23-00258	01/25/23	Julie Membership	Open	100.00	0.00		
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC	22-00775	03/28/22	OPEN FOR 2022	Open	262.50	0.00		B
		22-00991	04/25/22	OPEN FOR 2022	Open	930.85	0.00		B
						1,193.35			
HARDR005	HARD ROCK HOTEL CASINO	23-00191	01/19/23	MCANJ 2023 CONFERENCE	Open	274.06	0.00		
HARRA001	HARRAH'S RESORT AC	23-00217	01/23/23	ESQ32CJH LOFGREN CONF	Open	582.00	0.00		
JMA003	MARCO TECHNOLOGIES, LLC	23-00186	01/19/23	COPIER CONTRACT DPW/SENIOR CTR	Open	1,444.72	0.00		
IMP001	IMPRINT SHOP LLC	22-02605	11/02/22	HISTORICAL PUZZLE MAGNETS	Open	250.00	0.00		
		23-00073	01/10/23	Police Logo for Pullovers	Open	300.00	0.00		
						550.00			
IPD001	INST. FOR PROFESSIONAL DEVELOP	23-00284	01/26/23	WAGE & LABOR STANDARDS	Open	50.00	0.00		
		23-00285	01/26/23	EMPLOYEE LEAVES OF ABSENCE	Open	50.00	0.00		
						100.00			
ISSEN005	ISSENMAN, STEVEN	21-02824	12/10/21	RELEASE ESCROW #1241	Open	50.12	0.00		
JACOB010	JACOBOWITZ T	23-00109	01/12/23	RELEASE DEVELOPERS ESCROW 1575	Open	500.01	0.00		
JAMM001	JAMM PRINTING	22-02712	11/17/22	BORO EATONTOWN 2023 CALENDARS	Open	10,744.00	0.00		
JENG001	JOYCE ENGLEHART	23-00293	01/27/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
JERS001	JCP&L	23-00321	02/01/23	BORO ELECTRIC MONTHLY ACCOUNT	Open	591.89	0.00		
		23-00333	02/03/23	BORO MONTHLY ELECTRIC USAGE	Open	288.95	0.00		
						880.84			
JRCAMP01	John R. Campbell	23-00256	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
JSO0001	JERSEY SHORE OFFICIATION ORG.	23-00240	01/24/23	Rec Basketball Officiating Jan	Open	1,870.00	0.00		
JSPOT01	JOHNNY ON THE SPOT, LLC	23-00172	01/19/23	STANDARD TEMP RESTROOM SERVICE	Open	94.50	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
KEM002	KEMPTON SHEDS	23-00255	01/25/23		Open	1,446.60	0.00		
KSTAUF01	KATHLEEN M. STAUFFER	23-00274	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
LAN001	LANIGAN ASSOCIATES, INC.	22-00232	01/24/22	Uniform Purchases	Open	38.00	0.00		B
MACA001	PETER MACALUSO	23-00268	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	510.30	0.00		B
MAZ003	MAZZA RECYCLING SERVICES INC	23-00106	01/12/23	DECEMBER 2022 RECYCLING	Open	2,200.75	0.00		
		23-00107	01/12/23	DECEMBER 2022 RECYCLING	Open	730.09	0.00		
		23-00173	01/19/23	OCTOBER 2023 BULKY WASTE	Open	4,497.13	0.00		
						7,427.97			
MCA001	BARBARA MCAULIFFE	23-00271	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
MCG004	MARK MCGOWAN	23-00215	01/23/23	EYEGLASS REIMBURSEMENT RETIREE	Open	139.00	0.00		
MCK001	MARY ANN MCKEAN	23-00269	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
MCPA001	MONMOUTH COUNTY POLICE ACADEMY	22-02376	10/13/22	MOI Training	Open	75.00	0.00		
MCT001	MONMOUTH COUNTY TREASURER	22-02752	11/22/22	MUNICIPAL WASTE	Open	2,230.48	0.00		
MELLO005	MELLO, DEBORA	21-02832	12/10/21	RELEASE ESCROW # 1275	Open	50.08	0.00		
MICHA005	MICHAEL SCHMERLER	23-00208	01/20/23	EYEGLASS REIMBURSEMENT	Open	557.00	0.00		
MON002	MONMOUTH BUILDING CENTER	22-01718	07/27/22		Open	230.97	0.00		B
		22-01779	08/03/22		Open	117.83	0.00		B
		22-02551	10/28/22	OPEN FOR 2022 DPW	Open	246.51	0.00		B
						595.31			
MRH001	MONMOUTH REGIONAL H.S. BD. OF	23-00317	02/01/23	TAX LEVY FEBRUARY 2023	Open	843,146.50	0.00		
MRK001	MR. KEYS INC	22-02932	12/29/22		Open	615.00	0.00		
NEPTU005	NEPTUNE DOOR CORP	22-02340	10/10/22		Open	2,690.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJAWC001 NEW JERSEY AMERICAN WATER									
		23-00239	01/24/23	BORO FIRE HYDRANTS USUAGE	Open	16,197.50	0.00		
		23-00315	02/01/23	BORO MONTHLY WATER USUAGE	Open	838.95	0.00		
						17,036.45			
NJB001 VERIZON									
		23-00337	02/03/23	POLICE CELL TOWER/ANTENNA ACCT	Open	1,583.45	0.00		
		23-00338	02/03/23	BORO MAIN PHONE USUAGE	Open	9,844.14	0.00		
						11,427.59			
NJN001 NJ NATURAL GAS CO.									
		23-00354	02/06/23	BORO MONTHLY GAS USUAGE	Open	11,608.82	0.00		
NJRA017 NEW JERSEY REGISTRARS ASSOC									
		23-00031	01/06/23	MEMBERSHIP RENEWALS	Open	75.00	0.00		
NOR002 NORTHWIND MECHANICAL SYSTEMS									
		22-02895	12/16/22		Open	1,232.50	0.00		B
NOZ001 NOLZE GARAGE DOOR, LLC									
		22-00363	02/07/22		Open	170.00	0.00		B
		22-02920	12/21/22		Open	1,315.00	0.00		B
						1,485.00			
ODELL001 KAREN A. ODELL									
		23-00272	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
OUT003 OUTSTANDING SERVICE CO., INC.									
		22-02897	12/19/22	CHECK TANKS WATER AND CONTAMIN	Open	111.90	0.00		
PASHSTEI PASHMAN STEIN WALDER HAYDEN									
		23-00263	01/25/23	DECEMBER 2022-GENERAL	Open	8,748.37	0.00		
		23-00264	01/25/23	DECEMBER 2022-RETAINER	Open	1,541.66	0.00		
		23-00265	01/25/23	DECEMBER 2022-TAX APPEALS	Open	1,249.50	0.00		
		23-00266	01/25/23	EATONTOWN ADV. FRESH	Open	24.18	0.00		
						11,563.71			
PAY003 LOUISE M. PAYNE									
		23-00119	01/13/23	2023 MEDICARE REIMBURSEMENT	Open	318.64	0.00		
PCAMP001 Patricia Campbell									
		23-00257	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
PETR002 PETRO KING SERVICE									
		22-02807	12/05/22	NJDEP REQUIRED PRESSURE DECAY	Open	1,375.00	0.00		
PROGW001 PROSHINE HAND CAR WASH									
		22-02745	11/22/22	Police Car Wash	Open	1,500.00	0.00		B
REPT001 REPUBLIC SERVICES									
		23-00174	01/19/23	DECEMBER 2022 TONNAGE	Open	49,665.26	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
RH001	R&H SPRING & TRUCK REPAIR, INC								
		22-02021	09/08/22	KING PIN KIT K103S	Open	2,130.41	0.00		
		22-02878	12/14/22	PART OF REFERBISHING SERVICE T	Open	4,599.41	0.00		
						6,729.82			
ROV001	DR. DINA ROVERE								
		23-00076	01/11/23	RABIES CLINIC	Open	200.00	0.00		
RSTA001	ROBERT G. STAUFFER								
		23-00273	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
SCH001	T&M ASSOCIATES								
		23-00244	01/24/23	Road Opening 12.2022	Open	30,640.47	0.00		
SEACST01	SEA COAST CHEVROLET-OLDSMOBILE								
		22-00995	04/25/22	OPEN FOR 2022	Open	1,298.70	0.00		B
SKY001	SKYLANDS AREA FIRE EQUIP/TRAIN								
		22-02204	09/23/22	FIRE DEPT PURCHASE CHIEF COAT	Open	1,737.68	0.00		
STA001	STAVOLA CONTRACTING CO. INC.								
		22-01493	07/05/22	OPEN FOR 2022	Open	1,126.63	0.00		B
STAP003	STAPLES ADVANTAGE								
		23-00192	01/19/23	PLAN/ZONING OFFICE SUPPLIES	Open	159.87	0.00		
		23-00193	01/19/23	FIRE PREVENTION OFFICE SUPPLY	Open	89.99	0.00		
		23-00194	01/19/23	FINANCE OFFICE SUPPLIES	Open	465.70	0.00		
						715.56			
SULLI005	SULLIVAN, KERT								
		21-02819	12/10/21	RELEASE ESCROW #1200	Open	50.08	0.00		
		21-02839	12/13/21	RELEASE ESCROW FUNDS # 1209	Open	50.08	0.00		
						100.16			
SUTP001	JEFFREY M. SUTPHIN								
		23-00275	01/25/23	MEDICARE RIMBURSEMENT 2023	Open	494.70	0.00		B
SWOMB001	SHARON WOMBOUGH								
		23-00281	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
TARGE005	TARGETED TECHNOLOGIES LLC								
		22-02814	12/06/22	NAS WITH (4) 4 TB HDD	Open	1,400.00	0.00		
		23-00351	02/06/23	POLICE DATTO-BACK-UP FEBRUARY	Open	3,996.50	0.00		
		23-00352	02/06/23	BORO IT MONTHLY AGREEMENT	Open	7,451.93	0.00		
						12,848.43			
TEAM003	TEAM LIFE								
		23-00034	01/06/23	AED SILVER LEVEL SERVICE PLAN	Open	225.00	0.00		
TEPS001	STATE OF NJ DEPT OF TREASURY								
		23-00334	02/03/23	SHBP CONTRIBUTION FEBRUARY 23	Open	293,262.59	0.00		

February 7, 2023
01:32 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 7

Vendor #	Name					
PO #	PO Date	Description	Status	Amount	Void Amount	Contract PO Type
WOM001	THOMAS C. WOMBOUGH III					
23-00279	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00	B
VBFO01	VERIZON BUSINESS FIOS					
23-00319	02/01/23	BORO FIOS MONTHLY ACCOUNT	Open	409.80	0.00	
VER003	V.E. RALPH & SON, INC.					
22-02589	10/31/22	FIRST AID BP MONITORS	Open	7,706.70	0.00	
WCE001	WIRELESS ELECTRONICS INC					
23-00105	01/12/23	Flash upgrade	Open	675.00	0.00	
WEATH001	WEATHER WORKS					
23-00063	01/09/23	2023-2024 WEATHER SERVICE RENE	Open	1,680.00	0.00	
WELLS006	WELLS FARGO REAL ESTATE TAX					
23-00295	01/27/23	REFUND OVERPAY EXEMPT VET	Open	754.54	0.00	
WWG010	W.W. GRAINGER, INC.					
22-02053	09/09/22		Open	217.29	0.00	B

Total Purchase Orders: 124 Total P.O. Line Items: 0 Total List Amount: 2,781,014.02 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:	2-01	147,410.65	0.00	147,410.65	0.00	0.00	147,410.65
CURRENT FUND:	3-01	2,587,941.29	0.00	2,587,941.29	0.00	0.00	2,587,941.29
GENERAL CAPITAL F	C-04	13,072.97	0.00	13,072.97	0.00	0.00	13,072.97
GRANT FUND	G-02	99.22	0.00	99.22	0.00	0.00	99.22
	T-15	7,393.00	0.00	7,393.00	0.00	0.00	7,393.00
	T-17	25,096.89	0.00	25,096.89	0.00	0.00	25,096.89
Year Total:		32,489.89	0.00	32,489.89	0.00	0.00	32,489.89
Total of All Funds:		2,781,014.02	0.00	2,781,014.02	0.00	0.00	2,781,014.02

ORDINANCE 06-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 281-26 OF THE
CODE OF THE BOROUGH OF EATONTOWN ENTITLED "VIOLATION AND PENALTIES" TO
INCREASE THE FINE FOR FAILURE TO COMPLY WITH CHAPTER 281 SOLID WASTE, ARTICLE IV
BULK TRASH**

WHEREAS, the Borough of Eatontown (the "Borough") is authorized, to enact ordinances necessary for public, health safety and welfare; and

WHEREAS, the placement of bulk trash, garbage and recyclables for collection often creates a nuisance and/or unsafe conditions for the residents of the Borough; and

WHEREAS, the Borough Council believes it is in the best interests of the Borough's residents to increase fines for failing to comply with the bulk penalty ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Chapter 281-26 of the Code of the Borough of Eatontown, entitled, "Violation and Penalties" shall be amended as follows:

[deletions are stricken and additions are underlined]

§281-26 Violation and Penalties.

Any person who violates or neglects to comply with any provisions of this article shall, upon conviction thereof, be punishable by a fine/penalty not to exceed the following amounts:

- A. For a first offense: ~~\$25~~ \$250 to ~~\$100~~ \$500
- B. For a second offense: ~~\$50~~ \$500 to ~~\$250~~ \$1,000
- C. For a third and subsequent offense: ~~\$100~~ \$1,000 to ~~\$1500~~ \$2,000 and/or the performance of community service in the recycling program, for a period not to exceed 90 days.

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.

TABLED:	1/25/2023
INTRODUCED:	2/8/2023
ADOPTION:	2/22/2023

ORDINANCE 08-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN DISSOLVING THE TECHNICAL ADVISORY COMMITTEE
AND THE ATHLETIC ADVISORY COMMITTEE**

WHEREAS, the Borough Council seeks to update the Borough Code to ensure that it is consistent with the modern practices of the Borough by eliminating Committees of the Borough which are no longer functioning for various reasons including the retention of technology consultants by the Borough and the transfer of responsibilities to Borough staff in lieu of volunteers.

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:

[deletions are noted through strike-out and additions are underscored]

Article XI Technical Advisory Committee, Section 7-68-Section 7-71, are hereby deleted in their entirety.

Section A362-23 Eatontown Technical Advisory Committee is hereby amended as follows:

- A. ~~The Borough has already established a Technical Advisory Committee under Ordinance No. 10-2008, as adopted on May 14, 2008,⁽¹⁾ which has taken over the duties of the old Cable Television Advisory Committee with expanded duties. The aforesaid ordinance is hereby incorporated in this ordinance as amended to perform in addition to other duties set forth in its ordinance a review of all matters pertaining to the cable services to the residents of the Borough of Eatontown and other related matters. Under this ordinance, in addition to duties set forth under Ordinance No. 10-2008, The Borough has dissolved the Technical Advisory Committee under Ordinance 08-2023 and the duties of the Technical Advisory Committee as it relates to the previous Cable Television Advisory Committee will now rest with the Business Administrator. the Committee~~ The Business Administrator shall perform the following services related to this Cable Television Franchise Ordinance and cable services in general:

Subsection (1)-(7) shall remain unchanged.

- B. ~~The names of the members of the Committee and a mailing address for the Committee shall be sent to the Office of Cable Television and to the company.~~

Section 326-3 Eatontown Athletic Advisory Committee is hereby deleted in its entirety.

Section 326-4 Violations and Penalties is hereby amended as follows:

- A. The ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee, as well as other individuals such as umpires, referees and elected league officials who are allowed to provide temporary, limited and immediate enforcement as set forth more fully below, should impose sanctions in a progressive fashion depending on the severity of the offense, providing verbal and/or written warnings where appropriate and possible prior to suspensions and bans depending upon the severity of the offense and the existence of a continued violation.
- B. Any parent or guardian, participant, player, guest, spectator, coach or official at any youth sports event who initiates a fight, scuffle or any type of physical abuse or threats of abuse towards any participant, player, coach, official, parent, guardian or spectator may be subject to a verbal and/or written warning, a suspension from the particular youth sports event in attendance or may be banned from attendance at all youth sports events within the Borough of Eatontown for a period not exceeding 12 months from the date of the incident, subject to further conditions of anger management counseling as set forth more fully below and/or other disciplinary actions allowed by ordinance.
- C. Any parent or guardian, participant, player, guest, spectator, coach or official at any youth sports event who verbally abuses officials, participants, coaches, players or spectators, including the use of obscene or profane language or jesters, racial, ethnic or sexual slurs, may be subject to a verbal and/or written warning or, in severe cases, suspended from the subject event and/or banned from attendance at all youth events for a period not exceeding 12 months from the date of the incident, subject to conditions of anger management counseling as set forth more fully below and/or other disciplinary actions allowed by ordinance.
- D. Any parent or guardian, participant, player, guest, spectator or official at any youth sports event who throws or causes to be deposited any object on the field of play, court or rink during any youth sports event may be suspended from the subject event and/or banned from attendance at all youth events for a period not exceeding 12 months from the date of the incident, subject to conditions of anger management counseling as set forth more fully below and/or other disciplinary actions allowed by ordinance.
- E. Any parent or guardian, participant, player, official, coach or spectator at any youth sporting event shall be subject to the authority of all field officials, including umpires, referees and elected or appointed league officials or coaches of the youth sports activity. This authority shall also include any youth teams, practice or instructional event, and such authority shall include the authorization to direct any persons involved in any incident in violation of this chapter or applicable Code of Conduct to immediately remove themselves from the premises.
- F. Any parent or guardian, participant, player, official, coach or spectator who violates one or more of the provisions contained in the Code of Conduct, either during the same event, or separate events, may be banned from attending, coaching, officiating, participating in any youth sports events within the Borough of Eatontown for a period not exceeding 12 months from the decision of the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee if the person:
1. Has been issued a prior written warning for violating one or more of the provisions contained in the Code of Conduct; or

2. Violates the Code of Conduct by engaging in verbal or physical threats or abuse aimed at any coach, parent, guardian, player, participant, official or any other attendee, guest, or spectator; or
 3. Violates the Code of Conduct by initiating a fight or scuffle with any coach, parent, guardian, player, participant, official or any other attendee, guest, or spectator.
- G. Any parent or guardian, official, coach or spectator 18 years of age or older who is suspended from a youth sporting event and/or removed from the premises and/or banned from youth sports events for violations of the Code of Conduct for whatever time shall be required to complete anger management or an equivalent counseling program consisting of not less than 12 hours of instruction prior to being allowed to attend future youth sports events and shall provide proof of satisfactory completion to the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee.
- H. Any person 17 years of age or younger who is suspended from a youth sports event and/or removed from the premises and/or banned from a youth sports events in violation of the Code of Conduct shall be required to complete an anger management or equivalent counseling program consisting of not less than six hours of instruction prior to being allowed to attend future youth sports events and shall provide proof of satisfactory completion to the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee.
- I. An anger management counseling program shall, at a minimum, offer services to individuals, singly or in groups, for purposes of providing anger control principles and shall be administered by an individual:
1. Licensed as a professional counselor pursuant to the provisions of the Professional Counselor Licensing Act, N.J.S.A. 45:8B-33 et seq.; or
 2. Licensed as a practicing psychologist pursuant to the provisions of the Practicing Psychology Licensing Act, N.J.S.A. 45:14B-1 et seq.
- J. Nothing contained in this chapter shall prohibit the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee from requiring a person to complete an anger management counseling program at his or her expense as a condition of not being banned from youth sports events or as a condition in reducing the length of such a ban.
- K. Conditions on termination of bans.
1. In regards to all disciplinary actions taken by the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee, the termination of all bans shall be subject to the following three conditions, which can also serve as disciplinary requirements by the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation in lieu of bans or as part of the decision in reducing the length of a ban:
 - A. Any person subject to a ban shall, and in the case of other disciplinary actions may, be required to request permission to resume participation for attendance at youth sports activities which were a subject of the ban or other disciplinary action;
 - B. Any person subject to a ban shall, and in the case of other disciplinary actions may, be required to provide a written apology to the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee which issued the ban or disciplinary decision and to the person or persons who were the subject of the behavior which constituted

the violation of the Code of Conduct as directed by the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee;

- C. Any person subject to a ban shall, and in the case of other disciplinary actions may, as set forth fully in this chapter, be subject to an anger management counseling program prior to being allowed to continue attending youth sports activities.
- 2. Any person subject to a ban or other disciplinary actions may also be subject to other requirements set forth more fully by the ~~Eatontown Athletic Advisory Committee~~ Director of Recreation or her designee.
- L. Temporary, limited and immediate enforcement allowed by umpires, referees and Borough recreation supervisors includes verbal and/or written warnings, suspension from participation in part or all of the current event or game or removal from the premises for part or all of the event or game.
- M. Bans in excess of 12 months shall be permitted where the violator committed a felony or indictable offense or the equivalent thereof as part of his violation of this chapter as determined by the ~~Eatontown Athletic Advisory Committee~~ Recreation Director or her designee or was subject to two or more prior bans in separate disciplinary actions at separate youth sports event.

§ 326-5 Procedures and hearings.

~~The Eatontown Athletic Advisory Committee shall meet and function in the same fashion as provided in § 326-3 of this chapter subject to the following rules:~~

- A. Upon determination by the Recreation Director or her designee ~~majority vote of the members of the Eatontown Athletic Advisory Committee at any special meeting~~ that a parent, guardian, participant, player, guest, spectator, coach or official at any youth sports event sponsored by such youth sports has violated a provision of this chapter or Code of Conduct of the youth sports activity, the ~~Eatontown Athletic Advisory Committee~~ Recreation Director or her designee shall forward to such violator a notice via regular and certified mail identifying the date, location, nature of the violation, period of proposed banning or other action to be taken in response to such violation.
- B. Any parent, guardian, participant, player, official, coach or spectator at a youth sports event who believes that a violation of this chapter or Code of Conduct has been violated shall forward his or her name, address, phone number and violation of ordinance, date, and location of violation and nature of the violation to the ~~Eatontown Athletic Advisory Committee~~ Recreation Director or her designee. The ~~Committee~~ Recreation Director or her designee will then investigate the incident and, upon determination by ~~a majority vote of the Committee~~ the Recreation Director or her designee, such official shall forward to such violator a notice via regular and certified mail indicating the date and location and nature of the violation, a period of proposed banning or other action to be taken in response to such violation.
- C. Any person receiving such a notice who wishes to contest the same shall appeal to the ~~Eatontown Athletic Advisory Committee~~ Business Administrator within seven calendar days of the mailing of said notice by forwarding a copy of said notice with a written request for appeal specifically setting forth the basis of such person's contest of the notice of violation via personal delivery, fax or certified mail to the ~~Chairman of the Eatontown Athletic Advisory Committee at the address specified and if~~

~~none, then to the Eatontown Athletic Advisory Committee, C/O Borough of Eatontown, 47 Broad Street, Eatontown, New Jersey 07724-Business Administrator.~~

- D. Upon receipt of such appeal, the ~~Eatontown Athletic Advisory Committee~~ Business Administrator shall ~~convene~~ schedule a hearing within seven days and provide an opportunity for said person and any interested person or persons to appear and be heard with respect to the occurrence of any violation and action taken by the ~~Eatontown Athletic Advisory Committee~~ Recreation Director or her designee.
- E. The ~~Eatontown Athletic Advisory Committee~~ Business Administrator shall review statements, first-hand accounts and any other pertinent information or documentation relevant to the violation and ~~upon the majority vote of the members of the Committee present at such hearing, and~~ may sustain, overturn or modify the notice of violation consistent with this chapter or the Code of Conduct.
- F. Any person, while appealing his or her violation of the Code of Conduct, shall be reinstated with full rights and authority until such time as a determination and disposition of his or her appeal has been made.
- G. All notices of violation and banning or other actions taken shall remain in effect until terminated by decision of the Board Business Administrator ~~or overturned or modified by the Eatontown Athletic Advisory Committee.~~
- H. In the event any notice of violation is not appealed within seven days of such notice, said notice of violation and action taken by the official or ~~Eatontown Athletic Advisory Committee~~ the Recreation Director or her designee, including banning from youth sports events or other actions taken, shall become final.
- I. There shall be no basis for appeal of temporary, limited and immediate enforcement by umpires, referees and the Borough Recreation Supervisor, except that such officials are also subject to the Code of Conduct.

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: February 8, 2023
DATE ADOPTED: February 22, 2023

RESOLUTION 46-2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergency condition has arisen in the 2023 Current Fund Budget with respect to additional costs prior to the adoption of the 2023 Budget; and

WHEREAS, the adoption of the 2023 Budget has not been completed and adequate provision was not made in the 2023 Temporary Budget and N.J.S.A. 40a:4-20 provides for the creation of an Emergency Temporary Appropriation; and

WHEREAS, the total emergency resolutions adopted in the year 2023 pursuant to the provisions of N.J.S.A. 40A:4-20, Chapter 96 P.L. (as amended) including this resolution total \$ \$12,851,925.49

NOW, THEREFORE BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20 an Emergency Temporary Appropriation be and the same is hereby made as follows:

GENERAL GOVERNMENT:

Administrative & Executive

Salaries & Wages	\$	70,000.00
Other Expenses	\$	50,000.00

Historical

Other Expenses	\$	2,212.50
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Labor Council

Other Expenses	\$	10,000.00
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Mayor & Council

Salaries & Wages	\$	20,000.00
Other Expenses	\$	2,000.00

Borough Clerk

Salaries & Wages	\$	70,000.00
Other Expenses	\$	10,000.00

Information Technology

Other Expenses	\$	100,000.00
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Assessment of Taxes

Salaries & Wages	\$	40,000.00
Other Expenses	\$	30,000.00

Reserve for Appeals

Other Expenses		
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Elections

Other Expenses	\$	4,425.00
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Advertising

Other Expenses	\$	10,000.00
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Beautify Eatontown

Other Expenses	\$	2,632.87
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Complete Streets		
	Other Expenses	\$ 737.50
Financial Administration		
	Salaries & Wages	\$ 80,000.00
	Other Expenses	\$ 15,000.00
Tuition Reimbursement		
	Other Expenses	
Bond Registration		
	Other Expenses	\$ 3,318.75
Purchasing		
	Salaries & Wages	\$ 15,000.00
	Other Expenses	\$ 10,000.00
Auditing		
	Other Expenses	\$ 10,000.00
Collection of Taxes		
	Salaries & Wages	\$ 20,000.00
	Other Expenses	\$ 5,000.00
Legal Services		
	Other Expenses	\$ 100,000.00
Engineering		
	Other Expenses	\$ 50,000.00
Planning Board		
	Other Expenses	\$ 20,000.00
Board of Adjustment		
	Other Expenses	\$ 8,000.00
Zoning Officer		
	Salaries & Wages	\$ 150,000.00
	Other Expenses	\$ 8,000.00
Inspection of Buildings		
	Salaries & Wages	\$ 200,000.00
	Other Expenses	\$ 12,000.00
Housing Inspection		
	Salaries & Wages	\$ 50,000.00
	Other Expenses	\$ 2,140.62
Other Insurance		
	Other Expenses	\$ 150,000.00
Group Insurance		
	Other Expenses	\$ 1,500,000.00
Unemployment		
	Other Expenses	\$ 10,000.00
Workmens Compensation		
	Other Expenses	\$ 160,000.00
First Aid		
	Salaries & Wages	\$ 30,000.00
	Other Expenses	
Police		
	Salaries & Wages	\$ 3,000,000.00
	Other Expenses	\$ 150,000.00

Emergency Management	911 O/S Caps	\$ 10,000.00
	Salaries & Wages	\$ 2,691.87
	Other Expenses	\$ 10,000.00
Fire/Water		
	Salaries & Wages	\$ 4,885.94
	Other Expenses	\$ 50,000.00
Uniform Fire Safety		
	Salaries & Wages	\$ 60,000.00
	Other Expenses	\$ 8,000.00
Municipal Prosecutor		
	Other Expenses	\$ 20,000.00
Recycling O/S Caps		
	Other Expenses	\$ 6,000.00
Sanitation		
	Garbage Contract	\$ 600,000.00
Public Bldg & Grounds		
	Salaries & Wages	\$ 80,000.00
	Other Expenses	\$ 800,000.00
Municipal Court - Tinton Falls		
	Other Expenses	\$ 100,000.00
DPW		
	Salaries & Wages	\$ 800,000.00
	Other Expenses	\$ 600,000.00
Snow		
	Other Expenses	\$ 7,000.00
Health Commission		
	Salaries & Wages	\$ 1,000.00
	Other Expenses	\$ 2,000.00
Environmental		
	Other Expenses	\$ 2,422.69
Green Team		
	Other Expenses	\$ 1,843.75
Community Garden		
	Other Expenses	\$ 5,000.00
Animal Control		
	Other Expenses	\$ 8,000.00
Recreation		
	Salaries & Wages	\$ 60,000.00
	Other Expenses	\$ 30,000.00
Community Center		
	Salaries & Wages	\$ 80,000.00
	Other Expenses	\$ 20,000.00
Youth Committee		
	Other Expenses	\$ 1,650.00
Senior Citizens		
	Salaries & Wages	\$ 35,000.00
	Other Expenses	\$ 8,000.00

TOTAL 2023 TEMPORARY APPROPRIATIONS	\$12,851,925.49
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Julie Martin, Borough Clerk

RESOLUTION 47-2023

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

AUTHORIZING CONTRACTS FOR PROFESSIONAL SERVICES IN THE BOROUGH OF EATONTOWN

WHEREAS, the Borough of Eatontown is in need of qualified professionals for the year 2023; and

WHEREAS, the below listed appointments were made effective January 1, 2023, after selection through the "Fair and Open" process established by N.J.S.A. 19:44A-20.5 et seq. and Borough Ordinance 35-2006; and

WHEREAS, the contracts for services submitted by the below listed professionals were reviewed and approved by Andrew Bayer, Borough Attorney and William P. Lucia, III, Interim Administrator of the Borough of Eatontown.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorized the execution of contracts for the provision of services as listed below commencing January 1, 2023 and ending December 31, 2023, per the Contracts for Services on file in the Office of the Borough Clerk according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

Appointed Position

Borough Engineer
Alternate Public Defender
Auditor
Property/Casualty Broker
Architect
Architect
Public Defender

Firm

T&M Associates
Matthew Sage, Esq.
Oliwa & Company
Acrisure, LLC
Parallel Architectural Group, LLC
DMR Architects, Inc.
Albert J. Rescinio, Esq.

	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 February 8, 2023. Julie Martin, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

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

WHEREAS, the Monmouth County Board of Commissioners, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, prior to conducting the aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticide, application equipment and aircraft that are approved for aerial application by applicable Federal (USEPA) and State (NJDEP) agencies; and
 - b. such operations will be performed in compliance with applicable Federal and State regulations; and
 - c. the County will Notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

	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 February 8, 2023.

Julie Martin, Borough Clerk

RESOLUTION 49-2023

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

**APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE
DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY FOR SAFE AND SECURE COMMUNITIES**

WHEREAS, the Borough of Eatontown and the Eatontown Police Department wishes to apply for funding of approximately \$32,400 with a local match of "fringe benefits" for a project under the State of New Jersey Safe and Secure Communities Act Grant Program; and

WHEREAS, the subaward number is 23-1311 for the subaward period of 04/04/2023-04/03/2024; and

WHEREAS, the Mayor and Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the Mayor and Council authorizes the Borough of Eatontown and the Eatontown Police Department to accept the subaward of approximately \$32,400; and

WHEREAS, the project is a joint effort between the State of New Jersey Department of Law and Public Safety, and the Borough of Eatontown, and the Eatontown Police Department for the purpose described in the application.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Eatontown that:

1. As a matter of public policy the Borough of Eatontown wishes to Participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

	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 February 8, 2023. _____ Julie Martin, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes reimbursement to Ashley Yates in an amount not to exceed \$473.00 for Technical Assistant course attendance.

	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 a regular meeting held on February 8, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 51-2023

BOROUGH OF EATONTOWN COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AUTHORIZING FIRE OFFICIAL TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00

Whereas, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Department of Fire Prevention, Borough of Eatontown; and

Whereas, said Petty Cash Fund was established by resolution dated October 29, 1996 by the council of the Borough of Eatontown; and

Whereas, said Petty Cash Fund received approval from the Director of Local Government Services on October 31, 1996; and

Whereas, it is the desire of the Council that said fund be established and be allowed to continue under the control of the Department of Administration

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey as follows:

1. Michael Hreha, Fire Official, be and is hereby appointed custodian of petty cash and is authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses not to exceed \$25.00.
2. Michael Hreha, Fire Official having custody of the Fund be bonded in an amount not less than \$1,000.00 under the Borough blanket bond and will maintain said Fund in accordance with the laws and regulations governing its operation.

	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 February 8, 2023. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

RESOLUTION 52-2023

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

RESCINDING PETTY CASH FUND

Whereas, it is the desire of the Borough of Eatontown, County of Monmouth that the petty cash fund for the office of the Administrator be rescinded.

Now, therefore, be it resolved the Borough of Eatontown, County of Monmouth hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

	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 February 8, 2023. _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Lucas							
Councilmember Araman							
Mayor Talerico							

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

NOW, THEREFORE, BE IT RESOLVED that that the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey do hereby recognize the following:

- | | |
|------------|--------------------|
| DEDR | <u>\$11,955.00</u> |
| Cash Match | <u>\$ 2,988.75</u> |
| In-Kind | <u>\$ 8,966.25</u> |

- | | MOTION | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|--------------------------|--------|----------|-----|-----|---------|--------|
| Council President East | | | | | | |
| Councilmember Regan, Jr. | | | | | | |
| Councilmember Jones | | | | | | |
| Councilmember Gindi | | | | | | |
| Councilmember Lucas | | | | | | |
| Councilmember Araman | | | | | | |
| 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 February 8, 2023.

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Councilmember Araman						
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 February 8, 2023

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Councilmember Araman						
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 February 8, 2023

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

WHEREAS, the Borough Council adopted Resolution 03-2023 (the "Resolution") at its Reorganization Meeting on January 1, 2023 confirming appointments to Emergency Services positions at the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby amends Resolution No. 03-2023 to confirm the appointment of Khadeem Williams as a member of the Fire Police and to remove him as a member of the Fire Prevention Board and to remove Glen Conover, Jr. as a Member of the Fire Police.

1. Mark Morris, Jr., Fire Chief;
2. Janaea Morgan, Assistant to the Borough Administrator

	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, 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 February 8, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 57-2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

RESOLUTION APPROVING AMENDMENT NO. 8 TO THE PURCHASE AND SALE AGREEMENT AND REDEVELOPMENT AGREEMENT BETWEEN THE BOROUGH OF EATONTOWN AND FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY FOR THE BOROUGH'S PROPOSED DPW FACILITY LOCATED ON FORT MONMOUTH

WHEREAS, the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Seller") and the Borough of Eatontown (the "Borough" or "Purchaser") entered into a certain Purchase and Sale Agreement And Redevelopment Agreement dated as of May 8, 2019, as amended by the First Amendment to the Purchase and Sale Agreement and Redevelopment Agreement, dated September 2, 2019, and the Second Amendment to the Purchase and Sale Agreement and Redevelopment Agreement, dated July 30, 2020, and the Third Amendment to the Purchase and Sale Agreement and Redevelopment Agreement, dated November 29th, 2020, and the Fourth Amendment to the Purchase and Sale Agreement and Redevelopment Agreement, dated April 8, 2021, and the Fifth Amendment to the Purchase and Sale Agreement and Redevelopment Agreement, dated June 7, 2021, and the Sixth Amendment to the Purchase and Sale and Redevelopment Agreement, dated October 14, 2021 (collectively, the "Agreement") whereby FMERA agreed to sell and the Borough agreed to purchase and redevelop the property consisting of the approximately 7.2-acre parcel improved by Buildings 1123, 1124, 1108, 1109 and 1110, including Environmental Carve-Out Parcels ECP41 and ECP43, located on Fort Monmouth, Eatontown, New Jersey ("Property"); and

WHEREAS, the Borough requested a Due Diligence Extension prior to the August 8, 2019 Due Diligence expiration date and the FMERA Board approved the First Amendment to the Purchase and Sale and Redevelopment Agreement providing a Due Diligence Extension until November 29, 2019, and;

WHEREAS, thereafter the Borough requested by correspondence dated May 15, 2020, a five (5) month extension to the Approval Period until October 30, 2020; and

WHEREAS, on April 15, 2020 the Board granted Delegated Authority to FMERA's Executive Director to approve any pre-closing or post-closing extensions for up to five months for delays for COVID-19 related reasons so long as the developer has requested such an extension in writing and satisfied FMERA's request for any supporting documentation; and

WHEREAS, the Borough satisfied FMERA's request for supporting documentation and the Executive Director agreed to retroactively extend the Approval Period under his Delegated Authority for five months or until October 30, 2020 via the Second Amendment to the Agreement, dated July 30, 2020; and

WHEREAS, thereafter the Borough requested by correspondence dated October 2, 2020, the conditional termination of the PSARA and a five (5) month Approval Period extension until April 1, 2021, which was granted by the FMERA Board via the Third Amendment to the Agreement dated November 29th, 2020; and

WHEREAS, the Borough requested a modification to Redevelopment Project to permit the demolition of Building 1124, which the Board approved via the Fourth Amendment to the Agreement, dated April 8, 2021; and

WHEREAS, by correspondence dated March 30, 2021, the Borough requested a four (4) month extension to the Approval Period to be retroactively applied and extended until August 1, 2021, providing additional time to review and resubmit the Borough's MCR package, which was approved by the Board via the Fifth Amendment to the Agreement, dated June 7, 2021; and

WHEREAS, by correspondence dated July 7, 2021, the Borough requested a twelve (12) month extension to the Approval Period until August 1, 2022, due to outstanding approvals from the NJDEP and the potential need to seek additional funding approval in the following fiscal year, which the Board approved via the Sixth Amendment to the Agreement, dated October 14, 2021; and

WHEREAS, by correspondence dated June 23, 2022, the Borough requested a six (6) month extension to the Approval Period until February 1, 2023, due to unexpected delays resulting from the COVID-19 pandemic which impacted the Project's anticipated timeline, which the Board approved via the Seventh Amendment to the Agreement dated August 9, 2022; and

WHEREAS, by correspondence dated January 9, 2023, the Borough requested a four month extension to the Approval Period until June 1, 2023 due to continued delays impacting the Project's anticipated budget and time and FMERA's recent approval of a Purchase and Sale Agreement with Netflix, Inc. for the MEGA Parcel located near the DPW site and which may impact the Project.

WHEREAS, Borough and FMERA wish to, amend and modify the obligations of Purchaser and Seller under the Agreement as set forth below; and

WHEREAS, the Borough Council reviewed the proposed Eighth Amendment to the Agreement and believes that is in the best interest of the Borough to approve the Amendment because it will provide the Borough with the time necessary to evaluate the condition of the buildings and to obtain all necessary permits and approvals in furtherance of the project; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough of Eatontown hereby approves the Eighth Amendment to the Purchase and Sale Agreement and Redevelopment Agreement in a form approved by the Borough Attorney and the Mayor is hereby authorized to execute the Eighth Amended to the Purchase and Sale Agreement And Redevelopment Agreement on behalf of the Borough.

BE IT FURTHER RESOLVED, a copy of this Resolution shall be provided to:

1. Kara Kopach, Executive Director, Fort Monmouth Economic Revitalization Authority
2. Edward Herrman, P.E., Borough Engineer

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	
Council President East							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 February 8, 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, 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) Contractual – 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 February 8, 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 February 8, 2023.

Julie Martin, Borough Clerk