

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

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

AGENDA
Mayor and Council
Wednesday, February 22, 2023

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 - National Nutrition Month (March 2023)
3. Health & Human Services Committee (C/Jones)
4. Eatontown Community Newsletter (C/Regan)
5. A3470 Bill (C/Regan)
6. Eatontown Student Government Event, May 2023 (C/Jones)
7. Program Ideas, NJ Local Government Week, April 16-22, 2023 (C/Jones)
8. Municipal Government Internship Program Update (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 - 2/8/2023
3. **COMMUNICATIONS**
 - A. Zoning Board Notice, 6 Taylor Place (Blk 401, Lot 121) - March 13, 2023
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 (rc)
 1. Ordinance 05-2023 - An Ordinance Approving a Redevelopment Plan for the Properties Designated as Block 2201, Lots 1.01, 1.02, 2, 3, 4 and 5, Block 2201, Lot 1 Known as the Monmouth Mall - **Public Hearing/Adoption**
 2. 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 - **Public Hearing/Adoption**
 3. Ordinance 08-2023 - An Ordinance of the Borough of Eatontown Dissolving the Technical Advisory Committee and the Athletic Advisory Committee - **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 09-2023 - An Ordinance Amending Chapter 200 "Licenses and Permits", Creating Article IV, "Shop Local Reward Programs" Sections 200-14.1 to 200-14.14- **First Reading/Introduction (Public Hearing/Adoption 3/8/23)**
 - 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 60-2023 - Auth. Contracts for 2023 Professional Services
 - 2) Resolution 61-2023 - Renewal of Shared Services for Swift Reach Notification with Board of Education
 - 3) Resolution 62-2023 - Requesting Approval of the Director of Local Government Services to Establish a Dedication by Rider Trust for Police Donations Pursuant to N.J.S.A 40A:5-29
 - 4) Resolution 63-2023 - Auth. Purchase/Replacement of Gasoline/Diesel Fuel Masters, DPW (\$26,913)
 11. REMARKS OF COUNCIL AND CITIZENS
 12. CLOSED SESSION (vv)
 - A. Resolution 64-2023
 1. Contractual - Monmouth Mall
 13. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday, March 8, 2023 @ 7:00 p.m.***

ORDINANCE 05-2023

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

**AN ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR THE PROPERTIES DESIGNATED AS
BLOCK 2201, LOTS, 1.01, 1.02, 2, 3, 4 and 5, BLOCK 2201, LOT 1 KNOWN AS THE MONMOUTH
MALL**

WHEREAS, the Mayor and Council of the Borough of Eatontown adopted Resolution 70-2021 on April 14, 2021 Authorizing the Borough Planning Board to undertake a preliminary investigation to determine whether Block 2201, Lots 1.01, 1.02, 2, 3, 4 and 5, and Block 2202, Lot 1 on the Borough Tax Map, commonly known as the Monmouth Mall Property (the "Monmouth Mall Property"), meets the criteria to be designated as a non-condemnation area in need of redevelopment in accordance with N.J.S.A. 40A:12A-5 (the "LRHL"); and

WHEREAS, the Planning Board adopted a Resolution on December 6, 2021 determining that the Property meets the criteria under the LRHL to be declared a Non-Condensation Area in Need of Redevelopment; and

WHEREAS, Borough Council reviewed the recommendations of the Planning Board and adopted Resolution 208-202 designating the Property as a Non-Condensation Area in Need of Redevelopment under the criteria set forth in the LRHL at N.J.S.A. 40A:12A-5 (b) and (h) on December 8, 2021; and

WHEREAS, the Borough and Planning Board Planner, Jennifer C. Beahm, P.P., AICP of Leon S. Avakian, Inc. prepared a report entitled "Monmouth Mall Redevelopment Plan" dated January 2023 setting for the zoning and bulk standards by which the Monmouth Mall Property may be redeveloped; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to adopt a Redevelopment Plan to resuscitate and redevelop the Monmouth Mall Property so as to ensure continuing and sustained tax revenue from the Monmouth Mall Property and to otherwise serve the public.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves and adopts the Monmouth Mall Redevelopment Plan dated January 2023 for the properties identified as Block 2201, Lots 1.01, 1.02, 2, 3, 4 and 5, and Block 2202 Lot 1 on the Borough of Eatontown Tax Map in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7.

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

BE IT FURTHER ORDAINED THAT the superseding zoning standards contained within the Monmouth Mall Redevelopment Plan shall supersede the applicable regulations in the Eatontown Borough Land Use Ordinances governing the Monmouth Mall Property and if a particular land use,

development regulations or site standards are not addressed in this Redevelopment Plan, compliance with the Eatontown Borough Land Use Ordinances or other applicable code requirements apply.

BE IT FURTHER ORDAINED, that:

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

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication in accordance with applicable law.

DATE INTRODUCED: 1/25/2023

PUBLIC HEARING: 2/22/2023

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, 2008,¹¹ 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 gearings.

~~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

February 21, 2023
11:36 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed
Vendors: All
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
Include Non-Budgeted: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
1RES002	1ST RESPONDER NEWSPAPER								
		23-00197	01/19/23	FIRE DEPT ANNUAL SUBSCRIPTION	Open	85.00	0.00		
8X8IN005	8X8 INC								
		23-00574	02/16/23	BORO MONTHLY PHONE SERVICE	Open	2,981.96	0.00		
ACMEG005	ACME GROUP LLC								
		23-00485	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
ACTION005	ACTION UNIFORM CO, LLC								
		22-02161	09/21/22	Class A & SLEO 2 2022 Uniforms	Open	1,768.00	0.00		B
		22-02232	09/27/22	Dispatcher Uniforms	Open	347.94	0.00		B
		22-02329	10/07/22	Winter Hats	Open	1,739.40	0.00		
						3,855.34			
ADAMS005	BUCHAN & PALO, LLC								
		23-00170	01/18/23	PUBLIC DEFENDER COURT SERVICE	Open	1,000.00	0.00		
AIRPO005	AIRPOWER INTERNATIONAL INC								
		23-00188	01/19/23	FIRE DEPT EMERG REPAIR SCBA	Open	107.40	0.00		
		23-00200	01/19/23	FIRE DEPT ANNUAL SERV CONTRACT	Open	1,925.00	0.00		
						2,032.40			
ALSTO005	ALSTON, ELEANOR								
		23-00530	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		23-00299	01/30/23	BINDER FOR NAFED BOOK	Open	32.14	0.00		
		23-00367	02/07/23	FLASHLIGHT BATTERIES CR123A	Open	25.10	0.00		
						57.24			
AMERIF001	AMERIFLEX BUSINESS SOLUTIONS								
		23-00381	02/08/23	FSA/COBRA ADMIN FEES JAN 2023	Open	115.00	0.00		
ANGEL005	ANGELA BRUNELLI								
		23-00370	02/07/23	REIMBURSEMENT FOR BACKGROUND	Open	44.13	0.00		
AOC001	ALLIED OIL LLC								
		23-00175	01/19/23	93 REF GAS/ETHANOL	Open	4,909.20	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		23-00286	01/26/23	LEGAL ADVERTISEMENTS	Open	131.12	0.00		B
		23-00397	02/09/23	LEGAL ADVERTISEMENTS	Open	239.36	0.00		B
						370.48			
ARH001	ADAMS, REHMANN, HEGGAN ASSOC INC								
		23-00147	01/17/23	GREENWAY CONSTRUCTION PROJECT	Open	230.00	0.00		

February 21, 2023
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BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ARH001	ADAMS REHMANN HEGGAN ASSOC INC			Continued					
	23-00149	01/18/23	DOWNTOWN GREENWAY PROJECT	Open	580.00	0.00			
					810.00				
ATH001	ATHLETE'S ALLEY								
	22-02504	10/25/22	BASKETBALL JERSEYS	Open	3,544.05	0.00			
	23-00292	01/27/23	Basketball Clinic shirts	Open	392.30	0.00			
					3,936.35				
ATTM002	AT&T MOBILITY - 287306454448								
	23-00576	02/16/23	BORO CELL PHONE USAGE	Open	440.47	0.00			
ATTM003	AT&T MOBILE 287306454309								
	23-00577	02/16/23	BORO/POLICE CELL USAGE	Open	3,644.05	0.00			
AUTO001	AUTO PARTS CENTER								
	23-00037	01/09/23	OPEN FOR 2023	Open	1,166.93	0.00			B
AVAKL001	LEON AVAKIAN, INC								
	23-00230	01/24/23	373 South Escrow 1570	Open	2,480.00	0.00			
BACEI005	ALKALINE CORPORATION								
	23-00557	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00			
BBBA001	BROWN & BROWN BENEFITS ADV								
	23-00473	02/14/23	JANUARY 2023 CONSULTING FEE	Open	1,500.00	0.00			
	23-00474	02/14/23	FEBRUARY 2023 CONSULTING FEE	Open	1,500.00	0.00			
	23-00475	02/14/23	MARCH CONSULTING FEE	Open	1,500.00	0.00			
					4,500.00				
BTFF001	BOROUGH OF TINTON FALLS								
	22-02809	12/05/22	SWEeper PARTS	Open	99.45	0.00			
CAG001	CLEARY GIACOBBE ALFIERI & JACO								
	23-00411	02/13/23	LEGAL PROFESSIONAL SERVICES	Open	66.00	0.00			
CHARL005	CHARLES WEST								
	23-00251	01/25/23	CHARLES WEST PHONE REIMB	Open	90.00	0.00			
CHAS001	ARTHUR F. CHASEY, JR.								
	23-00260	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00			B
CKC001	CAROL K. CHASEY								
	23-00259	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00			B
COM006	COMCAST BUSINESS								
	23-00579	02/16/23	BORO BUSINESS SERVICES	Open	779.25	0.00			
COMC004	COMCAST								
	23-00392	02/09/23	Monthly Business Internet	Open	116.72	0.00			
DEMCO001	DEMCO, INC								
	23-00035	01/07/23	Multi Item Demco Order	Open	750.69	0.00			

February 21, 2023
11:36 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DWD002	D&W DIESEL	22-01980	08/30/22		Open	8,450.58	0.00		
ECLE001	EAST COAST LIGHTING & ENERGY L	22-00487	02/18/22	120V DUPLEX RECEPTACLE	Open	1,200.00	0.00		
EDSON01	DREW EDSON	23-00233	01/24/23	WORKBOOT REIMBURSEMENT	Open	79.99	0.00		
EPG001	EAGLE POINT GUN	22-02834	12/09/22	2022 Ammo	Open	13,935.20	0.00		B
		22-02837	12/09/22	2022 Rifle Ammo	Open	5,897.60	0.00		B
						19,832.80			
FBI002	FBI NATIONAL ACADEMY ASSOC INC	23-00151	01/18/23	FBI Dues 2023	Open	120.00	0.00		
FOLE002	FOLEY, INCORPORATED	22-02244	09/28/22	OPEN FOR 2022	Open	141.80	0.00		B
FOO001	SAKER SHOPRITES, INC.	23-00089	01/11/23	PRESCHOOL FEBRUARY SNACKS	Open	76.91	0.00		
FSS002	FIRE & SAFETY SERVICES, LTD	22-02844	12/09/22	FIRE DEPT PURCHASE/HOSE	Open	3,776.77	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A	23-00384	02/09/23	PAY PERIOD 2-17-23 POLICE O/S	Open	7,974.00	0.00		
GLO001	GLOBE PETROLEUM, INC.	23-00016	01/06/23		Open	668.11	0.00		B
GLORI010	GLORIA ADERTON	23-00369	02/07/23	REIMBURSEMENT FOR BACKGROUND	Open	44.13	0.00		
GM001	G&M TROPHY CO, INC	23-00152	01/18/23	FIRE DEPT BRAVERY METAL	Open	155.00	0.00		
		23-00164	01/18/23	Name Plates	Open	10.00	0.00		
						165.00			
GPC001	GENUINE PARTS COMPANY INC	22-02543	10/28/22	OPEN FOR 2022	Open	506.22	0.00		B
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC	22-02544	10/28/22	OPEN FOR 2022	Open	1,466.50	0.00		B
HABCO005	HABCORE INC	23-00477	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA	23-00225	01/24/23	AYR Wellness Escrow 1579	Open	1,117.50	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
IACP005	IACP	23-00150	01/18/23	IACP Dues	Open	190.00	0.00		
IMPO01	IMPRINT SHOP LLC	22-02579	10/28/22	Inspector Uniforms	Open	620.94	0.00		
		22-02813	12/06/22	Embroidery for uniforms	Open	150.00	0.00		B
						770.94			
INT001	INTERSTATE BATTERIES, INC	23-00137	01/17/23	STOCK TIRES	Open	3,879.60	0.00		
JASGW001	JERSEY AUTO SPA CAR WASH LLC	23-00168	01/18/23	CAR WASHES - CONSTRUCTION DEPT	Open	15.00	0.00		B
JERS001	JCP&L	23-00570	02/16/23	BORO MONTHLY ELECTRIC USUAGE	Open	551.39	0.00		
		23-00572	02/16/23	BORO MONTHLY ELECTRIC USUAGE	Open	6,849.97	0.00		
						7,401.36			
JFWLL001	JOSEPH FAZZIO-HOWELL LLC	22-02546	10/28/22	OPEN FOR 2022	Open	181.75	0.00		B
JOHN005	MICHAEL JOHNSON	23-00283	01/26/23	EYEGLASS REIMBURSMENT	Open	556.20	0.00		
JSO0001	JERSEY SHORE OFFICIATION ORG.	23-00336	02/03/23		Open	3,650.00	0.00		
JUSTI005	JUSTIN MCCARTHY	23-00226	01/24/23	WOOBOOT REIMBURSEMENT	Open	145.00	0.00		
KBS001	K.B.D. SUPPLY LLC	23-00153	01/18/23		Open	1,248.83	0.00		
KEPW005	KEPWEL SPRING WATER CO, INC	22-01354	06/13/22		Open	34.73	0.00		B
KOURY005	KOURY, LAURIE	23-00480	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
KSTAUF01	KATHLEEN M. STAUFFER	23-00288	01/26/23	2023 STATE SHBP REIMB RETIREE	Open	2,237.06	0.00		B
LAN001	LANIGAN ASSOCIATES, INC.	23-00111	01/13/23	Hat for SLEO Gilligan	Open	84.00	0.00		
		23-00201	01/19/23	FIRE DEPT BAND FOR UNIFORM	Open	30.00	0.00		
						114.00			
LECK001	LECKSTEIN & LECKSTEIN, LLC	23-00224	01/24/23	Grob 2022-10 Escrow 1542	Open	1,750.00	0.00		
LERT002	LERTCH RECYCLING CO, INC	22-02548	10/28/22	OPEN FOR 2022	Open	688.66	0.00		B

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LIDL0005 LIDL US OPERATION LLC	21-02686	11/16/21	RELEASE DEVELOPERS ESCROW	Open	197,143.73	0.00		
LOU001 LOUIS R. MICELI	23-00270	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	1,285.80	0.00		B
LUCI001 WILLIAM LUCIA	23-00347	02/06/23	REIMBURSEMENT FOR ZOOM VIDEO	Open	213.14	0.00		
MANFR005 MANFREDI, ROBERT	23-00457	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
MANNI005 MECHANICAL INGENUITY CORP	23-00490	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
MCFP001 MON. CO. FIRE PREVENTION AND	23-00165	01/18/23	WEIGERS MEMBERSHIP RENEWAL	Open	30.00	0.00		
MCMAS005 MCMASTER CARR SUPPLY COMPANY	23-00039	01/09/23		Open	41.04	0.00		
MCT001 MONMOUTH COUNTY TREASURER	23-00104	01/12/23	MUNICIPAL WASTE	Open	1,281.55	0.00		
MGL001 MGL PRINTING SOLUTIONS	23-00216	01/23/23	Minute Books and Filler	Open	312.00	0.00		
MICHA010 MICHAEL HREHA	23-00382	02/08/23	4th qtr 2022 phone reimburse	Open	90.00	0.00		
MONMO015 MONMOUTH COUNTY REAL ESTATE LL	23-00468	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
MORBA005 MORBARK INC/DBA BOXER EQUIP	22-02566	10/28/22	GRINDER MOTOR HYDRAULIC	Open	3,416.91	0.00		
MUNCO001 MUNCO OF NEW JERSEY	23-00253	01/25/23	MUNCO MEMBERSHIP RENEWAL	Open	75.00	0.00		
NAFTO NATIONAL ASSOC OF FIELD TRAINI	22-02381	10/14/22	Basic Field Training Officer	Open	650.00	0.00		
NFP003 NFPA	23-00300	01/30/23	NFPA RENEWAL 2023-2024 WEIGERS	Open	175.00	0.00		
NJAPZ004 NJ ASSOC OF PLANNING & ZONING	23-00298	01/30/23	Patrick Renaldi Membership	Open	100.00	0.00		
NJAWC001 NEW JERSEY AMERICAN WATER	23-00567	02/16/23	BORO HYDRANT ACCOUNT	Open	16,433.10	0.00		
	23-00568	02/16/23	BORO MONTHLY WATER USAGE	Open	756.37	0.00		
					17,189.47			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJB001	VERIZON	23-00573	02/16/23	COMM CTR/MUSEUM PHONE USUAGE	Open	103.56	0.00		
NJDH001	NJ DEPT OF HEALTH AND SENIOR S	23-00318	02/01/23	DOG JANUARY 2023	Open	319.80	0.00		
NJDL003	NJ DEPT OF LABOR & WORKFORCE D	23-00396	02/09/23	UNEMPLOYMENT BENEFIT CHARGED	Open	3,375.67	0.00		
NJFE001	NEW JERSEY FIRE EQUIPMENT CO.	22-02529	10/27/22	FIRE DEPT OFFICERS SHIELD	Open	167.00	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES	23-00368	02/07/23	JOB POSTING-RECREATION PROGRAM	Open	115.00	0.00		
NJPSAC01	NJPSAC	23-00182	01/19/23	2023 NJPSAC Annual Dues	Open	400.00	0.00		
NJRPA005	NJRPA	23-00219	01/23/23	NJRPA CONF REG GRASSO	Open	850.00	0.00		
OICEAN01	OCEAN TOOLS, LLC	23-00136	01/17/23	TORQ WRENCH TQR600E	Open	1,125.00	0.00		
PAGE002	COMMUNICATIONS SPECIALISTS, INC	23-00183	01/19/23	Quarterly Radio Maintenance	Open	1,926.00	0.00		
PAY003	LOUISE M. PAYNE	23-00346	02/06/23	2023 MEDICARE REIMBURSEMENT	Open	318.64	0.00		
REP001	REPUBLIC SERVICES	23-00229	01/24/23	JANUARY 2023	Open	74,872.63	0.00		
		23-00380	02/08/23	FEBRUARY 2023	Open	74,872.63	0.00		
						149,745.26			
ROBER020	ROBERT ROSCH	23-00196	01/19/23	MEDICARE REIMBURSEMENT 2023	Open	489.50	0.00		
RODRI005	RODRIGUEZ, PEDRO	23-00419	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
RUOFF005	RUOFF, KIRK	23-00482	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
SCH001	T&M ASSOCIATES	21-01755	08/06/21	INDUSTRIAL WAY WEST	Open	440.71	0.00		B
		21-01757	08/06/21	REC PROPERTY DEMO	Open	136.50	0.00		B
		21-02119	09/17/21	ENVIRONMENTAL INVESTIGATION	Open	3,488.55	0.00		B
		21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	4,522.75	0.00		B
						8,588.51			
SCHMI005	SCHMITT, THOMAS	23-00481	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SEA002	SEABOARD WELDING SUPPLY, INC.	22-02554	10/28/22	OPEN FOR 2022	Open	222.50	0.00		B
SIINO006	SIINO, PETER	23-00432	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
SONDH005	SONDHI, BHARAT	23-00450	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
STA001	STAVOLA CONTRACTING CO., INC.	22-01493	07/05/22	OPEN FOR 2022	Open	339.00	0.00		B
STAL001	STALKER APPLIED CONCEPTS, INC.	22-02703	11/16/22	DSR 2 Antenna Radar	Open	3,330.00	0.00		
STORA005	STORAGE ENGINE, INC.	22-02758	11/23/22	Records Management System	Open	31,406.00	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC	23-00148	01/17/23	FILE SERVER/SOFTWARE & CAL'S	Open	14,315.00	0.00		
		23-00210	01/20/23	COMPUTER/SETUP - A YATES	Open	2,385.99	0.00		
		23-00390	02/09/23	Agreement Hosted Exchange PD	Open	427.50	0.00		
		23-00412	02/13/23	BORO MONTHLY HOSTING DOMAIN	Open	225.00	0.00		
		23-00413	02/13/23	POLICE MONTHLY DOMAIN HOSTING	Open	75.00	0.00		
		23-00414	02/13/23	BORO MONTHLY IT SERVICES	Open	7,521.93	0.00		
						24,950.42			
THOMS005	THOMSIN, JEAN PAUL	23-00434	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
THYG001	SENIORCIZE WITH CORINNE, LLC	22-00223	01/21/22	CARDIO CORE & MORE JAN-DEC2022	Open	150.00	0.00		B
		23-00190	01/19/23	SENIOR CTR CARDIO CORE CLASS	Open	150.00	0.00		B
						300.00			
TIMEP005	TIMEPAYMENT CORP	23-00159	01/18/23	PUBLIC WORKS WATER COOLER	Open	89.85	0.00		
TWENT005	TWENTY THREE NYACK LLC	23-00458	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
VECT0005	VECTOR SOLUTIONS	23-00074	01/10/23	Guardian Tracking	Open	2,532.00	0.00		
VER003	V.E. RALPH & SON, INC.	22-02268	09/30/22	FIRST AID REPLENISH MEDICAL	Open	5,896.53	0.00		
VERDO005	VERDON, RICHARD	23-00516	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
VERIZ005	VERIZON - ALBANY	23-00575	02/16/23	BORO FIBEROPTIC ACCOUNT	Open	822.37	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
VERR001	PATRICIA VERRONE	23-00277	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
VONAD005	VON ADEL, ANNA	23-00521	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
WISPL005	WISP LLC	23-00547	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
WOOD004	RONNIE L. WOODS	23-00144	01/17/23	EYEGLASS REIMBURSEMENT	Open	163.60	0.00		
WWG010	W.W. GRAINGER, INC.	23-00103	01/12/23		Open	659.28	0.00		

Total Purchase Orders: 138 Total P.O. Line Items: 0 Total List Amount: 568,137.33 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	59,359.15	0.00	59,359.15	0.00	0.00	59,359.15
CURRENT FUND:	3-01	232,856.29	0.00	232,856.29	1,000.00	0.00	233,856.29
GENERAL CAPITAL F	C-04	62,824.11	0.00	62,824.11	0.00	0.00	62,824.11
GRANT FUND	G-02	4,522.75	0.00	4,522.75	0.00	0.00	4,522.75
	T-12	319.80	0.00	319.80	0.00	0.00	319.80
	T-15	7,974.00	0.00	7,974.00	0.00	0.00	7,974.00
	T-17	199,281.23	0.00	199,281.23	0.00	0.00	199,281.23
Year Total:		207,575.03	0.00	207,575.03	0.00	0.00	207,575.03
Total of All Funds:		567,137.33	0.00	567,137.33	1,000.00	0.00	568,137.33

ORDINANCE 09-2023

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

**AN ORDINANCE AMENDING CHAPTER 200 "LICENSES AND PERMITS", CREATING ARTICLE IV, "SHOP
LOCAL REWARD PROGRAMS" SECTIONS 200-14.1 TO 200-14.14**

WHEREAS, the Borough Council of the Borough of Eatontown desires to stimulate local commerce in the Borough by encouraging the patronage of Eatontown-based businesses by local residents; and

WHEREAS, the Borough Council has determined it is appropriate to permit "reward" type programs that act as enhancement which will give Eatontown taxpayers a financial incentive to patronize participating Borough-based businesses through the payment of residential property taxes; and

WHEREAS, the Borough Council of the Borough of Eatontown believes that the implementation of this system will benefit Eatontown-based businesses and resident taxpayers.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Eatontown, in the County of Monmouth and State of New Jersey, that it hereby amends Chapter 200 "Licenses and Permits" to create Article IV "Shop Local Reward Programs" which shall provide as follows:

200-14 LICENSING FOR "SHOP LOCAL" REWARD PROGRAMS

200-14.1 Purpose

The purpose of this Ordinance is to provide a uniform set of procedures for applications by and licensing of an Applicant seeking to operate and administer a "Shop Local" program within the Borough.

200-14.2 Definitions

As referred to in this Chapter and all applicable subsections, the following terms shall have the following meanings:

"Shop Local Program" shall mean any program whereby Taxpayer Consumers make purchases at Participating Merchants and earn property tax credits to satisfy a Taxpayer Consumer's property tax obligations the Borough
or earn credits for check rebates for purchases made at Participating Merchants.

"Applicant" shall mean the entity seeking a license to design, operate and administer a "Shop Local Program" to stimulate local commerce by providing property tax credits or other such rewards in connection with purchases by Taxpayer Consumers made at Participating Merchants, as defined herein. The term "Applicant" may also refer to a "Licensee" after a license is awarded to an Applicant pursuant to the terms of this Chapter.

"Participating Merchant(s)" shall mean business(es) with a location in the Borough, or located outside the Borough but not competing with any local business ("Destination Businesses"), which voluntarily register and enter into an agreement with Applicant to participate in the Shop Local Program.

"Taxpayer Consumer(s)" shall mean Borough property owners, residents, residents of other municipalities who work in Eatontown, or any other such individual, who voluntarily registers and enters into an agreement with the Applicant to participate in the Shop Local Program.

200-14.3 License Required

No person or entity shall operate a Shop Local Program within the Borough unless the entity seeking to operate same is licensed pursuant to the terms of this Ordinance.

200-14.4 Licensing of Applicants

- a. *Application Information.* Applications for a license to operate a Shop Local Program shall be made to the Borough Clerk on forms provided by the Borough Clerk. The form(s) to be used for the application shall be approved by the Borough Council and may set forth additional requirements, terms and conditions, other than those enumerated in this Ordinance, which the Borough Council deems necessary and proper to the efficient and effective administration of the Shop Local Program.

Applications shall be verified by oath or affirmation. Applications by a corporation shall be verified by all officers and directors and all persons holding more than ten-percent (10%) of the corporation's common stock, as well as the corporation itself.

- b. *Review of License.* Upon receipt of the license application, the Borough Clerk shall review the application to ensure that it has been properly completed. The Borough Clerk shall thereafter submit all properly completed applications to the Borough Council for determination as to whether to grant or deny the license.
- c. *Factors considered.* In determining whether to grant or deny the license to the Applicant, the Borough Council shall take into consideration, among any other factors it considers relevant, the following:
 1. The Applicant's ability to properly conduct the licensed activity.
 2. The moral character of the Applicant, whether a corporate entity or other such partnership. If a corporation, the Borough Council shall consider the moral character of each officer, director, manager, supervisor and/or shareholder. If a partnership, the Borough Council shall consider the moral character of each partner.
 3. The business responsibility of the Applicant, including but not limited to community service work or other such charitable endeavors.

4. The criminal history of the Applicant, whether an entity or individual owner, director, manager, supervisor, officer or shareholder. A copy of the Applicant's criminal history record, obtained from the New Jersey State Police, shall be submitted with the application. If the Applicant is a corporation, a criminal history record from the New Jersey State Police shall be submitted for all officers and directors of the corporation, all shareholders owning more than ten (10) percent of common stock, and any other employee who will be an authorized signatory on any bank account where Taxpayer Consumers' monies will be deposited. If the Applicant is a partnership, a criminal history record from the New Jersey State Police shall be submitted for all partners.
 5. Prior experience in the financial industry, although a lack of prior experience shall not necessarily be a factor militating against issuance of a license.
- d. *Issuance of License.* If the Applicant's request for a license is approved by the Borough Council, the Borough Clerk shall issue a license to the Applicant within ten (10) business days of the approval. The contents of an Applicant's license to operate a Shop Local Program shall contain the information required pursuant to this Chapter.

200-14.5 Term of License

The first license granted to an Applicant shall be for a term of one (1) year from the date of issuance of the license by the Borough Clerk after Borough Council approval. After the expiration of the first year, the license shall be automatically renewed for a term of three (3) years from the date of issuance of the license by the Borough Clerk, provided the Applicant's license has not been revoked or suspended. If the Applicant's license has been revoked or suspended, all requests for renewals must be presented to the Borough Council.

200-14.6 Renewals

All license renewals shall be put to the Borough Council for consideration. Failure to request a license renewal, in writing, within thirty (30) days prior to expiration of a license term shall render the Applicant's license void at the conclusion of the term.

An Applicant's license may be renewed contingent upon payment of the applicable non-refundable license fee and the filing of:

1. A sworn statement filed with the Borough Clerk that there have been no changes in the information contained in the initial application, which shall be filed with the Borough Clerk no later than thirty (30) days prior to the expiration of a term; or
2. In the event of any change in information submitted with the Applicant's initial application, submission of a new application to the Borough Clerk for consideration by the Borough Council no later than thirty (30) days prior to the expiration of a term.
- 3.

200-14.7**Revocation and Suspension**

An Applicant's license may be revoked or suspended pursuant to the terms of this Chapter. In addition to the causes for revocation or suspension specified therein, the Applicant's license may be revoked or suspended by the Council after notice and a hearing for any of the following reasons:

- a. Applicant fails to timely remit payments to the Borough to satisfy obligations due to the Borough from Taxpayer Consumers.
- b. Applicant does not satisfy its obligations to the Borough, as set forth in the terms of this Ordinance or in the terms and conditions set forth in the license application as approved by the Borough Council.
- c. The Borough learns of the existence of entry of a judgment, or an unsatisfied judgment of record, entered against the licensee or Applicant in any suit arising from or in relation to the operation of any Shop Local Program;
- d. Applicant fails to comply with any and all applicable laws of the State of New Jersey, the ordinances of the Borough, or the rules and regulations adopted in accordance with this Ordinance;
- e. The Borough learns of the intentional misrepresentation of information on an application for a license or a request for a renewal.

200-14.8**Shop Local Program as Sole Responsibility of Applicant and Applicant's Responsibility for Informing Taxpayer Consumers**

- a. *Sole Responsibility of Applicant.* The Shop Local Program shall be administered and managed solely by the Applicant. Upon licensing, it shall be the Licensee's independent responsibility to oversee the Shop Local Program, register Taxpayer Consumers, and/or contract with interested Participating Merchants. The Applicant shall not represent in any manner that it is an agent or representative of the Borough.

Written descriptions of program. It shall be the Applicant's sole responsibility to ensure that Taxpayer Consumers have access to a written description of the gross percentage of credits that will be paid to the Borough towards the Taxpayer Consumer's real property taxes upon a purchase made at all Participating Merchants. Licensee shall make its best effort to ensure that all Participating Merchants post a sign in its front window or in another conspicuous location,

200-14.9**Insurance and Indemnification**

- a. *Proof of Insurance.* In conjunction with the submission of an Applicant's application or renewal notice to operate a Shop Local Program, an Applicant must provide proof of a valid and current general commercial liability insurance policy with a company duly licensed to transact business under the insurance laws of this State. The policy or policies shall provide coverage for a sum of not less than \$1,000,000 against loss by reason of general commercial liability, not less than \$250,000 to satisfy any claim for damages to property negligently caused by the *Applicant*, and not less than \$2,000,000 in the aggregate. *Applicant* shall also be required to maintain in force, for the duration of the licensing period, insurance policies for workers compensation coverage for its employees, officers, agents, and/or partners, as required by applicable workers compensation

laws, and shall provide a Certificate of Insurance to the Borough to evidence such coverage. The Applicant must provide a current Certificate of Insurance listing the Borough as an additional insured. All insurance must cover any acts of defalcation of Borough funds.

- b. *Indemnification.* The Applicant shall indemnify, defend, and hold harmless the Borough, its officers, agents and employees, from any and all claims, actions, liability or costs, including reasonable attorneys' fees and other costs of defense, in connection with, arising out of, or in any way related to the negligence of the Applicant, or its agents or employees, in the administration of the Shop Local Program.

200-14.10 Bonding Requirement

- a. *Bond requirement.* The Applicant shall provide to the Borough, in lieu of a cash or other bond, proof of a valid fiduciary policy naming the Borough as a loss payee in the amount of \$50,000, which amount may be amended from time to time by Resolution of the Borough Council.
- b. *Bond requirement amendments.* The Borough specifically reserves the right to require changes to the fiduciary policy amount during a license term, based upon the volume and amounts of sales transactions. The type of guarantee may be substituted with another form of security acceptable to the Borough, at the discretion of the Borough Council.

200-14.11 Timing and Reporting

- a. *Weekly Deposits Required.* A Licensee under this Chapter must maintain a dedicated bank account for funds received in connection with the Shop Local Program, unless the Taxpayer Consumer's property tax credit funds will be immediately directed to and held in the Borough's own FDIC insured dedicated bank account, in which case the Administrator need not establish such a bank account. A Licensee shall hold in trust and every week shall turn over all funds collected from the Shop Local Program on behalf of Taxpayer Consumers, via electronic transfer, to the Borough's dedicated bank account. The cost of the wire transfer, if any, shall be the responsibility of the Applicant.
- b. *Quarterly Reporting Required.* Along with the weekly deposits required under this subsection, at the expiration of each calendar quarter, a Licensee shall provide a report to the Borough's Chief Financial Officer, which must be certified and provide the following information: (i) name of Taxpayer Consumer; (ii) amount of funds collected; and (iii) the address and/or Block and Lot number of the Borough property which should be credited, if any.
- c. *Payments to tenants and non-residents.* It will be the Licensee's sole responsibility to hold in trust and remit any and all monies to be paid as rebates to Taxpayer Consumers who do not pay property taxes to the Borough, including but not limited to tenants, renters, non-resident employees, visitors, or other such individuals authorized to participate and register in the Shop Local Program.
- d. *Reports to Taxpayer Consumers.* The Licensee shall make available to all Taxpayer Consumers a written statement of credits or rebates earned by the Taxpayer Consumer. The Licensee may provide this statement via e-mail or make same accessible via its Web site.

200-14.12 Property Tax Credits Given Only Upon Receipt of Funds by the Borough

The Borough will only provide credits to a Taxpayer Consumer's property tax bill after payment is received from a Licensee with respect to the specific property tax account. If the Borough does not receive payment relating to a property tax credit, whether or not such rebates were collected by the Licensee, the Taxpayer Consumer will be responsible for the full amount of the property tax liability as if the credits were never provided by the Participating Merchant.

200-14.13 Violations and Penalties

In addition to suspension and/or revocation of any license issued hereunder, and in addition to any applicable State penalties, any violation of the provisions of this Ordinance, or any violation of the terms and conditions of the Applicant's application, shall be punishable up to a \$2000 penalty per violation per day and up to 90 days in jail.

200-14.14 Additional Conditions.

The Borough shall establish the necessary reporting requirement for any payment of taxes made to the Borough by the vendor. The Borough shall not be responsible for any impact of program participation on mortgage escrow calculations. The Borough shall not be responsible for any changes in property ownership.

The Applicant shall have the right to surrender its license to the Borough at any time, so long as it provides ninety (90) days' notice to the Borough Clerk and Business Administrator, in writing. In such an event, the Applicant agrees to the orderly phasing out of its involvement in the Shop Local Program, including but not limited to remitting the balance of any and all funds due to the Borough in connection with property tax credits which may have been retained by the Applicant on behalf of Taxpayer Consumers.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with law.

DATE INTRODUCED: February 22, 2023

PUBLIC HEARING:

**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 February 22, 2023.

Julie Martin, Borough Clerk

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

	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 February 22, 2023. <u>Julie Martin, RMC, Borough Clerk</u>
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 Borough of Eatontown has several programs for which it will receive funds from donations;
and

WHEREAS, N.J.S.A 40A:5-29 provides that in the budget of any local unit subject to the prior written consent of the Director of the Division of Local Government Services, certain revenues which are not subject to a reasonably accurate estimate in advance, may be included in said budget by annexing to said budget a statement which hereby appropriates those dedicated revenues for the purposes to which said revenues are dedicated, commonly known as a Dedication by Rider, and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Eatontown, hereby requests written consent of the Director, Division of Local Government Services, to include revenues from the above category in the Dedication by Rider section of the 2023 Municipal Budget, and subsequent years Municipal Budgets; and

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan,Jr						
Councilmember Jones						
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Julie Martin, Borough Clerk

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
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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 22, 2023.

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

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Julie Martin, Borough Clerk