

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, April 12, 2023

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

This meeting has been advertised in accordance with the Open Public Meetings Act: A notice of the meeting has been published in the Asbury Park Press, Star Ledger and the Link News, posted on the bulletin board in the lobby of Borough Hall, and posted to the Borough website. Public Comment is welcome at any time.

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Proclamation - National Donate Life Month
3. Proclamation - Arbor Day
4. Proclamation - Recognizing National Public Safety Telecommunications Week
5. Proclamation - Earth Day
6. Municipal Government Internship Program/Job Description Update (C/Jones)
7. Strategic Plan, Borough of Eatontown (C/Jones)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting - 3/22/2023
3. **COMMUNICATIONS**
 - A. WSP USA, Public Notification Update, 118 Route 35, Site Remediation
 - B. US Homes/Lennar Liberty Point, Notification of Flood Hazard Verification to DEP, Pinebrook Rd/Hope Rd
 - C. Monmouth County Mosquito Control, NJDEP Pesticide Control Program Regulations
 - D. Two Rivers Water Reclamation Authority, Public Hearing Notice to Adjust Connection Fee (4/18/23)
 - E. Monmouth County Board of Commissioners, 2022 Open Space Grant Funding (\$100,000)
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 BUILDING & 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 10-2023 - An Ordinance of the Borough of Eatontown Amending Chapter 89 Land Use, Article XIII Application Fees, Tax Map Revision Fees for Subdivisions and Escrow Fees, and Section 105 Escrow Fees Increasing the Document Preparation Fee for Various Applications - **Public Hearing/Adoption**

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

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

10. NEW BUSINESS (rc)

A. ORDINANCE INTRODUCTION (rc)

1) Ordinance 11-2023 - Ordinance of the Borough of Eatontown Amending Chapters 21 and 31 of the Borough Code Waiving Certain Fees for Surviving Spouses of Fire Department Members, Office of Emergency Management Members, Community Emergency Response Team Members, and First Aid Squad Members - **First Reading/Introduction (Public Hearing 4/26/23)**

B. 2023 BUDGET (rc)

1) Ordinance 12-2023 - Ordinance of the Borough of Eatontown to Exceed the Municipal Budget Appropriations Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) - **First Reading/Introduction (Public Hearing/Adoption 5/10/23)**

2) Resolution 84-2023 - Resolution to Defer School Tax Levy (rc)

3) Resolution 85-2023 - Introducing the Municipal Budget of the Borough of Eatontown for the Year 2023 - **(Public Hearing 5/10/23)**

C. 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 86-2023 - Auth. Award of 2023 Professional Contract, Financial Advisory Services

2) Resolution 87-2023 - Auth. Attendance/Reimbursement for Annual 2023 Harrisburg Fire Expo (Asst. Fire Chief Johnson)

3) Resolution 88-2023 - Auth. Attendance/Reimbursement for Tax Collection III Classes (G. Aderton)

4) Resolution 89-2023 - Recognizing NJ Local Government Week (April 16-22, 2023)

5) Resolution 90-2023 - Auth. Further Participation in the Opioid Nationwide Settlement Agreements

D. CONSENT AGENDA MOTIONS (vv)

1) Acceptance of Planning/Zoning Report, March 2023

2) Acceptance of Tax Collector Report, March 2023

11. REMARKS OF COUNCIL AND CITIZENS

12. CLOSED SESSION (vv)

A. Resolution 91-2023

1) Contract Negotiations - Monmouth Mall

2) Mount Laurel Litigation

3) Personnel - Committee Appointment

13. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday, April 26, 2023 @ 7:00 p.m.***

ORDINANCE 10-2023

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

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 89 LAND USE, ARTICLE XIII APPLICATION FEES, TAX MAP REVISION FEES FOR SUBDIVISIONS AND ESCROW FEES, AND SECTION 105 ESCROW FEES INCREASING THE DOCUMENT PREPARATION FEE FOR VARIANCE APPLICATIONS

WHEREAS, the Department of Land Use recommends that the Borough Council increase the fee for document preparation services for variance applications to the Zoning Board of Adjustment set by the Borough Code at \$200.00 to \$250.00 because the fee has not been increased for a substantial period of time; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to increase the fee by \$50 as recommended by the Department of Land Use.

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 Chapter 89 Land Use, Article XIII, Subdivisions and Escrow Fees, Section 89-105 (A)(1) as follows:

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

Use Variances or "D" Variance	[No Change]
Application for any variance before the Zoning Board of Adjustment to cover the costs of document preparation	\$200 <u>\$250</u>

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:	March 22, 2023
PUBLIC HEARING/ADOPTION:	April 12, 2023

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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
132WA005	132 WAYPOINT LLC								
		23-00462	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
8X8IN005	8X8 INC								
		23-01001	04/11/23	BORO PHONE SYSTEM USAGE	Open	2,969.71	0.00		
ADAMS005	BUCHAN & PALO, LLC								
		23-00741	03/08/23	PUBLIC DEFENDER SERVICES	Open	500.00	0.00		
ADRIAN01	ADRIAN GAMBOA-LOYO								
		23-00828	03/16/23	WORK BOOT REIMBURSEMENT	Open	250.00	0.00		
AHA002	AFFORDABLE HOUSING ALLIANCE IN								
		23-00486	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
		23-00487	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
						400.00			
AMAZ001	AMAZON.COM SERVICES, INC								
		23-00772	03/10/23	MEADOWBROOK B/A SUPPLIES	Open	206.63	0.00		
		23-00773	03/10/23	WOODMERE B/A SUPPLIES	Open	177.80	0.00		
		23-00789	03/13/23	BUILD DEPT TABLET CASE -DJANGO	Open	27.98	0.00		
		23-00875	03/22/23	First Aid Kit MFASCO 069875465	Open	85.00	0.00		
						497.41			
AMAZ005	AMAZON.COM #A3898AWA7QWVMO								
		23-00877	03/23/23	Batteries for Firearms	Open	112.34	0.00		
AMER004	AMERICAN WEAR								
		23-00656	02/28/23	REGULAR CLEANING FEBRUARY 23	Open	343.30	0.00		
AMERI001	AMERIFLEX BUSINESS SOLUTIONS								
		23-00950	04/04/23	FSA/COBRA ADMIN FEES 2023	Open	115.00	0.00		B
AMERI007	AMERICAN PLUMBER LLC								
		22-02881	12/14/22	HOME IMPROVEMENT PROGRAM	Open	22,130.00	0.00		B
AOC001	ALLIED OIL LLC								
		23-00653	02/28/23	93 RFG GAS/ETHANOL	Open	13,540.35	0.00		
		23-00750	03/08/23	93 RFG GAS/ETHANOL	Open	4,914.56	0.00		
						18,454.91			
APP002	GANNETT NJ NEWSPAPERS								
		23-00605	02/23/23	LEGAL ADVERTISEMENTS	Open	56.32	0.00		B
APS002	ATLANTIC PLUMBING & SUPPLY COR								
		22-02226	09/27/22		Open	583.02	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ARCHI005	ARCHIVESOCIAL, INC.								
		23-00562	02/15/23	Social Media Archiving Subscrp	Open	5,988.00	0.00		
ASB001	ASBURY PARK PRESS, INC.								
		23-00889	03/27/23	3.20.23 PB Cancellation Notice	Open	45.12	0.00		
ASF001	ATLANTIC SECURITY & FIRE, INC.								
		23-00701	03/06/23		Open	125.00	0.00		B
		23-00793	03/14/23		Open	371.85	0.00		
						496.85			
AUTO001	AUTO PARTS CENTER								
		22-01519	07/06/22	OPEN FOR 2022	Open	902.27	0.00		B
		22-02009	09/07/22	OPEN FOR 2022	Open	901.27	0.00		B
		22-02577	10/28/22	OPEN FOR TOOLS 2022	Open	2,185.23	0.00		B
		23-00037	01/09/23	OPEN FOR 2023	Open	79.08	0.00		B
		23-00355	02/06/23	ABSORBNT - SPEEDY DRY	Open	780.00	0.00		
		23-00372	02/07/23	OPEN FOR 2023	Open	664.40	0.00		B
		23-00804	03/15/23	OUTSTANDING 2022 INVOICES	Open	283.30	0.00		
						5,795.55			
AVAKL001	LEON AVAKIAN, INC								
		23-00932	03/31/23	Jan Feb Mar General Plan 2023	Open	2,880.00	0.00		
BAND001	BANDAG, INC								
		23-00040	01/09/23	OPEN FOR 2023	Open	118.20	0.00		B
		23-00141	01/17/23	OPEN FOR 2023 RECAPS	Open	2,837.61	0.00		B
		23-00291	01/26/23	OPEN FOR 2023	Open	1,192.24	0.00		B
						4,148.05			
BELOP005	BELO PIZZERIA								
		23-00199	01/19/23	FIRE DEPT OPEN FOOD VOUCHER	Open	48.81	0.00		B
BRA001	KENNETH BRAND								
		23-00857	03/21/23	WALKING DEAD - FIRE WATCH	Open	840.00	0.00		
BSA001	BOY SCOUTS OF AMERICA								
		22-00026	01/06/22	OPEN FOR 2022	Open	125.00	0.00		B
		23-00041	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B
						250.00			
BUC001	DOUGLAS BUCHAN								
		23-00842	03/20/23	WOOBOOT REIMBURSEMENT	Open	250.00	0.00		
BUZC005	BUZCNY, MICHAEL								
		23-00642	02/24/23	ZONING FEE REIMBURSMENT	Open	125.00	0.00		
CAG001	CLEARY GIACOBBE ALFIERI & JACO								
		23-00936	03/31/23	BORO MUNICIPAL PROSECUTOR	Open	3,000.00	0.00		
CAPIC001	RONALD CAPICHANA								
		23-00600	02/22/23	DJ Egg Hunt 4/1/23	Open	250.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CHECK005	CHECK CASHING STATION LLC								
		23-00550	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
CINQ002	JASON CINQUEGRANA								
		23-00843	03/20/23	WOOBOOT REIMBURSEMENT	Open	130.11	0.00		
COLLI005	COLLINS, KRISTIN								
		23-00556	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
COMC004	COMCAST								
		23-00937	03/31/23	BORO VIDEO ACCT SERVICES	Open	136.51	0.00		
		23-00941	03/31/23	DPW ONLINE BUSINESS SERVICE	Open	123.22	0.00		
						259.73			
CONLO005	CONLON, GARY								
		23-00539	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
COPS001	C.O.P.S/Mitchell Cowit								
		23-00588	02/20/23	The Art of Interviewing Trng	Open	259.00	0.00		
CTCF001	CHRISTIANA T C/F CEL/1ST TRUST								
		23-00126	01/17/23	Redemption of lien	Open	3,131.15	0.00		
DELAG01	DE LAGE LANDEN FINANCIAL INC								
		23-00914	03/28/23	COMM CENTER COPIER LEASE	Open	146.85	0.00		
		23-00915	03/28/23	MAILROOM COPIER LEASE	Open	146.85	0.00		
						293.70			
DELTA001	DELTA DENTAL								
		23-00869	03/22/23	APRIL 2023 PREMIUM	Open	12,953.52	0.00		
DONAH005	DONAHUE, BRIAN								
		23-00426	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
DPB001	STATE OF NEW JERSEY								
		23-00944	04/03/23	SHBP CONTRIBUTION APRIL 2023	Open	293,672.83	0.00		
DWD002	D&W DIESEL								
		22-00490	02/22/22		Open	528.00	0.00		B
ECEL002	EAST COAST EMERGENCY LIGHTING								
		23-00814	03/15/23	REPAIR FIRE CHIEF SIREN	Open	361.14	0.00		
EDM001	EDMUNDS & ASSOCIATES, INC.								
		23-00122	03/14/23	2023 SOFTWARE MAINTENANCE	Open	11,707.24	0.00		
		23-00798	03/14/23	TAX EPSON VALIDATOR MAINT 2023	Open	48.67	0.00		
						11,755.91			
ELEV001	STATE OF NJ-DEPT COMM AFFAIRS								
		23-00724	03/07/23		Open	622.00	0.00		
		23-00791	03/14/23		Open	182.00	0.00		
						804.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ELITE011	ELITE CLEANERS LS LLC								
		23-00204	01/19/23	December Dry Cleaning	Open	1,162.50	0.00		
EML001	ELECTRONIC MEASUREMENT LAB INC								
		23-00616	02/23/23	FIRE DEPT CO PERSONAL METERS	Open	840.00	0.00		
ESI001	ESI EQUIPMENT INC								
		23-00617	02/23/23	FIRE DEPT 2023 SERV AGREEMENT	Open	963.00	0.00		
ESPOS005	ESPOS LAW ENFORCEMENT LLC								
		23-00643	02/27/23	Arrest Search and Seizure Trng	Open	2,750.00	0.00		
FARY003	DOROTHY FARY								
		23-00818	03/15/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
FIG20005	FIG 20, LLC FBO PTY								
		23-00697	03/02/23	Redemption of lien	Open	2,415.39	0.00		
		23-00848	03/20/23	Redemption of Lien	Open	2,416.32	0.00		
						4,831.71			
FMERA001	FMERA								
		23-01003	04/11/23	STREET LIGHTS/FT MON RTE 537	Open	382.20	0.00		
FOLE002	FOLEY, INCORPORATED								
		23-00043	01/09/23	OPEN FOR 2023	Open	27.88	0.00		B
FO0001	SAKER SHOPRITES, INC.								
		23-00249	01/25/23	BEAUTIFY ETNT SUPPLIES/SNACKS	Open	119.47	0.00		
		23-00383	02/09/23	SUPPLIES FOR STAFF MEETING	Open	51.47	0.00		
		23-00387	02/09/23	PRESCHOOL MARCH SNACKS	Open	91.76	0.00		
		23-00388	02/09/23	AFTERCARE MARCH SNACKS	Open	282.94	0.00		
						545.64			
FRED003	MATTHEW FREDERICK								
		23-00841	03/20/23	WOOBOOT REIMBURSEMENT	Open	127.48	0.00		
GAGL001	GAGLIANO & COMPANY								
		23-00751	03/08/23	Professional Services Rendered	Open	1,500.00	0.00		
		23-00752	03/08/23	Professional Services Rendered	Open	1,500.00	0.00		
						3,000.00			
GEN001	GENERAL CODE PUBLISHERS CORP.								
		23-00920	03/28/23	eCode360 Annual Maintenance	Open	1,195.00	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-00825	03/16/23	PAY PERIOD 3/31/23 O/S DETAIL	Open	1,106.00	0.00		
		23-00873	03/22/23	PAY PERIOD 3-31-23 O/S DETAIL	Open	7,584.00	0.00		
		23-00975	04/06/23	PAY PERIOD 4/14/23 O/S DETAIL	Open	8,570.00	0.00		
						17,260.00			
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR								
		23-00045	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GLENC001	GLENCO SUPPLY, INC	23-00403	02/10/23	OPEN FOR 2023	Open	455.00	0.00		B
GM001	G&M TROPHY CO, INC	23-00563	02/15/23	EDWIN PALENZUELA	Open	5.00	0.00		
GPC001	GENUINE PARTS COMPANY INC	23-00044	01/09/23	OPEN FOR 2023	Open	2,979.22	0.00		B
		23-00375	02/07/23	OPEN FOR 2023	Open	1,505.35	0.00		B
		23-00594	02/22/23	HYDRAULIC HOSES	Open	5,438.40	0.00		
						9,922.97			
GRAS002	JANICE GRASSO	23-00897	03/27/23	CELL PHONE REIMBURSEMENT	Open	90.00	0.00		
GWL001	GEORGE WALL LINCOLN MERCURY, IN	23-00762	03/09/23	2019 Recvan 3- keys programmed	Open	588.74	0.00		
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA	23-00687	03/02/23	AYR Wellness Escrow #1579	Open	907.50	0.00		
		23-00758	03/08/23	A&P Pork Escrow #1571	Open	123.75	0.00		
						1,031.25			
HOMED01	HOME DEPOT/6035322538819545	23-00698	03/02/23	TIRAMISUBEST2.95x1.9ft brown	Open	529.17	0.00		
		23-00872	03/22/23	1.4inx3/4inx3ft14ggepost	Open	141.00	0.00		
		23-00874	03/22/23	Outdoor storage box PASB230-0	Open	249.00	0.00		
						919.17			
INDW002	10 INDUSTRIAL WAY EAST	23-00765	03/09/23	RELEASE DEVELOPERS ESCROW	Open	10,048.99	0.00		
JERS001	JCP&L	23-00940	03/31/23	BORO ELECTRIC MASTER ACCT	Open	436.44	0.00		
		23-01005	04/11/23	BORO STREET LIGHTING USAGE	Open	651.61	0.00		
		23-01006	04/11/23	BORO ELECTRIC USAGE	Open	331.49	0.00		
						1,419.54			
JFWLL001	JOSEPH FAZZIO-HOWELL LLC	23-00051	01/09/23	OPEN FOR 2023	Open	939.78	0.00		B
JGC001	John Guire Supply LLC	23-00158	01/18/23	OPEN FOR 2023	Open	172.20	0.00		B
JJSAS005	JJS ASSETPARTNERS	23-00552	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
JOHNS006	JOHN SANDERS	23-00833	03/17/23	WALKING DEAD - FIRE WATCH	Open	472.50	0.00		
JULIE001	JULIE MARTIN	23-00888	03/24/23	REIMBURSMENT	Open	116.99	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
KBS001	K.B.D. SUPPLY LLC	23-00890	03/27/23		Open	1,716.05	0.00		
KEPWE005	KEPWEL SPRING WATER CO, INC	23-00018	01/06/23		Open	55.00	0.00		B
KLEIN1	KENNETH KLEINMAN	23-00898	03/27/23	MEDICARE REIMBURSEMENT 2023	Open	230.80	0.00		
KLEINE01	EILEEN KLEINMAN	23-00899	03/27/23	MEDICARE REIMBURSEMENT 2023	Open	230.80	0.00		
LAW002	LAWMEN-MUNICIPAL EMERG SVCS	23-00124	01/13/23	Body Armor	Open	11,463.80	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC	23-00844	03/20/23	AYR WELLNESS ESCROW #1579	Open	1,350.00	0.00		
LEEDC005	LEED, CHRISTOPHER	23-00421	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
MARGA005	MARGARET LOUISE SANDBACH	23-00807	03/15/23	WARREN SANDBACH LIFE INSURANCE	Open	5,000.00	0.00		
MAZ003	MAZZA RECYCLING SERVICES INC	23-00725	03/07/23	FEBRUARY 23 BULKY WASTE	Open	2,459.78	0.00		
MCMAS005	MCMASTER CARR SUPPLY COMPANY	23-00736	03/08/23		Open	27.73	0.00		
		23-00800	03/15/23		Open	177.43	0.00		
						205.16			
MCT001	MONMOUTH COUNTY TREASURER	23-00729	03/07/23	MUNICIPAL WASTE	Open	958.23	0.00		
MOKAI005	MOKAI, ITZIK	23-00459	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
MON002	MONMOUTH BUILDING CENTER	23-00054	01/09/23	OPEN FOR 2023	Open	40.78	0.00		B
MONMO005	MONMOUTH COUNTY PUBLIC WORKS	22-02810	12/05/22	VEHICLE WASH	Open	90.00	0.00		
MRK001	MR KEYS INC	23-00014	01/06/23		Open	645.00	0.00		B
MYS001	JEFF MYSKOWSKI	23-00859	03/21/23	WALKING DEAD - FIRE WATCH	Open	840.00	0.00		
NINA001	NINA BERNARDO	23-00851	03/21/23	EYEGLASSS REIMBURSEMENT	Open	600.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJAWC001	NEW JERSEY AMERICAN WATER								
		23-01004	04/11/23	BORO FIRE HYDRANTS WATER USE	Open	16,433.10	0.00		
NJB001	VERIZON								
		23-00939	03/31/23	BORO MAIN PHONE SERVICES	Open	9,849.47	0.00		
		23-01000	04/11/23	POLICE CELL TOWER/ANTENNA	Open	1,475.94	0.00		
						11,325.41			
NJFE001	NEW JERSEY FIRE EQUIPMENT CO.								
		23-00817	03/15/23	FIRE DEPT ER REPAIR SCBA	Open	193.54	0.00		
NJN001	NJ NATURAL GAS CO.								
		23-00942	03/31/23	BORO MONTHLY GAS USAGE	Open	7,021.43	0.00		
NJSHD001	NEW JERSEY STATE VET HEALTH DE								
		23-00929	03/31/23	MONTHLY DOG REPORT - MARCH	Open	31.80	0.00		
NOTER005	NOTERILE, CHRIS								
		23-00553	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
OCEAN011	OCEAN FITNESS EQUIPMENT								
		22-02471	10/20/22	Gym Equipment	Open	2,227.50	0.00		
OLI002	OLIWA & COMPANY								
		22-02922	12/23/22	BORO AUDITOR SERVICES	Open	7,000.00	0.00		B
OTOOL005	O'TOOLE SCRIVO, LLC								
		23-00871	03/22/23	LABOR COUNSEL FEES	Open	175.00	0.00		
OUT003	OUTSTANDING SERVICE CO., INC.								
		23-00597	02/22/23	CHECK TANKS-WATER AND CONTAMIN	Open	111.90	0.00		
PAGE005	PAGE SEED CO.								
		23-00250	01/25/23	BEAUTIFY EATONTOWN PURCHASES	Open	115.61	0.00		
PASHSTEI	PASHMAN STEIN WALDER HAYDEN								
		23-00955	04/05/23	FEBRUARY 2023-GENERAL	Open	12,125.14	0.00		
		23-00957	04/05/23	FEBRUARY 2023-RETAINER	Open	1,541.66	0.00		
		23-00959	04/05/23	FEBRUARY 2023-TAX APPEALS	Open	2,596.50	0.00		
		23-00960	04/05/23	EATONTOWN ADV.FRESH DISPENSARY	Open	3,780.00	0.00		
		23-00961	04/05/23	MONMOUTH MALL REDEVELOPMENT	Open	1,592.50	0.00		
						21,635.80			
PAY003	LOUISE M. PAYNE								
		23-00895	03/27/23	MEDICARE INS REIMBURSEMENT	Open	318.64	0.00		
PCR001	P.C. RICHARD & SON								
		23-00876	03/22/23	MacBook Air w m2 chip	open	1,499.00	0.00		
PCREC002	JANICE GRASSO								
		23-00849	03/20/23	Petty Cash	Open	251.85	0.00		

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PETR002 PETRO. KING SERVICE							
23-00596	02/22/23	REPAIR #1 GAS AND CHECK FUELMA	Open	740.00	0.00		
PIR002 JERSEY SHORE PIRATES							
23-00601	02/22/23	Rec Camp Trip Deposit \$150.	Open	150.00	0.00		
PROCA006 PRO CAP 8, LLC							
23-00659	02/28/23		Open	3,505.09	0.00		
23-00682	03/02/23	Redemption of lien	Open	2,840.46	0.00		
23-00768	03/10/23	Redemption of Lien	Open	<u>2,836.91</u>	0.00		
				9,182.46			
QUAD01 QUADIENT LEASE							
23-00185	01/19/23	BORO MAIL MACHINE	Open	501.75	0.00		
23-00966	04/05/23	BORO MAIL MACHINE LEASE	Open	<u>501.75</u>	0.00		
				1,003.50			
REP001 REPUBLIC SERVICES							
23-00881	03/24/23	RESI SERVICE APRIL 2023	Open	74,872.63	0.00		
REPT001 REPUBLIC SERVICES							
23-00797	03/14/23	FEBRUARY 2023 TONNAGE	Open	18,121.55	0.00		
23-00880	03/24/23	FEB 2023 TONNAGE	Open	5,202.95	0.00		
23-00903	03/28/23	FEBRUARY 2023 TONNAGE	Open	<u>17,425.58</u>	0.00		
				40,750.08			
RHEL005 R HELFRICH & SON CHARTER BUS							
23-00831	03/16/23	April 2023 AC Trip	Open	950.00	0.00		
RICOH005 RICOH USA, INC							
23-00913	03/28/23	FINANCE MONTHLY COPIER LEASE	Open	166.75	0.00		
RJ001 R&J CONTROL, INC							
23-00313	02/01/23		Open	1,075.00	0.00		
ROBSON01 ROBSON CORPATION							
23-00187	01/19/23	LIBRARY PURCHASE SHIPPING FEE	Open	16.00	0.00		
RRSD001 ROTO-ROOTER SEWER & DRAIN SVC							
22-00630	03/11/22		Open	5,400.00	0.00		
SBEE001 SUNNY BUNNY EASTER EGGS							
23-00566	02/15/23	2cases 1000 eggs w candy	Open	576.00	0.00		
SCH001 T&M ASSOCIATES							
21-01755	08/06/21	INDUSTRIAL WAY WEST	Open	370.47	0.00		B
22-02764	11/28/22	EATONTOWN INV ESCROW #1558	Open	505.00	0.00		
23-00689	03/02/23	Amnd Mon Plaza Escrow #1525	Open	1,355.50	0.00		
23-00931	03/31/23	MM Parking Garage Escrow 1573	Open	959.50	0.00		
23-00993	04/10/23	3.23 ROAD OPENING ESCROW #5555	Open	<u>15,875.96</u>	0.00		
				19,066.43			

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SEA002	SEABOARD WELDING SUPPLY, INC.								
		22-02554	10/28/22	OPEN FOR 2022	Open	290.50	0.00		B
		23-00404	02/10/23	OPEN FOR 2023 - NON RENTAL	Open	412.63	0.00		B
						703.13			
SEC002	THYSSEN KRUPP ELEVATOR								
		23-00792	03/14/23		Open	983.08	0.00		
SIC003	STANDARD INSURANCE COMPANY INC								
		23-00829	03/16/23	MARCH 2023 STD PREMUI	Open	2,903.74	0.00		
		23-00830	03/16/23	MARCH 2023 TRUCK & HOSE	Open	310.63	0.00		
						3,214.37			
STA001	STAVOLA CONTRACTING CO. INC.								
		23-00325	02/01/23	OPEN FOR 2023	Open	330.00	0.00		B
STAP003	STAPLES ADVANTAGE								
		23-00781	03/13/23	FIRE PREVENTION OFFICE SUPPLY	Open	129.99	0.00		
		23-00782	03/13/23	COMMUNITY CENTER OFFICE SUPPLY	Open	216.37	0.00		
		23-00783	03/13/23	BUILDING DEPT OFFICE SUPPLIES	Open	243.05	0.00		
		23-00784	03/13/23	FIRST AID OFFICE SUPPLIES	Open	547.86	0.00		
		23-00785	03/13/23	RECREATION OFFICE SUPPLIES	Open	49.62	0.00		
		23-00786	03/13/23	FINANCE/CLERK CLEANING SUPPLY	Open	250.99	0.00		
		23-00787	03/13/23	FINANCE OFFICE SUPPLY/BUILD	Open	111.35	0.00		
		23-00908	03/28/23	FINANCE OFFICE SUPPLIES	Open	92.90	0.00		
		23-00910	03/28/23	SENIOR CENTER OFFICE SUPPLIES	Open	74.92	0.00		
		23-00917	03/28/23	BUILDING DEPT DCA SUPPLIES	Open	470.04	0.00		
						2,187.09			
STORR001	STORR TRACTOR COMPANY								
		23-00595	02/22/23	SPRING SET	Open	160.00	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC								
		23-00695	03/02/23	NEW PRINTER-HP LASERJET	Open	849.00	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT								
		23-00342	02/06/23	Monthly service 47 Broad Stree	Open	75.00	0.00		B
		23-00901	03/28/23		Open	700.00	0.00		
						775.00			
TIMEP005	TIMEPAYMENT CORP								
		23-00822	03/15/23	BORO WATER COOLER LEASE	Open	179.70	0.00		
		23-00911	03/28/23	PUBLIC WORKS COOLER LEASE	Open	89.85	0.00		
						269.55			
TITLE006	TITLE TRUST, LLC								
		23-00846	03/20/23	DOWNPAYMENT ASSISTANCE LOAN	Open	5,000.00	0.00		
TOWNBAGE	TOWN BAGEL AND GRILL								
		22-01091	05/09/22	PARK DEDICATION	Open	130.00	0.00		
		23-00712	03/06/23	1 1/2 DOZEN MINI BAGELS	Open	36.67	0.00		
						166.67			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TRAN006	TRAN, DUY	23-00430	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
TREA001	TREASURER, STATE NJ	23-00406	02/13/23	LICENSE RENEWAL - WEIGERS	Open	91.00	0.00		
TRINI005	TRINITY GIRLS LLC	23-00540	02/14/23	BUSINESS INSURANCE REIMBURSMEN	Open	200.00	0.00		
TRIU001	TRIU, INC	23-00061	01/09/23	OPEN FOR 2023	Open	638.70	0.00		B
UPS003	UPS	23-00916	03/28/23	FIRE DEPT RETURN PARTS	Open	17.40	0.00		
VBFO01	VERIZON BUSINESS FIOS	23-00938	03/31/23	FIREHOUSE FIOS SERVICES	Open	409.80	0.00		
WORLD001	WORLD JEEP LLC	23-00062	01/09/23	OPEN FOR 2023	Open	264.00	0.00		B
WWG001	GRAINGER INC	23-00046	01/09/23	OPEN FOR 2023	Open	631.35	0.00		B
Total Purchase Orders: 195 Total P.O. Line Items: 0 Total List Amount: 721,630.69 Total Void Amount: 0.00									

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	13,034.59	0.00	13,034.59	0.00	0.00	13,034.59
CURRENT FUND:	3-01	599,614.84	0.00	599,614.84	1,325.00	0.00	600,939.84
GENERAL CAPITAL F	C-04	5,770.47	0.00	5,770.47	0.00	0.00	5,770.47
GRANT FUND	G-02	1,499.00	0.00	1,499.00	0.00	0.00	1,499.00
	T-12	31.80	0.00	31.80	0.00	0.00	31.80
	T-15	77,908.29	0.00	77,908.29	0.00	0.00	77,908.29
	T-17	22,446.70	0.00	22,446.70	0.00	0.00	22,446.70
Year Total:		100,386.79	0.00	100,386.79	0.00	0.00	100,386.79
Total of All Funds:		720,305.69	0.00	720,305.69	1,325.00	0.00	721,630.69

ORDINANCE 11-2023

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

**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTERS 21 AND 31 OF
THE BOROUGH CODE WAIVING CERTAIN FEES FOR SURVIVING SPOUSES OF FIRE
DEPARTMENT MEMBERS, OFFICE OF EMERGENCY MANAGEMENT MEMBERS, COMMUNITY
EMERGENCY RESPONSE TEAM MEMBERS, AND FIRST AID SQUAD MEMBERS**

WHEREAS, the Borough Code currently exempts Fire Department members, Office of Emergency Management members, Community Emergency Response Team Members, and First Aid Squad Members (the "Public Safety Volunteers) from certain Borough fees, including recreational activity fees, Uniform Construction Code fees, licensing fees, and zoning permit application fees as a reward and an incentive for their service to the community; and

WHEREAS, the Borough Council wants to extend these fee exemptions to the surviving spouse of the Public Safety Volunteers in the instance of the unfortunate passing of the Public Safety Volunteers to continue to recognize and thank the important public safety services they have performed on behalf of all Borough residents.

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 Chapter 21 "Emergency Medical Services Department", Section 21-19 "Incentives" and Chapter 31 "Fire Department, Article IV "Incentives", Section 31-37 "Enumeration of Incentives" as follows:

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

Chapter 21, Emergency "Medical Services Department", Section 21-19: "Incentives":

- A. All active First Aid Squad members and their ~~families~~ surviving spouses shall be entitled to the following benefits: (1) Exemption from all recreational activity fees paid to the Borough; (2) Exemptions from the municipal portion of the Uniform Construction Code fees consisting of any construction demolition, plumbing, electrical or certificate of occupancy application fees; (3) Exemption from licensing fees, including but not limited to dog license, marriage license, garage sale permits, and any other licensing instituted by the Borough. (4) Exemption from the zoning permit application fee.
- B. First Aid Squad members and their surviving spouses shall pay all other municipal fees, including, by way of example: (1)-(8) No changes.

Chapter 31 "Fire Department", Article IV Incentives, Section 31-37 (A) "Enumeration of Incentives"

- A. All active Fire Department members, Office of Emergency Management members, and members of the Community Emergency Response Team (CERT), and ~~as well as their families~~ surviving spouses, shall be entitled to the following benefits: (1) Exemption from all recreational activity fees paid to the Borough; (2) Exemptions from the municipal portion of the Uniform Construction Code fees consisting of any construction demolition, plumbing, electrical or certificate of occupancy application fees; (3) Exemption from licensing fees, including but not limited to dog license, marriage license, garage sale permits, and any other licensing instituted by the Borough. (4) Exemption from the zoning permit application fee.
- B. All active Fire Department members, Office of Emergency Management Members, and Members of the Community Emergency Response Team (CERT), ~~as well as their families,~~ and their surviving spouses shall pay all other municipal fees, including, by way of example: (1)-(8) no changes.

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: APRIL 12, 2023
PUBLIC HEARING: APRIL 26, 2023

APPROVED:

ATTEST

ORDINANCE 12-2023

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

**ORDINANCE OF THE BOROUGH OF EATONTOWN TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Eatontown in the County of Monmouth finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$859,363.82 of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Eatontown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$859,363.82 and that the CY 2023 municipal budget for the Borough of Eatontown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

DATE INTRODUCED: April 12, 2023
PUBLIC HEARING: May 10, 2023

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

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

	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 the regular meeting held on April 12, 2023.

Julie Martin, RMC, Borough Clerk

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

BE IT FURTHER RESOLVED that said budget be published in **The Asbury Park Press** on Tuesday, April 18, 2023. The governing body of the Borough of Eatontown does hereby approve the following as the budget for the year 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 April 12, 2023.

Julie Martin, RMC, Borough Clerk

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

BE IT RESOLVED that the following appointment to the professional position for the Borough of Eatontown for the term of 4/12/2023-12/31/2023 is hereby confirmed:

NW Financial Group, LLC

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

CERTIFICATION

I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on April 12, 2023.

Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Whereas, the Borough of Eatontown Fire Department had a need for Department members to attend the 2023 Harrisburg Fire Expo in Harrisburg, Pennsylvania from May 19 – May 21, 2023; and

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement of the not to exceed amount of \$581.49 to Assistant Fire Chief Michael P. Johnson for the cost of hotel reservations, expo entrance passes and travel mileage.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan						
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 April 12, 2023.

Julie Martin, RMC, Borough Clerk

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

Whereas, the Borough of Eatontown Finance/Tax Department had a need for Gloria Aderton to attend and undertake Tax Collection III Classes (July/August 2023).

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement to Gloria Aderton in an amount not to exceed \$1,129.00 for the Tax Collection III classes.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan						
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 April 12, 2023.

 Julie Martin, RMC, Borough Clerk

RESOLUTION 89-2023

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

A RESOLUTION OF THE BOROUGH OF EATONOWN RECOGNIZING NJ LOCAL GOVERNMENT WEEK, APRIL 16-22, 2023, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES

WHEREAS, local government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, local government provides services and programs that enhance the quality of life for residents, making their municipality their home; and

WHEREAS, local government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, local government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, NJ Local Government Week offers an important opportunity for elected officials and local government staff to spread the word to all citizens of New Jersey that they can shape and influence this branch of government; and

WHEREAS, the NJ State League of Municipalities and its member municipalities have joined together to teach citizens about municipal government through a variety of activities.

NOW, THEREFORE, BE IT RESOLVED BY EATONTOWN BOROUGH AS FOLLOWS:

Section 1. That Eatontown Borough encourages all citizens, local government officials, and employees to participate in events that recognize and celebrate NJ Local Government Week.

Section 2. That Eatontown Borough encourages educational partnerships between local government and schools, as well as civic groups and other organizations.

Section 3. That Eatontown Borough supports and encourages all New Jersey local governments to actively promote and sponsor NJ Local Government Week.

	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 the regular meeting held on April 12, 2023.

Julie Martin, RMC, Borough Clerk

**RESOLUTION 90-2023
BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**AUTHORIZING THE BOROUGH OF EATONTOWN TO FURTHER PARTICIPATE IN THE NATIONWIDE SETTLEMENT AGREEMENTS
TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE UNITED STATES OPIOID CRISIS**

WHEREAS, the ongoing opioid crisis in America has had a devastating effect on individuals and communities, including many residents of the Borough of Eatontown; and

WHEREAS, the State of New Jersey is a party to a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in the National Prescription Opiate Litigation, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio (the "Opioid Litigation"); and

WHEREAS, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with the New Jersey based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country's opioid crisis; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, but the settlements will also provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, the proposed settlements require the Defendants in the Opioid Litigation to pay up to \$26 billion over 18 years (the "Settlement Amount"); the Settlement Amount is earmarked for use by participating states and subdivisions to remediate and change its distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;" and

WHEREAS, a significant number of states, county, and municipal governments nationwide must agree to the proposed terms which includes the payment of approximately \$22.7 billion, for the settlements to take effect; and

WHEREAS, the State of New Jersey has opted into the settlement and it advises that if enough political subdivisions, i.e. municipalities and counties participate in the settlement, it could be paid as much as \$628 million; and

WHEREAS, the Borough, as a municipality with a population more than 10,000 residents can join in the settlement by registering as directed by the State of New Jersey and the Borough's share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and municipality, and effects of the opioid epidemic on each participating community; and

WHEREAS, the Borough adopted Resolution 32-2022 authorizing the Borough's participation in the Opioid Litigation settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen and the Business Administrator registered the Borough to participate in the Opioid Litigation settlement agreements with these entities resulting in the payment of settlement proceeds to the Borough;

WHEREAS, the Borough was subsequently advised that the claimants in the Opioid Litigation have entered into settlement agreements with three pharmacy chains - - CVS, Walmart and Walgreens – and two additional manufacturers, - - Allergan and Teva and the participating municipal entities, including the Borough, have been requested to opt in to the settlement with these pharmacy chains and additional manufacturers.

WHEREAS, the Borough believes it is in the best interests of its residents to continue to participate and join in the settlement agreements in the Opioid Litigation to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown that it hereby authorizes the Business Administrator to register and sign into the settlement agreements on behalf of the Borough with CVS, Walmart, Walgreens, Allergan and Teva, and any future settlements reached in the Opioid Litigation.

IT IS FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the Office of the New Jersey Attorney General.

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., a municipality may exclude the public from a meeting of the Municipal Council where the Council intends to discuss certain matters for which privacy is needed in order to protect the public interest or certain enumerated private interests; and

- 1) Contract Negotiations – Monmouth Mall
- 2) Mount Laurel Litigation
- 3) Personnel – Committee Appointment

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 April 12, 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, 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 April 12, 2023.

Julie Martin, RMC, Borough Clerk