

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, July 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. Electric Vehicles and Helmet Requirements (C/Gindi)
3. Tree Clearing Ordinance (C/Araman)
4. **CLOSED SESSION**
 - A. **Resolution 140-2023**
 1. Personnel - Committee Appointments
 2. Contract Negotiations - PBA
 3. Litigation - Fresh Dispensary v. Borough of Eatontown

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting/Closed Session - 6/28/2023
3. **COMMUNICATIONS**
 - A. Borough of Farmingdale, Reso. 2023-65 Support of Senate Bill No. S-3906
 - B. Borough of Farmingdale, Reso. 2023-66 Support of Assembly Bill No. A-4789
 - C. Borough of Sea Bright, Reso. 109-2023 Support of Assembly Bill No. A-4789
 - D. Township of Hazlet, Reso. 190 Support of Assembly Bill No. A-4789
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 16-2023 - An Ordinance amending Chapter 89 "Land Use", Article VII "Area Bulk and Use Requirements" Section 89-52 "Cannabis conditional Use Requirements" and Chapter 200 "Licenses and Permits", Article III "Cannabis Licensing and Taxation" Section 200-7 and 200-11 "Taxation" - **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 19-2023 - Ordinance Amending the Municipal Boundary Between the Borough of Oceanport and Eatontown on Fort Monmouth Property - **First Reading/Introduction (Public Hearing 7/26/23)**
- 2) Ordinance 20-2023 - Bond Ordinance Providing for Various Capital Improvements, Appropriating \$2,520,550 Therefor and Authorizing the Issuance of \$1,402,722 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized In and By the Borough of Eatontown, in the County of Monmouth, New Jersey - **First Reading/Introduction (Public Hearing 7/26/23)**
- 3) Ordinance 21-2023 - Bond Ordinance Reappropriating \$4,367,000 In Excess Bond Proceeds Not Needed for their Original Purposes in Order to Finance the Cost of Various Capital Improvements and Acquisitions, Authorized In and By The Borough of Eatontown, in the County of Monmouth, New Jersey - **First Reading/Introduction (Public Hearing 7/26/23)**

B. RESOLUTION (rc)

- 1) Resolution 141-2023 - Cancelling Unfunded Portion of an Appropriation and Debt Authorization for Bond Ord. 14-2021

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 142-2023 - Requesting Change in Title, Text or Amount of Appropriation Pursuant to NJSA 40A:4-85
- 2) Resolution 143-2023 - Adopting Cash Management Plan of the Borough of Eatontown
- 3) Resolution 144-2023 - Auth. Federal Work-Study Off Campus Employment Agreement, Monmouth University
- 4) Resolution 145-2023 - Auth. the Rehabilitation of 22 Meadowbrook Avenue
- 5) Resolution 146-2023 - Auth. Purchase of Entrance Gate Operator Replacement/Accessories, 250 Pinebrook (\$18,206)
- 6) Resolution 147-2023 - Extending Grace Period for Payment of 3rd Quarter 2023 Taxes
- 7) Resolution 148-2023 - Approval to Submit Grant Application to NJ DOT, Industrial Way West Resurfacing Phase 5
- 8) Resolution 149-2023 - Auth. Engineer to Prepare Bids, Collection, Removal and Disposal of Household Waste/Recycling
- 9) Resolution 150-2023 - Auth. Sale of Municipal Personal Property Through On-Line Auction (DPW/PD)

D. CONSENT AGENDA MOTIONS (vv)

- 1) Acceptance of Tax Collector Report, June 2023
- 2) Acceptance of Planning/Zoning Report, June 2023

11. REMARKS OF COUNCIL AND CITIZENS

12. ADJOURNMENT (vv)

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

**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

WHEREAS, it is necessary for the Mayor and Council of the Borough of Eatontown to discuss in session not open to the public certain matters that are required by law to be confidential, more specifically:

- 1) Personnel – Committee Appointments
- 2) Contract Negotiations – PBA
- 3) Litigation – Fresh Dispensary v. Borough of Eatontown

WHEREAS, it is anticipated that the minutes from the deliberations conducted in closed session may be disclosed to the public upon the determination that the public interest will no longer be served by such confidentiality.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the above-referenced executive session to be held closed to the public, on July 12, 2023.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember						
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 July 12, 2023.

 Julie Martin, Borough Clerk

ORDINANCE 16-2023

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

AN ORDINANCE AMENDING CHAPTER 89 "LAND USE", ARTICLE VII "AREA BULK AND USE REQUIREMENTS", SECTION 89-52 "CANNABIS CONDITIONAL USE REQUIREMENTS" AND CHAPTER 200 "LICENSES AND PERMITS", ARTICLE III "CANNABIS LICENSING AND TAXATION" SECTION 200-7 AND 200-11 "TAXATION"

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" ("the Act") (P.L. 2021, c.16), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses to cultivate, manufacture, wholesale, distribute, sell and deliver cannabis and cannabis related products; and

WHEREAS, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (or by August 22, 2021); and

WHEREAS, the Borough Council adopted Ordinance 19-2021 authorizing no more than two of each Class 1-Cannabis Cultivator facilities, Class 2-Cannabis Manufacturer facilities, Class 3-Cannabis Wholesaler facilities, Class 4-Cannabis Distributor facilities; and three Class-5 Retailer establishments inclusive of the existing Alternative Treatment Center which was deemed to concurrently hold a Class 5 Retail License pursuant to the Act.

WHEREAS, the Borough Council of the Borough of Eatontown has determined that it is in the public interest to expand the number of cannabis licenses to four within each Class including the requirement of a Microbusiness for Classes 1 through to enhance tax revenue from cannabis and to otherwise clarify certain conditions within the Cannabis Ordinance.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown that the Borough Code of the Borough of Eatontown be and is hereby amended as follows:

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

SECTION 1.

89-4- DEFINITIONS – is hereby amended to add the following:

"School means a public or private school or that portion of a public or private school which provides facilities for teaching any grade from kindergarten through grade twelve."

SECTION 2. Chapter 89, Section 52 entitled "Cannabis Conditional Use Requirements" is hereby amended as follows:

Section 89-52 -Cannabis Conditional Use Requirements

Cannabis Class uses, (other than Alternative Treatment Centers) shall be permitted as a Conditional Use given the following conditions:

- A. [No changes].
- B. Location. The permitted location of such uses shall be in accordance with the current NJ State requirements in addition to the following:
- 1 Class 1, 2, 3 and 4 (non-Microbusiness facilities) shall be located on Industrial Way West and Industrial Way East to Wall Street. Class 1, 2, 3 and 4 Microbusiness facilities shall be located on Meridian Road, Corbett Way, Christopher Way and James Way.
 - 2 Class 5 shall be located on Route 36 and on Route 35 both south of the intersection with Route 36 and north of the intersection with Route 36 until the south corner of Clinton Avenue.
 - i. Class 5 cannabis retail facilities ~~and is not to be located less than 1,000 feet from a school on the same side or opposite of the street~~ shall be located a minimum of a 1,000 feet radius from any property line of a Class 5 retail facility to any property line of a School or Day-Care Center. This measurement shall not apply to properties on the opposite side of a divided State Highway.
 - ii. Class 5 cannabis retail facilities shall also be located a minimum of a 1,000 feet radius from any property line of such facility to any property line of another Class 5 cannabis retail facility.
 - 3 [No change]
- C. [No changes].
- D. Quantity. The maximum permitted number of Class 5 Cannabis Retail establishments within the Borough of Eatontown is ~~three (3)~~, four (4) inclusive of the existing Alternative Treatment Center which is deemed to concurrently hold a Class 5 Retail License pursuant to the Act. There shall be no more than ~~two-three~~ of each Class 1-Cannabis Cultivator facilities, Class 2-Cannabis Manufacturer facilities, Class 3-Cannabis Wholesaler facilities, and Class 4-Cannabis Distributor facilities. Notwithstanding this limitation on the number of Class 1, 2, 3, and 4 Cannabis facilities, there shall be one additional Microbusiness permitted for each Class 1-Cannabis Cultivator facilities, Class 2-Cannabis Manufacturer facilities, Class 3-Cannabis Wholesaler facilities, and Class 4-Cannabis Distributor facilities.
- E. [No changes].

SECTION 3.

Article III

Cannabis Licenses and Permits, Chapter 200-7 is hereby amended as follows:

- A. [No change].
- B. All licenses required by this article shall be issued by the Borough Clerk upon the adoption of a Resolution by the Borough Council authorizing the issuance of a Class 1, 2, 3, 4 or 5 cannabis license including a Microbusiness.
- C. [No change].
- D. [No change].
- E. [No change].
- F. In order to be eligible for the issuance of a license to operate a Class 1, 2, 3, 4 or 5 license, including a license to operate a Microbusiness authorized hereunder, the applicant shall provide the Borough with proof of the following:
1. Resolution of Support issued by the Borough Council supporting issuance of license for a Class 1, 2, 3, 4 or 5 license from Cannabis Regulatory Commission at a location consistent with this Ordinance.
 2. License to operate a Class 1, 2, 3, 4, or 5 issued by the Cannabis Regulatory Commission at a location consistent with the Resolution of Support issued by the Borough Council consistent with this Ordinance.
 3. Proof of site control for the location proposed for the cannabis facility through either proof of ownership of the property or a lease in effect for at least the period the license is effective.

4. Approval from Planning Board, if required, and Zoning Officer for location and operation of cannabis facility, from which cannabis operations will occur.

Upon issuance of the license by the Borough Clerk upon authorization from the Borough Council, the license shall remain in effect for one year, subject to annual renewal, as set forth in this Ordinance. If the approved Class 1, 2, 3, 4 or 5 Cannabis facility is not operational within one year, the license shall lapse and be eligible for other Cannabis operators within the particular class of operation, unless the Cannabis Licensee demonstrates good cause for not being operational within one year. At a minimum, in order for good cause to exist as it relates to the renewal of a cannabis license, the Cannabis Licensee shall provide at least three updates to the Borough Council, via the Borough Clerk, nine months prior, six months prior and three months prior to the license lapsing and/or renewing. The purpose of these updates is to update the Borough Council of any delays in bringing the operation into existence and how the Licensee operated in good faith to mitigate against any delays preventing the Cannabis Licensee from becoming operational.

Section 4.

Chapter 200-11 entitled "Taxation" is hereby created as follows:

200-11. Taxation.

1. Cannabis products will be subject to the State sales tax and, as authorized by the Legislature, local cannabis tax of 2% for cannabis cultivator, manufacturer, and/or retailer; and 1% for wholesalers. The tax percentage is based on the receipts for each sale and will be paid directly to the Borough ~~municipality in the manner prescribed by the Borough~~ in quarterly payments due on January 5, April 5, July 5 and October 5 of each year for receipts generated the previous three months. Any delinquencies are treated the same as delinquent property taxes and any delinquencies of more than 30 days shall result in the revocation of the Borough issued license thereby precluding operation off the facility until such time as the delinquency is cured. The cannabis operator shall be given notice of the delinquency by the Borough and shall have 10 days to cure before the license is revoked. Delinquencies greater than 30 days shall be charged at the same interest rate as delinquent property taxes, then in effect. Any legal cost to recover delinquent payments, shall be charged to the licensee and payable to the Borough with the following quarter's payment. The local tax does not apply to delivery services to consumers transfers for the purpose of bulk transportation.

The remainder of all other sections and subsections of the ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 4

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 5.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 6.

This Ordinance shall take effect upon its passage and publication according to law.

DATE INTRODUCED: JUNE 28, 2023

PUBLIC HEARING:

July 10, 2023
02:47 PM

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
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
8X8IN005	8X8 INC	23-01674	07/06/23	BORO MONTHLY PHONE SYSTEM USE	Open	2,467.84	0.00		
ACTI005	ACTION UNIFORM CO, LLC	22-02161	09/21/22	Class A & SLEO 2 2022 Uniforms	Open	723.00	0.00		B
AMAZ005	AMAZON.COM #A3898AWA7QWVMO	23-01661	07/06/23	Prime Business Membership Fee	Open	179.00	0.00		
AMER1001	AMERIFLEX BUSINESS SOLUTIONS	23-00950	04/04/23	FSA/COBRA ADMIN FEES 2023	Open	115.00	0.00		B
ANNH001	ANN HOWELL	23-00526	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
APP002	GANNETT NJ NEWSPAPERS	23-01236	05/11/23	LEGAL ADVERTISEMENTS	Open	224.40	0.00		B
ARC002	A. R. COMMUNICATIONS	22-01875	08/15/22	FIRST AID RADIO BATTERIES	Open	500.00	0.00		
		23-00816	03/15/23	OEM REPLACEMENT BATTERIES	Open	600.00	0.00		
						1,100.00			
ARNONE01	JOAN ARNONE	23-00289	01/26/23	2023 SHBP REIMBURSEMENT RETIREE	Open	1,385.54	0.00		B
		23-00510	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
						1,880.24			
ASCAP001	ASCAP	23-00146	01/17/23	2023 ASCAP LICENSE	Open	442.08	0.00		
ASFI001	ATLANTIC SECURITY & FIRE, INC.	23-01489	06/12/23		Open	506.85	0.00		
BECK001	BECKER'S SCHOOL SUPPLIES	23-01410	06/02/23	ITEM #508604	Open	15.63	0.00		
BELOP005	BELO PIZZERIA	23-01499	06/14/23	7 large plain pizzas	Open	96.50	0.00		
BEN002	DALE BENNETT	23-00968	04/05/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
BENNG01	GWEN E BENNETT	23-00967	04/05/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BTF001	BOROUGH OF TINTON FALLS	23-01637	07/05/23	2023 SHARED SERVICES COURT	Open	76,674.75	0.00		
CAG001	CLEARY, GIACOBBE, ALFIERI & JACO	23-01354	05/24/23	BORO MUNICIPAL PROSECUTOR	Open	3,000.00	0.00		
CENTR015	CENTRAL JERSEY/CARBON URGENT	23-00189	01/19/23	Pre-employment Physicals	Open	200.00	0.00		
CHAS001	ARTHUR F. CHASEY, JR.	23-00260	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CINQ003	JOE CINQUEGRANA	23-01579	06/26/23	WOOBOOT REIMBURSEMENT	Open	139.99	0.00		
CKC001	CAROL K. CHASEY	23-00259	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
COLLE005	COLLEEN MATTHEWS	23-01569	06/23/23	MEETING REIMBURSEMENT	Open	56.04	0.00		
COM006	COMCAST BUSINESS	23-01700	07/10/23	BORO INTERNET SERVICES	Open	779.25	0.00		
COMC004	COMCAST	23-01666	07/06/23	BORO SPC VIDEO ACCOUNT	Open	136.38	0.00		
CONF001	CONTINENTAL FIRE & SAFETY, INC	23-01524	06/16/23	FIRE DEPT ADAPTERS FOR HOSES	Open	212.00	0.00		
CSUT001	CAROL SUTPHIN	23-00276	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
DANIE020	DANIELLE M. JONES	23-01526	06/16/23	REIMBURSEMENT FOR PHOTOCOPIES	Open	10.53	0.00		
		23-01620	06/29/23	REIMBURSEMENT-PRINTING	Open	34.77	0.00		
						45.30			
DEADY002	FLORA DEADY	23-00533	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
DOBR001	JOHN DOBROWOLSKI	23-00267	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
EAT004	EATONTOWN MEDICAL ASSOCIATES	23-01527	06/16/23	FIRST AID NEW MEMBER PHYSICAL	Open	60.00	0.00		
ELITE011	ELITE CLEANERS LS, LLC	23-01453	06/08/23	Final Bill May 2023	Open	370.50	0.00		
EXTEC005	EXTECH BUILDING MATERIALS	23-00989	04/10/23		Open	543.12	0.00		

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
EXTEC005	EXTECH BUILDING MATERIALS			Continued					
		23-01374	05/26/23		Open	89.08	0.00		B
						632.20			
FARY003	DOROTHY FARY								
		23-00818	03/15/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
FMERA001	FMERA								
		23-01665	07/06/23	STREET LIGHTS SERVICE FORT	Open	382.20	0.00		
FOO001	SAKER SHOPRITES, INC.								
		23-01226	05/10/23	AFTERCARE JUNE SNACKS	Open	240.26	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-01600	06/28/23	PAY PERIOD 7-7-23 O/S DETAIL	Open	8,286.00	0.00		
HENN002	RYAN HENNELLY								
		23-01563	06/22/23	EYEGLASS REIMBURSEMENT	Open	204.04	0.00		
HOMED01	HOME DEPOT/6035322538819545								
		23-00048	01/09/23	OPEN FOR 2023	Open	276.94	0.00		B
		23-01498	06/14/23	Summer Camp Items	Open	234.87	0.00		
						511.81			
HOW001	WALTER HOWELL								
		23-00520	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
IBPC001	IMPERIAL BAG & PAPER CO LLC								
		22-02477	10/20/22	ITEM # SX6DI	Open	452.49	0.00		
IFP001	INSTITUTE FOR FORENSIC PSYCHOL								
		23-01327	05/23/23	Psychological Exams	Open	1,425.00	0.00		
IMP001	IMPRINT SHOP LLC								
		23-01496	06/13/23	M353W - 2 lt blue 1-white	Open	90.00	0.00		
INT001	INTERSTATE BATTERIES, INC								
		23-01446	06/07/23	EMERG FIRE DEPT BATTERY	Open	839.70	0.00		
ISABE005	ISABELLA LIVERANI								
		23-01629	06/29/23	REIMBURSEMENT FOR BACKGROUND	Open	44.13	0.00		
JERS001	JCP&L								
		23-01670	07/06/23	BORO ELECTRIC MONTHLY USAGE	Open	430.41	0.00		
		23-01671	07/06/23	BORO MONTHLY ELECTRIC SERVICE	Open	666.37	0.00		
						1,096.78			
KSTAUF01	KATHLEEN M. STAUFFER								
		23-00274	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
		23-00288	01/26/23	2023 STATE SHBP REIMB RETIREE	Open	2,237.06	0.00		B
						3,226.16			

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 4

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LAWME005	LAWMEN SUPPLY CO OF NJ	23-00977	04/06/23	Conversion Kit for Launchers	Open	467.57	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC	23-01537	06/19/23	Zoning Board 6.12.2023	Open	450.00	0.00		
LOU001	LOUIS R. MICELI	23-00270	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	1,285.80	0.00		B
MAR001	REPUBLIC SERVICES	23-01533	06/19/23	JUNE 2023 RESIDENTIAL SERVICES	Open	74,872.63	0.00		
MARIA005	MARIA FORNICOLA	23-01562	06/22/23	ORTHODONTIC REIMBURSEMENT 2023	Open	1,500.00	0.00		
MCA001	BARBARA MCAULIFFE	23-00271	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
MCAA016	M.C.A.A.	23-01558	06/21/23	ATTEND THE 17TH ANNUAL	Open	125.00	0.00		
MCANJ01	MUNICIPAL CLERKS ASSOC OF NJ	23-01662	07/06/23	2023-2024 Memberships	Open	250.00	0.00		
MCP004	MONMOUTH COUNTY PARKS	23-01693	07/10/23	FARMERS FIELD DAY CHORES	Open	50.00	0.00		
MCTR001	MONMOUTH COUNTY TREASURER	23-01614	06/29/23	Postage for Elections 2023	Open	838.43	0.00		
MOMU001	MONMOUTH MUSEUM	23-01575	06/23/23	SUMMER CAMP TRIP 7/28/23	Open	117.00	0.00		
MOR002	LINDA MORGAN	23-00507	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
MORBA005	MORBARK LLC	23-00310	01/31/23	DPW TUBGRINEDR CLUTCH	Open	8,000.55	0.00		
MRH001	MONMOUTH REGIONAL H.S. BD. OF	23-01476	06/09/23	Girls Field Hockey Clinic	Open	935.00	0.00		
MRK001	MR KEYS INC	22-01267	06/03/22		Open	50.00	0.00		B
NAU001	KAREN SIANO	23-00504	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
NJAWC001	NEW JERSEY AMERICAN WATER	23-01673	07/06/23	BORO HYDRANT WATER USAGE	Open	16,433.10	0.00		
NJB001	VERIZON	23-01654	07/05/23	BORO MONTHLY PHONE USAGE	Open	9,846.03	0.00		

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 5

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJB001	VERIZON			Continued					
		23-01655	07/05/23	POLICE CELL TOWER/ANTENNA	Open	1,437.77	0.00		
						11,283.80			
NJBUB005	MICHAEL WIEDER								
		23-01572	06/23/23	BUBBLE PARTY ON 7/6/23	Open	350.00	0.00		
NJDL003	NJ DEPT OF LABOR & WORKFORCE D								
		23-01583	06/26/23	FEDERAL UI BENEFIT CHARGES	Open	103.06	0.00		
NJEMA011	NJ EMERGENCY MANAGEMENT ASSOC.								
		23-01366	05/25/23	OEM EMERGENCY MGT SYMPOSIUM	Open	130.00	0.00		
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		23-01561	06/22/23	RFP Banking Services	Open	160.00	0.00		
NJRPA005	NJRPA								
		23-01587	06/26/23	NJRPA Group Membership	Open	675.00	0.00		
NJSHD001	NEW JERSEY STATE VET HEALTH DE								
		23-01618	06/29/23	June 2023 Dog Monthly Report	Open	13.80	0.00		
NOR002	NORTHWIND MECHANICAL SYSTEMS								
		23-00015	01/06/23		Open	929.43	0.00		B
ODELL001	KAREN A ODELL								
		23-00272	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
OLIVIO05	OLIVIA'S II								
		23-00815	03/15/23	FIRE DEPT FOOD VOUCHER	Open	83.25	0.00		B
PASHSTEI	PASHMAN STEIN WALDER HAYDEN								
		23-01611	06/29/23	MAY 2023-GENERAL	Open	11,147.50	0.00		
		23-01612	06/29/23	MAY 2023-TAX APPEALS	Open	1,535.00	0.00		
		23-01613	06/29/23	MAY 2023-RETAINER	Open	1,541.66	0.00		
		23-01615	06/29/23	MONMOUTH MALL REDEVELOPMENT	Open	52.50	0.00		
		23-01616	06/29/23	EATONTOWN ADV.FRESH DISPENSARY	Open	315.00	0.00		
						14,591.66			
PEL002	JOSEPH PELELLA JR								
		23-00512	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
PEL003	SHERYL PELELLA								
		23-00515	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
PIR002	JERSEY SHORE PIRATES								
		23-01213	05/09/23	Pirate Boat Adventure	Open	649.00	0.00		
POORJO05	POOR JOHN'S PORTABLE TOILETS								
		23-00673	03/01/23		Open	732.00	0.00		B
POP001	POPCORN PARK								
		23-01081	04/19/23	SUMMER CAMP TRIP 7/13/23 11AM	Open	100.00	0.00		

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 6

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PROCA006	PRO CAP 78, LLC	23-01573	06/23/23	Cert #22000021 Redemption	Open	2,936.94	0.00		
REPT001	REPUBLIC SERVICES	23-01532	06/19/23	MAY 2023 TONNAGE	Open	6,482.99	0.00		
RHELF005	R HELFRICH & SON CHARTER BUS	23-01540	06/19/23	July Atlantic City Trip	Open	950.00	0.00		
RSTA001	ROBERT G. STAUFFER	23-00273	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
RUTG099	RUTGERS CONTINUING STUDIES GOV	23-01659	07/06/23	CLASSES FOR PURCHASING-DAMODEA	Open	226.00	0.00		
SCH001	T&M ASSOCIATES	21-01756	08/06/21	ADA RAMP UPGRADES/SIDEWALK	Open	2,861.50	0.00		B
		21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	5,335.00	0.00		B
		22-01903	08/16/22	INDUSTRIAL WAY PHASE 3	Open	34,446.50	0.00		B
		23-00995	04/11/23	ENVIRONMENTAL HUSKY BROOK	Open	1,855.25	0.00		B
						44,498.25			
SEC002	THYSSEN KRUPP ELEVATOR	23-01560	06/22/23		Open	983.07	0.00		
SHORIN01	SHORE INFLATABLES	23-01342	05/23/23	ADVENTURE GALLEY	Open	449.00	0.00		
SNAP005	SNAPOLOGY OF MONMOUTH COUNTY	23-01411	06/02/23	1-HR CLASS 7/26/23 10AM-11AM	Open	250.00	0.00		
SSW001	S&S WORLDWIDE	23-01493	06/13/23		Open	523.94	0.00		
STAP003	STAPLES ADVANTAGE	23-01525	06/16/23	ADMIN OFFICE SUPPLIES	Open	56.58	0.00		
		23-01559	06/21/23	FINANCE ENVELOPE SUPPLY	Open	406.68	0.00		
						463.26			
TAY001	TAYLOR FENCE	23-00060	01/09/23	OPEN FOR 2023	Open	6.90	0.00		B
TEAM003	TEAM LIFE	23-01460	06/08/23	FIRST AID DEFIB PADS/VEHICLES	Open	992.00	0.00		
TEPS001	STATE OF NJ DEPT OF TREASURY	23-01617	06/29/23	SHBP CONTRIBUTION JULY 2023	Open	294,571.56	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT	23-01483	06/12/23		Open	75.00	0.00		B
THEOF005	THE OFFICAL FUN GUYS	23-01212	05/09/23	Summer Camp Training	Open	425.00	0.00		

July 10, 2023
02:47 PM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 7

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TRE001	TREASURER, STATE OF NEW JERSEY	23-01545	06/20/23	RECYCLING COMPLIANCE MONITORIN	Open	1,015.00	0.00		
UGIEN005	UGI ENERGY SERVICE, LLC	23-01675	07/06/23	BORO MONTHLY NATURAL GAS SERV	Open	403.02	0.00		
USPS002	US POSTAL SERVICE	23-01653	07/05/23	REPLENISH MAILROOM FUNDS 2023	Open	4,000.00	0.00		
VCS001	VCS COMPUTER SOLUTIONS, INC.	23-01151	05/02/23	Annual Support Plan	Open	4,306.06	0.00		
VERR001	PATRICIA VERRONE	23-00277	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
WOOLB01	TERRANCE WOOLBRIGHT	23-01578	06/26/23	WOOBOOT REIMBURSEMENT	Open	135.99	0.00		
WWG010	W.W. GRAINGER, INC.	23-00991	04/10/23		Open	109.29	0.00		B
		23-01415	06/05/23		Open	741.24	0.00		
						850.53			

Total Purchase Orders:	118	Total P.O. Line Items:	0	Total List Amount:	615,975.11	Total Void Amount:	0.00
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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	1,725.49	0.00	1,725.49	0.00	0.00	1,725.49
CURRENT FUND:	3-01	558,464.63	0.00	558,464.63	0.00	0.00	558,464.63
GENERAL CAPITAL F	C-04	37,308.00	0.00	37,308.00	0.00	0.00	37,308.00
GRANT FUND	G-02	7,190.25	0.00	7,190.25	0.00	0.00	7,190.25
	T-12	13.80	0.00	13.80	0.00	0.00	13.80
	T-15	11,222.94	0.00	11,222.94	0.00	0.00	11,222.94
	T-20	50.00	0.00	50.00	0.00	0.00	50.00
Year Total:		11,286.74	0.00	11,286.74	0.00	0.00	11,286.74
Total of All Funds:		615,975.11	0.00	615,975.11	0.00	0.00	615,975.11

ORDINANCE 19-2023

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

**ORDINANCE AMENDING THE MUNICIPAL BOUNDARY BETWEEN THE BOROUGHS OF OCEANPORT AND
EATONTOWN ON FORT MONMOUTH PROPERTY**

WHEREAS, while Ft. Monmouth is under the authority of the Fort Monmouth Revitalization Authority ("FMERA") as a local authority for Fort Monmouth, FMERA has requested Langan Engineering to survey, map and determine the engineer's opinion of the municipal boundary between Oceanport and the Borough of Eatontown on what was the main base of Fort Monmouth; and

WHEREAS, Joseph Romano, PLS, of Langan Engineering submitted a package to FMERA on August 12, 2019 regarding the Oceanport/Eatontown Municipal Boundary, as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth; and

WHEREAS, Langan Engineering, based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144th Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, reaffirmed the boundary between Oceanport and Eatontown on the Fort Monmouth Property, set forth more fully in the attached survey and reproduction of the 1920 legislation attached hereto as Exhibit A.

WHEREAS, the Borough adopted Ordinance 29-2019 approving the municipal boundary on Fort Monmouth as between the Borough of Eatontown and the Borough of Oceanport as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth, and based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144th Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, as set forth more fully in the attached survey and legislation attached hereto and made a part hereof as Exhibit A.

WHEREAS, FMERA entered into a Purchase and Sale & Redevelopment Agreement with Netflix, Inc. for the Mega Parcel in the Boroughs of Eatontown & Oceanport which includes what is designated as Parcel B on FMERA's Reuse Plan and Redevelopment and which, upon closing with Netflix, Inc., will eliminate the Borough's opportunity to produce a component of its Third-Round affordable housing obligation.

WHEREAS, the Borough has engaged in negotiations with the Borough of Oceanport and FMERA concerning a mechanism by which the Borough may generate affordable housing on Fort Monmouth without Parcel B and therefore, the Boroughs of Oceanport and Eatontown have agreed to adjust the previously approved municipal boundary in accordance with the map prepared by FMERA dated April 21, 2021, attached hereto as Exhibit B.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that the Borough Council hereby accepts and adopts the municipal boundary as between Oceanport and Eatontown on what was the main base of Fort Monmouth, as reflected on the map prepared by FMERA dated April 21, 2023, attached hereto and made a part hereof as Exhibit B.

BE IT FURTHER ORDAINED, that this Ordinance shall become part of the Borough's Code, as though codified as set forth more fully herein.

All other Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

This Ordinance shall become effect immediately upon final passage and publication as required by law.

DATE INTRODUCED: JULY 12, 2023
DATE ADOPTED:

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR
Date:

JULIE MARTIN, MUNICIPAL CLERK
Date:

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 20-2023

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, APPROPRIATING \$2,520,550 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,402,722 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Eatontown, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,520,550, said sum being inclusive of all appropriations heretofore made therefor, including a grant from the State of New Jersey Department of Transportation in the amount of \$384,000, a grant from the County of Monmouth Open Space Program associated with the Nicodemus Park Splash Pad in the amount of \$60,000, a grant from the Captain James H. Gurbisz Park Grant in the amount of \$600,000 (collectively, the "Grants") and the sum of \$73,828 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,402,722, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of various road improvements, including, but not limited to sidewalk, paving, and road repairs, improvements to Industrial Way West, and Wall Street, miscellaneous storm drainage, sinkhole repairs and replacements, acquisition of various vehicles and equipment and improvements to various Borough buildings, including, but not limited to, the Borough Broad Street Fire House, improvements to the Arboretum culvert and improvements to the Nicodemus Park Splash Pad, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,402,722, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,520,550, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,520,550 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$73,828 down payment for said purposes and the Grants.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,402,722 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$294,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION DATE:	July 12, 2023
ADOPTION DATE:	July 26, 2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 21-2023

**BOND ORDINANCE REAPPROPRIATING \$4,367,000 IN EXCESS BOND PROCEEDS
NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST
OF VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS, AUTHORIZED IN
AND BY THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH,
NEW JERSEY**

WHEREAS, the Borough Council of the Borough of Eatontown, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 14-2021 on July 14, 2021 (the "Ordinance"); and

WHEREAS, following the effective date of the Ordinance, the Borough issued bonds to fully fund same and to finance the improvements or purposes authorized therein; and

WHEREAS, the Borough has determined that the improvements set forth in the Ordinance have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Ordinance, as applicable; and

WHEREAS, there currently remains on deposit in the Borough capital accounts excess bond proceeds in the amount of \$4,367,000, which excess bond proceeds are allocable to such project improvements in the Ordinance (the "Excess Proceeds"), but no longer necessary to complete such improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the Borough Council has determined that it is in the best interest of the Borough to reappropriate the Excess Proceeds to finance the cost of various capital improvements for which improvements, bonds may be issued, thereby, decreasing the amount of additional Borough debt to finance such current capital needs; and

WHEREAS, the Borough Council now desires to reappropriate the Excess Proceeds to undertake the cost of various capital improvements for the Borough.

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. It is hereby determined that the aggregate amount of \$4,367,000 of the balance of the appropriation for capital purposes originally made available pursuant to the Ordinance of the Borough is no longer necessary for the purposes for which the obligation

previously was authorized and the total amount to be reappropriated to other capital purposes is \$4,367,000.

Section 2. The appropriation for the purposes in the amount set forth in Section 1 hereof is hereby canceled and reappropriated pursuant to N.J.S.A. 40A:2-39 to other capital purposes as set forth in Section 3 hereof.

Section 3. The aggregate amount of \$4,367,000, representing the amount referred to in Section 1 hereof, is hereby appropriated to provide for the following capital improvement purposes, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost of each project is as follows:

**Amount to be
Appropriated**

Purposes

\$1,963,650

Various capital improvements and acquisitions for various Borough Departments, including, but not limited to, for the Community Center/Preschool, an outdoor shed, for the Department of Public Works (DPW) Road Division, hook lift truck with dump body, plow and spreader, Elgin Pelican sweeper, (3) 30 yard open top containers, for the DPW Park/Tree Division, Caterpillar Mini Excavator, for the DPW Auto Shop, refurbishment of truck 59 to be a service truck, automotive updates, fuel management kit, for the Emergency Management Department, upgrade light towers to LED, DPW barricades for truck, sign board with radar and warning lights, traffic device for DPW/OEM/PD, for the Fire/Water Department, personal regulators (10) for SCBA, turnout gear (PPE), thermal imaging cameras, replacement of (5) SCBA Scott bottles, new Fire hose, For the Fire Prevention Department, Chevy Tahoe, for the First Aid Squad, 2 desktop computers, Stryker stair chairs, radios and pagers and Ford Ambulance, for Information/Technology Department, 6 desktop computers, for the Borough Police Department, 3 marked patrol vehicles with upfit, 15 desktop computers, 2 mobile data terminals, 10 less lethal weapons, 1 mobile video recorder, for various Public Buildings, FOB key system for the 2nd floor at Borough Hall, maintenance shop repair, repair of building historical museum, replacement of carpet in 3 offices in Borough Hall, additional fire doors/walls to make buildings fire compliant, for the Recreation Department, replacement of 8 park benches, replacement of 6 bike racks, for the Senior Center, remodeling/refurbishment of senior center with new tables and

chairs, for the Tax Assessor, scanner, for the Tax collector, chair, various other DPW projects including, but not limited to, Holly Glenn Way, cul-de-sac repairs and storm drainage repairs, miscellaneous drainage repairs, existing drains, sink hold repairs, stormwater basin maintenance/repairs, municipal parking lot, Wolcott Park drainage improvements near tennis courts, Husky Brook park improvements, Brook Ave, Grant Downtown Greenway Phase 2, Grant Nicodemus Splash Pad, Grant Industrial Way West Phase 3, Holly Glenn Way, cul-de-sac repairs and storm drainage repairs, miscellaneous drainage repairs, existing drains, sinkhole repairs, stormwater basin maintenance/repairs, municipal parking lot, Wolcott Park drainage improvement near tennis courts, Husky Brook park improvements and Industrial Way Phase 3 Project.

\$2,403,350

Various capital improvements and acquisitions for various Borough Departments, including, but not limited to, for the Borough Administration Department, time and attendance program, for the Community Center/Preschool, indoor classroom furnishings, for the DPW Road Division, Elgin Pelican sweeper (2nd half), single axel dump, flat bed body for hook lift, for the Park/Tree Division, Ventrac 520 tractor with 3 attachments, snowblowers, ride on blower, for the Auto Shop, hydraulic hose crimping machine, trailer mounted hot water commercial power washer, material handling arm attachment for front end loader, auto motive updates, for the Emergency Management Department, Gator ATV, sign board with radar and warning lights, replacement of OEM office equipment, for the Fire/Water Department, personal regulators (10), thermal imaging cameras, replacement of 5 SCBA Scott bottles, new fire hose, high pressure SCBA fill station and compressor, for the First Aid Squad, 2 Stricker stretchers, for the Housing Department, new vehicle with equipment, for Buildings Inspections Department, new vehicle with equipment, for the Planning/Zoning Department, new vehicle, for the Borough Police Department, security camera system, interview room recording system from Axon, paint/upfit for 4 LESO trucks, 8 portable radios with docks, 2 patrol vehicles with upfit, for various Public Buildings, repairs to 17 West, new van Sprinter, heating/cooling system Borough Hall, new boiler, replacement of 3 bay garage Wolcott, carpet replacement at mailroom/break room/fire prevention/hall, replacement of Borough Hall condensing unit components, replacement of dugout roofs - 80 Acres, additional lighting at 80 Acres and Wolcott Park, replacement of defective windows and front door at 72 Broad Street, for the Recreation Department, funds to improve Gurbisz Park, various other Borough projects, including, but not limited to,

improvements to Reynolds Drive, including overlay, curbing and drainage and stormwater basin maintenance repairs.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are property or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance is 13 years.

(c) An aggregate amount not exceeding \$525,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 6. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bond proceeds reappropriated by this bond ordinance.

Section 7. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.

INTRODUCTION DATE: July 12, 2023

ADOPTION DATE: July 26, 2023

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

WHEREAS, on July 14, 2021 the Borough Council of the Borough of Eatontown in the County of Monmouth, New Jersey (the "Borough") adopted Bond Ordinance No. 14-2021 (the "Bond Ordinance"), which appropriated a total amount of \$9,246,446 for various capital improvements and the acquisition of various capital equipment, comprised of, among other improvements and purposes, improvements to the Borough Property located at Fort Monmouth, as described in Section 3(a)v) of the Bond Ordinance, which appropriation amounted to \$6,946,000 and authorized the issuance of \$6,598,700 in bonds and notes (the "DPW Project"); and

WHEREAS, the Borough has determined that the DPW Project has been discontinued as a result of events occurring subsequent to the adoption of the Bond Ordinance and the issuance of the Bond to the Authority and has reappropriated \$4,367,000 of the Bond proceeds to other municipal purposes and has further determined to cancel the remaining appropriation under Section 3(a)v) in the amount of \$2,133,000.

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

1. Anthony Talerico, Jr., Mayor
2. Dena Amodea, Chief Financial Officer
3. Meghan Ann Bennett, Esq., Borough Attorney

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember						
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 July 12, 2023.

Julie Martin, Borough Clerk

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

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember						
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 July 12, 2023.

Julie Martin, RMC, Borough Clerk

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

WHEREAS, Monmouth University and the Borough of Eatontown have participated in the Federal Work-Study Program since June 2006; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown, Monmouth County, New Jersey, does hereby authorize the continuation of the Federal Work-Study Off-Campus Employment Agreement with Monmouth University for the two-year period beginning September 1, 2023 through August 31, 2025; and

BE IT FURTHER RESOLVED, the Mayor is hereby authorized to execute said agreement, a copy of which is on file in the office of the Borough Clerk.

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

CERTIFICATION

I, Julie Martin, 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 July 12, 2023.

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

WHEREAS, the Borough adopted a Rehabilitation Program known as the Eatontown Home Improvement Program as a condition of compliance in obtaining court approval of its court approved Settlement Agreement and appointed Community Grants Planning & Housing ("CGP&H") as the Borough's Rehabilitation Program Administrator (the "Program Administrator"); and

WHEREAS, the Borough Council adopts Resolution 145-2023 authorizing the Program Administrator to proceed with the Rehabilitation of 22 Meadowbrook Avenue; but within the Home Improvement Program limit of \$24,000 and Community Grants and Planning has obtained bids and is recommending a contract award to American Plumber for the rehabilitation.

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

- | | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|--------------------------|--------|--------|-----|-----|---------|--------|
| Council President East | | | | | | |
| Councilmember Regan, Jr. | | | | | | |
| Councilmember Jones | | | | | | |
| Councilmember Gindi | | | | | | |
| Councilmember Araman | | | | | | |
| Councilmember | | | | | | |
| Mayor Talerico, Jr. | | | | | | |
- CERTIFICATION**

I, Julie Martin, 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 July 12, 2023.

Julie Martin, RMC, Borough Clerk

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

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

CERTIFICATION

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

Julie Martin, RMC, Borough Clerk

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

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Borough of Eatontown is hereby ordered and directed, according to Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3rd quarter 2023 taxes shall be established as the twenty-fifth (25th) calendar day after the date the tax bill was delivered or mailed. The tax bills will contain the date on which interest shall start accruing.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember						
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 July 12, 2023.

 Julie Martin, Borough Clerk

RESOLUTION 148-2023

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

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE INDUSTRIAL WAY WEST RESURFACING
PHASE 5 PROJECT**

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Eatontown formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2024- 00635 Industrial Way Resurfacing Phase 5 to the New Jersey Department of Transportation on behalf of Borough of Eatontown.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Eatontown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 12th day of July, 2023

Julie Martin, RMC, Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____

Julie Martin, RMC, Borough Clerk

Anthony Talerico, Jr., Mayor

	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 July 12, 2023.
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico, Jr.							
							Julie Martin, RMC, Borough Clerk

RESOLUTION 149-2023

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

**AUTHORIZING BOROUGH ENGINEER TO PREPARE BIDS FOR
COLLECTION, REMOVAL AND DISPOSAL OF HOUSEHOLD WASTE AND RECYCLING**

WHEREAS, the Borough of Eatontown desires to receive bids for the collection, removal and disposal of household waste and recycling materials; and

WHEREAS, the Mayor and Council hereby authorize the Borough Engineer, Edward of TandM to prepare and seek bids for these projects.

WHEREAS, a proposal dated July 7, 2023, has been received from TandM and is on file in the Office of the Borough Clerk to provide these services in the amount of \$11,900.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that Edward Herrman of TandM is hereby authorized to prepare and seek bids for the collection, removal and disposal of household waste and recycling materials.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to TandM, the Chief Financial Officer, Borough Administrator and Borough Attorney.

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on July 12, 2023. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico, Jr.							

RESOLUTION 150-2023**BOROUGH OF EATONTOWN
MONMOUTH COUNTY****AUTHORIZE THE SALE OF MUNICIPAL PERSONAL PROPERTY THROUGH ON-LINE AUCTION**

WHEREAS, the Borough of Eatontown has determined that certain personal property as described on the below listed "Schedule A" is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40A:11-36 requires that all such personal property be sold at public sale to the highest bidder; and

WHEREAS, the Borough of Eatontown Police Department and Department of Public Works has selected USGovBid to conduct an on-line auction.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Eatontown, as follows:

1. The below listed "Schedule A" of Borough Property is hereby declared surplus, and is no longer needed for public purposes; and
2. The On-Line Auction will commence on Saturday, July 29, 2023, at 9:00 a.m. EST and will begin to close on Monday, August 7th, 2023, at 5:00 p.m. EST. on the website www.usgovbid.com; and
3. Preview will consist of on-line photos only on the website www.usgovbid.com; and
4. The Borough Clerk is hereby authorized to advertise a public sale of said property according to N.J.S.A.40A:11-36(3)

SCHEDULE "A"**POLICE IMPOUND VEHICLES/DPW VEHICLES AND EQUIPMENT**

COLUMN	YEAR	MAKE	MODEL	VIN/SERIAL #	MILES/HRS.	MISC. INFO
1	2000	JEEP	CHEROKEE	1J4FF58S1YL188768	91964	
2	2008	CHEVROLET	TRAILBLAZER	1GNDT13S182256599	111828	
3	2006	FORD	F250	1FTSF21P66ED19199		NO TRANSMISSION, BENT FRAME, NO SEATS
4		ASBURY	4 IN 1	5385716878		4 IN 1 BUCKET
5		FERRIS	5900099	2000231567	274 HOURS	
6		FERRIS	5900099	2000231568	251 HOURS	
7		HEIN-WERNER	80	674165		1500LB CAPACITY, WHEEL DOLLY
8		ACCU-TURN	8989	18654		BRAKE LATHE
9		ACS	721 SERIES			2 LOADER END QUICK COUPLERS 2 ATTACHMENT AN QUICK COUPLER 4 PIECES
10						LOADER RIM
11		GUEST INDUSTRIES	HANDY CUT MODEL 18			ASPHALT CUTTER FOR LOADER
12		CONTINENTAL CARSO	EXN030878	4X4TSE4173N030878		TRAILER
13	1993	AMG	2 1/2 TON	502531		2 1/2 TON MILITARY TRUCK
14	1990	AMG	5 TON	3200531		5 TON 5TH WHEEL TRACTOR
15		JET	HUBS - 56M	120136173		HORIZONTAL/VERTICAL BAND SAW 1/2 HP ELECTRIC MOTOR
16		EARTHQUAKE	9000	40093		POST HOLE DIGGER,

						TEEUMSEH MOTOR, 2 DRILL ATTACHEMENTS, 3HP GAS MIX MOTOR
17		MISC	11R20			20 TIRES. (1) 9R20 (19) 11R20 SOME STEER, SOME DRIVE, SOME BRAND NEW NEVER ON ROAD, SOME RECAPPED NEVER ON ROAD, SOME USED
18		SHURE	SCM810	SCM81000093652577 SCM81000093632599		AUTOMATIC MICROPHONE MIXER, TWO NEW IN BOX
19		HONDA	WT20X			2 INCH TRASH PUMP
20		FORD	EXPLORER	1FM5K8AR2GGB54248		BLACK/WHITE PATROL CAR
21	2007	PONTIAC	G5	1G2AN15B677291731		ORANGE COUPE FROM IMPOUD
22	1995	CHEVROLET	TAHOE	1GNEK13R4WJ304250		WHITE SUV FROM IMPOUND
23		HAMMERSTRENGTH				GULTE/HAM MACHINE
24	2008	BLUE BIRD	A3RE	1BABKBK88F251663		32 PASSENGER BUS
25		STIHL REDMAX				2 EDGERS

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

CERTIFICATION

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Julie Martin, RMC, Borough Clerk