

Mayor
ANTHONY TALERICO, JR.

Council
VIRGINIA M. EAST, President
MARK REGAN, JR.
DANIELLE M. JONES
DAVID GINDI
MEIR ARAMAN



Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

AGENDA

Mayor and Council
Wednesday, July 26, 2023

*** Amended 7/25/23**

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

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Vacant Property Ordinance (Mayor Talerico)
3. Short Term Rental Amendment Request (Mayor Talerico)
4. **CLOSED SESSION**
 - A. **Resolution 153-2023**
 1. Personnel - Police Department Contracts
 2. 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 - 7/12/2023
3. **COMMUNICATIONS**
 - A. Mon. County Board of Commissioners, Reso. Opposing Removal of \$200 million, Municipal Health Benefit Cost Relief
 - B. Notice of Public Hearing - West Long Branch Zoning Board of Adjustment (372 Monmouth Road, WLB)
 - C. Freshwater Wetlands Letter of Interpretation - Country Club Apartments
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. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman
 - F. PUBLIC BUILDINGS & TENANTS RIGHTS -
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia

7. **PUBLIC HEARING - Monmouth County Open Space Grant Program 2023**
Leon Smock 80 Acres Park, Block 2803, Lot 13 Improvements (path lighting, fencing upgrades, 4 fitness stations, shade structure - purchase/Installation).
8. **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 (carried from 7/12/23)**
 - 2) **Ordinance 19-2023** - Ordinance Amending the Municipal Boundary Between the Boroughs of Oceanport and Eatontown on Fort Monmouth Property - **Public Hearing/Adoption**
 - 3) **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 - **Public Hearing/Adoption**
 - 4) **Ordinance 21-2023** - Bond Ordinance Reappropriating \$4,367,000 in Excess Bond Proceeds Not Needed for Their Original Purpose 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 - **Public Hearing/Adoption**
- B. **RESOLUTION (tabled from 6/28/23) (rc)**
 - 1) **Resolution 137-2023** - Auth. the Use of Project Labor Agreement for Projects in Excess of Five Million Dollars
9. **PUBLIC COMMENT ON AGENDA ITEMS ONLY**
10. **BILLS & CLAIMS AND BI-WEEKLY PAYROLL (vv)**
11. **NEW BUSINESS**
 - A. **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 154-2023** - Auth. Renewal of Shared Services Agreement, Board of Education, Class III Officers
 - 2) **Resolution 155-2023** - Approving Chapter 159 for the State of New Jersey Opioid Settlement Grant
 - 3) **Resolution 156-2023** - Auth. Application to County of Monmouth, 2023 Open Space Trust Funds
 - 4) **Resolution 157-2023** - Auth. Appointments to Certain Boards/Committees
 - 5) **Resolution 158-2023** - Adopting 2022 Volunteer List for Enrollment in LOSAP (First Aid)
 - 6) **Resolution 159-2023** - Auth. Refunds of Overpaid Property Taxes
 - 7) **Resolution 160-2023** - Auth. Application and Execution, NJ DCA Grant
 - 8) **Resolution 161-2023** - Auth. Release of Escrow Funds, Blk. 1601, Lot 59.01
 - 9) **Resolution 162-2023** - Auth. Sale of Municipal Personal Property through On-Line Auction (revised from 7/12/23)
 - 10) **Resolution 163-2023** - Auth. Cancellation of Property Taxes Due to Totally Exempt Veterans
 - 11) **Resolution 164-2023** - Approving Settlement Agreement, Fresh Dispensary Eatontown, LLC v. Borough of Eatontown*
 - 12) **Resolution 165-2023** - Supporting Location & Operation of Class 5 Retail Cannabis Dispensaries Operated by Discofries, LLC F/K/A CSDE Manufacturing, LLC, Sunrise Holdings 1, LLC and Fresh Dispensary, Eatontown, LLC*
12. **REMARKS OF COUNCIL AND CITIZENS**
13. **ADJOURNMENT (vv)**

**The next meeting of the Governing Body is
Wednesday, August 9, 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

- 1) Personnel – Police Department Contracts
- 2) Litigation – Fresh Dispensary v. Borough of Eatontown

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 26, 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 26, 2023.

Julie Martin, Borough Clerk

BOROUGH OF EATONTOWN

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that a Public Hearing will be held for the purpose of receiving comments on an application for Open Space Trust Funds under the Monmouth County Municipal Open Space Grant Program. The Public Hearing will be held at the Borough Municipal Building, 47 Broad Street, Eatontown, NJ 07724 on July 26, 2023, at 7:30 p.m. at which time all persons who may be interested will be given an opportunity to be heard. Written comments may also be submitted and will be accepted by the Municipal Clerk prior to the hearing date and time. The Borough of Eatontown desires to obtain Monmouth County Open Space Grant Program Funds in order to fund Leon Smock 80 Acres Park, Block 2803, Lot 13 Improvements (path lighting, fencing upgrades, 4 fitness stations and shade structure. Purchase and installation).

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. 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. 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 licenses including a Microbusiness.
- C. [No change].
- D. The annual license fees, type and maximum number of licenses for the cultivation, manufacture, wholesale, distribution retail sale and delivery of cannabis shall be as follows: The application fee for Class 1 through 5 non-Microbusiness licenses shall be \$10,000 and \$2,500 per annum thereafter. The application fee for Class 1 through 4 Microbusiness shall be \$ _____ and \$ _____ per annum thereafter.
- 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.

- 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.

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

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.

SECTION 4

SECTION 5.

SECTION 6.

DATE INTRODUCED: ~~MAY 10, 2023~~ JUNE 28, 2023
PUBLIC HEARING: JULY 12, 2023

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 the Borough of Oceanport and the Borough of Eatontown on what was the main post 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, Fort Monmouth has developed and is in the process of continuing to redevelop and it has become necessary to adjust the previously approved municipal boundary with the Borough of Oceanport in accordance with the map prepared by FMERA dated April 21, 2023, 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 post 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

RESOLUTION 137-2023

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

**RESOLUTION AUTHORIZING THE USE OF PROJECT LABOR AGREEMENTS FOR PROJECTS IN
EXCESS OF FIVE MILLION DOLLARS**

WHEREAS, the Project Labor Agreement Act ("PLA"), P.L. 2002, Chapter 44, was signed into law on July 21, 2002; and

WHEREAS, project labor agreements are pre-hire collective bargaining agreements with one or more labor organizations that establish the terms and conditions of employment for a specific construction project; and

WHEREAS, the use of project labor agreements is beneficial for construction projects in excess of five million dollars as they lead to less disputes, delays, fair and agreed to employment terms and more efficient project management; and

WHEREAS, the Borough finds the use of such agreements for projects in excess of five million dollars beneficial, as they:

- (a) Set forth effective, immediate, and mutually binding procedures for resolving jurisdictional labor disputes and grievances arising before the completion of work; and
- (b) Contain guarantees against strikes, lockouts, or other similar actions; and
- (c) Standardize the terms and conditions of employment of labor on public works projects; and
- (d) Permit flexibility in work scheduling, shift hours, and times; and
- (e) Ensure a reliable source of skilled and experienced labor; and
- (f) Further public policy objectives by improving employment opportunities for minorities, women, and the economically disadvantaged; and permit the selection of the lowest responsible bidder, without regard to union or non-union status at other construction sites; and
- (g) Are on all contractors and subcontractors, or whatever tier, on the public works project through the inclusion of appropriate bid specifications in all relevant documents; and

WHEREAS, the Borough endorses project labor agreements and pledges to utilize them for construction projects in excess of five million dollars.

	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 26, 2023.

Julie Martin, Borough Clerk

July 25, 2023
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BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Range: First to Last

Format: Condensed

Vendors: All

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ACRISURE	ACRISURE								
		23-01592	06/27/23	ACCIDENT POLICY FOR RECREATION	Open	3,098.00	0.00		
ADAMS005	BUCHAN & PALO, LLC								
		23-01660	07/06/23	BORO PUBLIC DEFENDER SERVICE	Open	500.00	0.00		
AHH001	AMERICAN HOSE & HYDRAULICS INC								
		23-01200	05/09/23	OPEN FOR 2023	Open	1,049.07	0.00		B
AMAZ001	AMAZON.COM SERVICES, INC								
		23-01404	06/02/23		Open	113.92	0.00		
		23-01643	07/05/23	FIRST AID UNIFORM RTF TRAINING	Open	240.85	0.00		
						354.77			
AMER1001	AMERIFLEX BUSINESS SOLUTIONS								
		23-00950	04/04/23	FSA/COBRA ADMIN FEES 2023	Open	115.00	0.00		B
ANJR002	ASSOCIATION OF NJ RECYCLERS								
		23-01178	05/05/23	JUNE 13,2023 WEBINAR	Open	35.00	0.00		
ANTHO020	ANTHONY HOULIS								
		23-01359	05/24/23	REFUND FOR RECYCLING TRASH CAN	Open	70.00	0.00		
AOC001	ALLIED OIL LLC								
		23-01571	06/23/23	DYED ULSD - DIESEL	Open	8,678.98	0.00		
		23-01598	06/28/23	GASOLINE	Open	6,236.13	0.00		
						14,915.11			
APP002	GANNETT NJ NEWSPAPERS								
		23-01236	05/11/23	LEGAL ADVERTISEMENTS	Open	228.80	0.00		B
ARRH001	ADAMS, REHMANN, HEGGAN ASSOC INC								
		23-01162	05/03/23	PROFESSIONAL SERVICES RENDERED	Open	1,200.00	0.00		
ASB001	ASBURY PARK PRESS, INC.								
		23-01726	07/12/23	APP Cancel PB 7.3.2023	Open	98.16	0.00		
ATH001	ATHLETE'S ALLEY								
		23-01543	06/19/23	Summer Camp Shirts	Open	938.55	0.00		
ATTM002	AT&T MOBILITY- 287306454448								
		23-01787	07/19/23	BORO CELL ACCT 287306454448	Open	440.01	0.00		
ATTM003	AT&T MOBILE 287306454309								
		23-01780	07/19/23	POLICE CELL 287306454309 JULY	Open	2,923.03	0.00		

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Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
AUTO001 AUTO PARTS CENTER									
		23-01329	05/23/23	OPEN FOR 2023	Open	155.17	0.00		B
AVAKL001 LEON AVAKIAN, INC									
		23-01695	07/10/23	Urgent Care Sign Escrow #1597	Open	2,050.00	0.00		
		23-01791	07/21/23	Etwn Inv Signs Escrow #1597	Open	7,600.00	0.00		
						9,650.00			
AXONE005 AXON ENTERPRISE, INC									
		23-01702	07/10/23	2023 A la Carte system	Open	81,780.00	0.00		
		23-01703	07/10/23	Fleet 3 Advanced	Open	11,280.03	0.00		
		23-01704	07/10/23	Basic License Evidence Bundle	Open	1,548.00	0.00		
						94,608.03			
BBBA001 BROWN & BROWN BENEFITS ADV.									
		23-01682	07/07/23	AUGUST 2023 CONSULTING FEE	Open	1,500.00	0.00		
BEN002 DALE BENNETT									
		23-01641	07/05/23	2023 FIRE D ASST ENG STIPEND	Open	1,125.00	0.00		
CAG001 CLEARY GIACOBBE ALFIERI & JACO									
		23-01638	07/05/23	MUNICIPAL PROSECUTOR SERVICES	Open	3,000.00	0.00		
CGPH001 CGP&H, LLC									
		23-01714	07/11/23	ADMINISTRATIVE AGENT SERVICES	Open	1,059.00	0.00		
		23-01715	07/11/23	HOUSING REHABILITATION PROGRAM	Open	1,380.00	0.00		
		23-01716	07/11/23	HOUSING REHABILITATION PROGRAM	Open	458.40	0.00		
						2,897.40			
DANIE020 DANIELLE M. JONES									
		23-01733	07/13/23	REIMBURSEMENT FOR PRINTING/	Open	7.63	0.00		
DD001 D&D GLASS									
		23-01709	07/11/23		Open	686.20	0.00		
DINOS005 DINOSAURS ROCK									
		23-01601	06/28/23	OCEANS ROCK SHOW	Open	1,188.00	0.00		
DMV001 NJ DIVISION OF MOTOR VEHICLES									
		23-01504	06/14/23	NEW TITLE	Open	60.00	0.00		
DWD002 D&W DIESEL									
		23-00943	04/03/23		Open	575.00	0.00		B
		23-01402	06/02/23	DPW#57 DPF FILTER GASKETS&CLAM	Open	1,406.50	0.00		
						1,981.50			
ECEL002 EAST COAST EMERGENCY LIGHTING									
		23-00861	03/21/23	Upfit of Chevy Tahoe PPV	Open	6,194.76	0.00		
ELITE01 ELITE VEHICLE SOLUTIONS									
		23-01047	04/14/23	Push Bumper #6 Repair	Open	1,009.42	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
EPG001	EAGLE POINT GUN								
		23-01418	06/05/23	2023 Ammo Purchase	Open	14,974.78	0.00		B
FOLE002	FOLEY, INCORPORATED								
		23-00043	01/09/23	OPEN FOR 2023	Open	691.89	0.00		B
FOO001	SAKER SHOPRITES, INC.								
		23-01549	06/20/23	Week 1- Summer Camp	Open	169.00	0.00		
		23-01551	06/20/23	Week 2- Summer Camp	Open	88.68	0.00		
		23-01593	06/28/23	July Luncheon Supplies	Open	100.46	0.00		
		23-01594	06/28/23	Bingo Supplies	Open	51.35	0.00		
		23-01595	06/28/23		Open	25.35	0.00		
						434.84			
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-01721	07/11/23	PAY PERIOD 7/21/23 O/S DETAIL	Open	6,794.00	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR								
		23-00045	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B
GLENC001	GLENCO SUPPLY, INC.								
		23-00403	02/10/23	OPEN FOR 2023	Open	246.00	0.00		B
GPC001	GENUINE PARTS COMPANY INC								
		23-01331	05/23/23	OPEN FOR 2023	Open	13.28	0.00		B
		23-01413	06/05/23	R-1234YF CYLINDER	Open	2,584.60	0.00		
						2,597.88			
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		23-00134	01/17/23	OPEN FOR 2023	Open	81.97	0.00		B
HEYERGRU	HEYER GRUEL & ASSOCIATES, PA								
		23-01538	06/19/23	Home Living Escrow #1595	Open	120.00	0.00		
IMPO01	IMPRINT SHOP LLC								
		22-02813	12/06/22	Embroidery for uniforms	Open	120.00	0.00		B
		23-01604	06/28/23	Embroidery 570	Open	120.00	0.00		
						240.00			
JENK001	JENKINSON'S GROUP SALES								
		23-01669	07/06/23	AQUARIUM GENERAL TOUR & LUNCH	Open	138.75	0.00		
JERS001	JCP&L								
		23-01781	07/19/23	JULY SERVICE 2023	Open	8,114.20	0.00		
		23-01795	07/21/23	UTILITY BILLS	Open	9,730.97	0.00		
						17,845.17			
JERS002	HUNTER JERSEY PETERBILT LP								
		23-00049	01/09/23	OPEN FOR 2023	Open	156.37	0.00		B
		23-01603	06/28/23	DPW 90 STEP FUEL TANK ALUM 550	Open	1,378.37	0.00		
						1,534.74			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
0FWLL001	JOSEPH FAZZIO-HOWELL LLC								
		23-00051	01/09/23	OPEN FOR 2023	Open	182.30	0.00		B
0GC001	John Guire Supply LLC								
		23-00158	01/18/23	OPEN FOR 2023	Open	57.00	0.00		B
		23-01153	05/02/23	OPEN FOR 2023	Open	705.26	0.00		B
						762.26			
KEA003	KEANSBURG AMUSEMENT PARK								
		23-01635	07/03/23	Keansburg Water Park Camp Trip	Open	1,150.00	0.00		
LAWES002	LAWES COMPANY								
		23-01283	05/17/23	STRAW FOR 136 LEWIS	Open	183.00	0.00		
LEAF0006	LEAF								
		23-01676	07/06/23	BORO WATER COOLER LEASE	Open	179.70	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		23-01696	07/10/23	Urgent Care Sign Escrow #1597	Open	1,550.00	0.00		
		23-01707	07/10/23	D' Souza Escrow #1591	Open	1,550.00	0.00		
		23-01711	07/11/23	Ruggiero Escrow #1594	Open	1,050.00	0.00		
						4,150.00			
LERT002	LERTCH RECYCLING CO, INC								
		23-00744	03/08/23	PICK UP OF CRUSHED CONCRETE	Open	1,049.30	0.00		B
LMONT001	LINDA MONTAGNA								
		23-01697	07/10/23	EYEGLOSS REIMBURSMENT	Open	179.99	0.00		
LTSP1005	LT'S PIZZA								
		23-01688	07/07/23	SUMMER SESSION I LUNCH	Open	154.06	0.00		
LUCT001	WILLIAM LUCIA								
		23-01663	07/06/23	REIMBURSEMENT FOR ZOOM VIDEO	Open	213.14	0.00		
MAD002	MAD SCIENCE OF NJ								
		23-00924	03/30/23	PRESCHOOL WORKSHOP 7/19/23	Open	209.00	0.00		
		23-01609	06/28/23	Mad Science Special Event	Open	625.00	0.00		
						834.00			
MARKM001	MARK MORRIS								
		23-01647	07/05/23	2023 FIRE DEPT CHIEF STIPEND	Open	3,500.00	0.00		
MCMAS005	MCMASTER CARR SUPPLY COMPANY								
		23-01568	06/22/23		Open	1,119.60	0.00		
		23-01656	07/06/23	INVOICE # 10629067	Open	755.24	0.00		
						1,874.84			
MCT001	MONMOUTH COUNTY TREASURER								
		23-01427	06/06/23	MUNICIPAL WASTE	Open	2,334.32	0.00		
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC								
		22-02585	10/28/22	GVWR 4X4X MASON DUMP WITH PLOW	Open	122,229.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC			Continued					
		22-02586	10/28/22	SWITCH AND GO ACCESSORY ATTACH	Open	157,773.00	0.00		
		23-00053	01/09/23	OPEN FOR 2023	Open	250.30	0.00		B
		23-01419	06/05/23	INSITE PRO REGISTRATION	Open	1,024.10	0.00		
						281,276.40			
MON002	MONMOUTH BUILDING CENTER								
		23-00559	02/15/23	OPEN FOR 2023	Open	55.95	0.00		B
		23-01391	05/30/23	OPEN FOR 2023	Open	69.65	0.00		B
						125.60			
MRK001	MR. KEYS INC								
		23-01124	04/27/23		Open	278.00	0.00		B
MU002	MONMOUTH UNIVERSITY								
		23-01539	06/19/23	FEDERAL WORK STUDY PROGRAM	Open	45.14	0.00		
		23-01554	06/21/23	FEDERAL WORK STUDY PROGRAM	Open	56.17	0.00		
		23-01632	06/30/23	FEDERAL WORK STUDY PROGRAM	Open	82.66	0.00		
						183.97			
NJAWC001	NEW JERSEY AMERICAN WATER								
		23-01784	07/19/23	JULY 2023 UTILITY BILLS	Open	3,632.73	0.00		
NJB001	VERIZON								
		23-01793	07/21/23	250-776-477-0001-13	Open	40.07	0.00		
NJDMV001	NJDVMC								
		23-01605	06/28/23	Titles for LESO Vehicles	Open	300.00	0.00		
		23-01606	06/28/23	Title Fee for Forfeiture Car	Open	60.00	0.00		
						360.00			
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		23-01681	07/07/23	FINANCE MUNICIPAL DIRECTORY	Open	35.00	0.00		
		23-01683	07/07/23	PUBLICATIONS:	Open	88.00	0.00		
						123.00			
OLIVI005	OLIVIA'S II								
		23-01101	04/21/23	FIRE DEPT FOOD/CLEAN-UP MTG	Open	44.85	0.00		B
OMEG002	OMEGA GRAPHICS								
		23-01610	06/29/23	BUILDING DEPT STAMPS IN 55477	Open	490.00	0.00		
PAB001	PROCRAFT AUTO BODY, INC.								
		23-01046	04/14/23	2020 Dodge Durango #6 Repair	Open	4,090.93	0.00		
PAST005	PASTOSA RAVIOLI								
		22-02584	10/28/22	THANKSGIVING/B-DAY LUNCHEON	Open	1,542.50	0.00		
PLAN001	PLANET SHRED								
		23-01261	05/15/23	COMMUNITY SHRED DAY 5/13/23	Open	750.00	0.00		
POORJ005	POOR JOHN'S PORTABLE TOLIETS								
		23-00673	03/01/23		Open	732.00	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
POORJ005	POOR JOHN'S PORTABLE TOILETS			Continued					
		23-01547	06/20/23	ADA unit 6 22	Open	258.00	0.00		
						990.00			
QUAD01	QUADIENT LEASE								
		23-01718	07/11/23	BORO MAIL MACHINE LEASE	Open	501.75	0.00		
RDS001	REALTY DATA SYSTEMS								
		23-01672	07/06/23	Professional Services Inv #687	Open	20,664.00	0.00		
REP001	REPUBLIC SERVICES								
		23-01692	07/10/23	JULY 2023 RESI SERVICES	Open	74,872.63	0.00		
REPT001	REPUBLIC SERVICES								
		23-01678	07/07/23	JUNE 2023 TONNAGE	Open	14,548.58	0.00		
		23-01679	07/07/23	JUNE 2023 TONNAGE	Open	26,160.22	0.00		
		23-01773	07/19/23	JULY 2023 TONNAGE	Open	18,102.69	0.00		
						58,811.49			
RESC002	ALBERT J. RESCINIO, ESQ.								
		23-01779	07/19/23	BORO PUBLIC DEFENDER SERVICES	Open	3,355.00	0.00		
RHELFO05	R HELFRICH & SON CHARTER BUS								
		23-01621	06/29/23	Summer Program Bus Trip	Open	475.00	0.00		
		23-01622	06/29/23	Keansburg Water Park Bus Trip	Open	950.00	0.00		
		23-01623	06/29/23	Jenkinson's Aquarium Bus Trip	Open	475.00	0.00		
		23-01624	06/29/23	Gravity Vault Bus Trip	Open	475.00	0.00		
		23-01625	06/29/23	Shore Lanes Bowling Bus Trip	Open	950.00	0.00		
						3,325.00			
ROBER005	ROBERTS AND SONS INC								
		23-00055	01/09/23	OPEN FOR 2023	Open	99.75	0.00		B
ROBER020	ROBERT ROSCH								
		23-01640	07/05/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		
ROLLA005	ROLL AMERICA INC.								
		23-01544	06/19/23	Special Program Roll America	Open	1,150.00	0.00		
SCH001	T&M ASSOCIATES								
		23-01550	06/20/23	INDUSTRIAL WAY W ESROW #1594	Open	6,226.75	0.00		
		23-01739	07/13/23	RESOLUTION 149-2023	Open	11,900.00	0.00		
						18,126.75			
SEA001	SEABOARD FIRE & SAFETY EQUIPME								
		23-00590	02/21/23		Open	153.00	0.00		B
SEA002	SEABOARD WELDING SUPPLY, INC.								
		23-00057	01/09/23	OPEN FOR 2023	Open	667.50	0.00		B
		23-00404	02/10/23	OPEN FOR 2023 - NON RENTAL	Open	222.50	0.00		B
						890.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SEACST01	SEA COAST CHEVROLET-OLDSMOBILE								
		23-00711	03/06/23	OPEN FOR 2023	Open	692.10	0.00		B
SHORIN01	SHORE INFLATABLES								
		23-01346	05/23/23	Shore Inflatables Wet Slides	Open	1,198.00	0.00		
		23-01687	07/07/23	Shore Inflatables End of Camp	Open	903.00	0.00		
						2,101.00			
SICK001	SICKELS MARKET								
		23-01475	06/09/23	BEAUTIFY EATONTOWN MATERIALS	Open	138.90	0.00		B
SNAP005	SNAPOLOGY OF MONMOUTH COUNTY								
		23-01214	05/09/23	Snapology Program Classes	Open	750.00	0.00		
SODON005	SODON'S ELECTRIC INC								
		23-01394	05/31/23		Open	1,320.00	0.00		
		23-01574	06/23/23	REPLACEMENTS OF LAMPS AT 80 AC	Open	4,921.00	0.00		
						6,241.00			
SPCA001	MONMOUTH COUNTY SPCA								
		23-01652	07/05/23	BORO ANIMAL CONTROL SERVICE	Open	1,950.00	0.00		
STAP003	STAPLES ADVANTAGE								
		23-01649	07/05/23	POLICE CHIEF OFFICE SUPPLIES	Open	460.58	0.00		
		23-01650	07/05/23	RECREATION OFFICE SUPPLIES	Open	64.68	0.00		
		23-01651	07/05/23	FINANCE DEPT OFFICE SUPPLIES	Open	92.25	0.00		
		23-01680	07/07/23	PLAN/ZONING OFFICE SUPPLIES	Open	39.24	0.00		
		23-01719	07/11/23	MAILROOM/FINANCE OFFICE SUPPLY	Open	63.01	0.00		
						719.76			
STORR001	STORR TRACTOR COMPANY								
		23-01163	05/03/23	OPEN FOR 2023	Open	557.84	0.00		B
		23-01443	06/07/23	DPW# P3 DOUBLE DRIVEN SPINDLE	Open	1,371.98	0.00		
						1,929.82			
TARGE005	TARGETED TECHNOLOGIES LLC								
		23-01407	06/02/23	POLICE IT SERVICES 2023	Open	3,996.00	0.00		B
		23-01408	06/02/23	BORO IT SERVICES 2023	Open	7,452.00	0.00		B
						11,448.00			
TAXC001	MONMOUTH COUNTY TREASURER								
		23-01742	07/14/23	COUNTY TAX FEBRUARY 2023	Open	1,825,757.53	0.00		
TAXH001	MONMOUTH COUNTY TREASURER								
		23-01744	07/14/23	COUNTY HEALTH TAX FEB 2023	Open	35,307.05	0.00		
TAXL001	MONMOUTH COUNTY TREASURER								
		23-01743	07/14/23	COUNTY LIBRARY TAX FEB 2023	Open	127,983.92	0.00		
TAXO001	MONMOUTH COUNTY TREASURER								
		23-01745	07/14/23	COUNTY OPEN SPACE TAX FEB 2023	Open	275,981.59	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TAY001	TAYLOR FENCE	23-00060	01/09/23	OPEN FOR 2023	Open	273.43	0.00		B
TERM001	TERMINATOR TERMITE & PEST MGT	23-01483	06/12/23		Open	75.00	0.00		B
THYG001	SENIORCIZE WITH CORINNE, LLC	23-00190	01/19/23	SENIOR CTR CARDIO CORE CLASS	Open	200.00	0.00		B
TODRE01	GEORGE TODRES	22-00706	03/18/22	FIRST AID STORM WATCH	Open	80.00	0.00		
TREANJ01	TREASURER, STATE OF NJ	23-01664	07/06/23	MEADOWBROOK RENEWAL FEE	Open	195.00	0.00		
TURF001	TURF TRADE	23-00927	03/30/23	OPEN FOR 2023	Open	742.20	0.00		B
ULINE001	ULINE	23-01392	05/30/23	H-841-10 5 STEP ROLLING SAFETY	Open	748.87	0.00		
		23-01497	06/14/23	CHROME WIRE SHELVING UNIT	Open	589.02	0.00		
		23-01511	06/15/23	ALUMINUM STEP STAND- 2 STEPS	Open	320.27	0.00		
						1,658.16			
VERIZ005	VERIZON - ALBANY	23-01713	07/11/23	BORO FIBEROPTIC ACCT	Open	808.94	0.00		
VIKTOR01	VIKTOR FLORIAN SCHANTZ ENT	23-01634	06/30/23	CONVERT AT WOLCOTT PARK	Open	375.00	0.00		
WOL003	MARK WOLOSHIN	23-01642	07/05/23	2023 FIRE D. CHIEF ENG STIPEND	Open	2,000.00	0.00		
WWG001	GRAINGER INC	23-00046	01/09/23	OPEN FOR 2023	Open	9.42	0.00		B
WWG010	W.W. GRAINGER, INC.	23-01577	06/26/23		Open	1,348.90	0.00		
Total Purchase Orders: 154 Total P.O. Line Items: 0						Total List Amount: 2,987,739.38	Total Void Amount: 0.00		

July 25, 2023
11:17 AM

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 9

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	1,742.50	0.00	1,742.50	0.00	0.00	1,742.50
CURRENT FUND:	3-01	2,673,661.97	0.00	2,673,661.97	70.00	0.00	2,673,731.97
GENERAL CAPITAL F	C-04	286,196.76	0.00	286,196.76	0.00	0.00	286,196.76
GRANT FUND	G-02	1,900.00	0.00	1,900.00	0.00	0.00	1,900.00
	T-15	9,691.40	0.00	9,691.40	0.00	0.00	9,691.40
	T-17	14,476.75	0.00	14,476.75	0.00	0.00	14,476.75
Year Total:		24,168.15	0.00	24,168.15	0.00	0.00	24,168.15
Total of All Funds:		2,987,669.38	0.00	2,987,669.38	70.00	0.00	2,987,739.38

**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 26, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 155-2023

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

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY
OPIOID SETTLEMENT GRANT**

WHEREAS, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Borough of Eatontown has received notice of an award of \$6,685.48 from the State of New Jersey and wishes to amend its 2023 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$6,685.48 to be received from grants as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local
Government Services:

Public and Private Revenues off-set with
Appropriations:

Opioid Settlement Grant

..... \$6,685.48

BE IT FURTHER RESOLVED that a like sum of..... \$6,685.48
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Opioid Settlement Grant

BE IT FURTHER RESOLVED, that the Borough Clerk of the Borough of Eatontown forward two copies of this resolution to the Director of Local Government Services.

	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 26, 2023.
Council President East							
Councilmember Regan							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							
							Julie Martin, RMC, Borough Clerk

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

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation, and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

1. Eatontown Borough Administrator is authorized to (a) make application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondence of the above-named municipality; and
2. The Borough of Eatontown is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations, and statutes thereto; and
4. The Mayor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open space Trust Funds; and
5. This resolution shall take effect immediately.

Julie Martin, Municipal Clerk

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

BE IT RESOLVED that the following Borough Committee appointments for the Borough of Eatontown, as made by the Mayor, are hereby confirmed:

ALTERNATE MEMBER	Lisa Vazquez
TERM:	7/26/23 to 12/31/23

	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 the regular meeting held on July 26, 2023.

Julie Martin, RMC, Borough Clerk

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on July 26, 2023.
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							

 Julie Martin, Borough Clerk

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

WHEREAS, the Tax Collector has forwarded to the Borough of Eatontown, a list of taxes which are overpaid, and has recommended that the same be refunded; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Eatontown that the following taxes are hereby authorized to be refunded/apply based upon the recommendation of the tax collector:

BLOCK	LOT	NAME	AMOUNT
1007	3	PAN AMERICAN ESTATE L.L.C.	27,530.05
2902	2	EATONTOWN 36 LLC	207,000

	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 26, 2023.

Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the Borough of Eatontown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$15,000 to carry out a project and provide recreational opportunities for individuals with disabilities by continuing to offer and expand special events for all residents including residents with disabilities.

2) recognizes and accepts that the Department may offer a lessor or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Eatontown and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	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 26, 2023.
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							

 Julie Martin, Municipal Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the applicant has requested the release of the escrow funds for 23 Elm Place received by mail on July 14, 2023; and

\$261.49 (plus any applicable interest) Escrow File No. 1427

Linda Murakata
23 Elm Place
Eatontown, New Jersey 07724
For Block 1601, Lot 59.01

NOW, THEREFORE, BUT IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the above noted Escrow funds.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the applicant, the Zoning Officer and the Borough Chief Financial Officer.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, RMC, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on July 26, 2023.
Council President East							
Councilmember Regan, Jr							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico, Jr.							

Julie Martin, RMC, Borough Clerk

RESOLUTION 162-2023**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, August 12, 2023, at 9:00 a.m. EST and will begin to close on Monday, August 21, 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	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 26, 2023. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							

	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 a regular meeting held on July 26, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 164-2023

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

**RESOLUTION APPROVING SETTLEMENT AGREEMENT IN MATTER CAPTIONED FRESH DISPENSARY EATONTOWN, LLC V.
BOROUGH OF EATONTOWN**

WHEREAS, the Borough adopted Ordinance No. 19-2021 (the "Ordinance"), which amended Chapter 89, Section 4 of the Borough Code entitled "Definitions" and created two (2) new sections of the Borough Code—Chapter 89, Section 52 entitled "Cannabis Zoning" and Article III, Chapter 200, Section 7 entitled "Cannabis Licensing and Taxation"—to allow the operation of certain cannabis licenses within the geographical limits of the Borough; and

WHEREAS, the Ordinance limited the maximum permitted number of Class 5 Cannabis Retailers within the Borough to three (3), inclusive of the existing Alternative Treatment Center ("ATC"), operated by GSD NJ LLC, which was deemed to concurrently hold a Class 5 Cannabis Retailer license pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act ("the Act"), N.J.S.A. 24:61-31, et seq.; and

WHEREAS, the Borough issued a Public Notice for Cannabis Class 5 Retailer Business Applications (the "Notice") advising it was accepting applications for Resolutions of Support to operate a Class 5 Cannabis Retailer in the Borough, to be submitted by the applicant in connection with its application to the Cannabis Regulatory Commission (the "CRC") for a Class 5 Cannabis Retailer license; and

WHEREAS, Fresh Dispensary Eatontown LLC, CSDE Manufacturing LLC and Sunrise Holdings 1 LLC each submitted a completed New Marijuana Business License Application to the Borough Clerk's Office seeking one of the two (2) available Resolutions of Support; and

WHEREAS, the Borough accepted CSDE's New Marijuana Business License Application, and adopted Resolution No. 81-2022 supporting CSDE's operation of a Class 5 Cannabis Retailer in the Borough; and

WHEREAS, the Borough accepted Sunrise's New Marijuana Business License Application, and adopted Resolution No. 87-2022 supporting Sunrise's operation of a Class 5 Cannabis Retailer in the Borough; and

WHEREAS, the Borough declined to consider Fresh Dispensary's New Marijuana Business License Application because the proposed location of its Class 5 Cannabis Retailer violated Borough Code § 89-52(b)(2); and

WHEREAS, Fresh Dispensary commenced the matter styled Fresh Dispensary Eatontown LLC v. Borough of Eatontown, et al., Docket No. MON-L-907-22, before the New Jersey Superior Court, Monmouth County (the "Action"), by filing an Order to Show Cause and Verified Complaint (the "Cannabis Litigation"); and

WHEREAS, the trial court entered an Order and Opinion vacating the Resolutions of Approval and directed the Borough to develop objective selection for the issuance of Class 5 Cannabis Retailer licenses pursuant to Borough Code §200-7(E); and

WHEREAS the Borough adopted Resolution No. 113-2023, approving Objective Selection Criteria for Class 5 Cannabis Retailer License Applications; and

WHEREAS, the Borough filed an appeal of the Trial Courts Order which is currently pending in the Superior Court of New Jersey, Appellate Division; and

WHEREAS, the Borough believes it is in the best interest of its residents and taxpayers to amicably resolve the Cannabis Litigation to avoid the costs and inconvenience of further litigation and to encourage the development and approval of Class 5 Cannabis Retailers in order to generate additional tax revenue for the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves the Settlement Agreement in the Cannabis Litigation between the Borough and Fresh Dispensary Eatontown LLC, CSDE Manufacturing LLC and Sunrise Holdings 1 LLC and it hereby authorizes the Mayor to execute the Settlement Agreement.

BE IT FURTHER RESOLVED this Resolution shall become effective upon the passage of Ordinance 16-2023 and publication according to law.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

1. Andrew Bayer, Borough Attorney
2. William P. Lucia, III, Interim Administrator

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on July 26, 2023. _____ Julie Martin, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							

RESOLUTION NO. 165-2023

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

RESOLUTION SUPPORTING THE LOCATION AND OPERATION OF CLASS 5 RETAIL CANNABIS DISPENSARIES OPERATED BY DISCOFRIES, LLC F/K/A CSDE MANUFACTURING LLC, SUNRISE HOLDINGS 1, LLC, AND FRESH DISPENSARY EATONTOWN, LLC

WHEREAS, on August 5, 2021, the Borough of Eatontown adopted Ordinance No. 19-2021 (the "Ordinance") authorizing the operation of certain cannabis licenses within the geographical limits of the Borough; and

WHEREAS, on July 26, 2023, the Borough adopted Ordinance No. 16-2023, which among other things, expanded the maximum permitted number of Class 5 Cannabis Retailers within the Borough from three (3), to four (4); and

WHEREAS, on October 27, 2021, the Borough Council adopted Resolution No. 176-2021, approving a New Marijuana Business License Application requirement for all potential Cannabis businesses seeking to do business in the Borough; and

WHEREAS, Discofries, LLC f/k/a CSDE Manufacturing LLC ("CSDE") filed a New Marijuana Business License Application with the Borough to operate a Class 5 Retail Cannabis Dispensary located at 49 NJ-36, Eatontown, NJ 07724, designated as Block 2304, Lot 62 within the Borough (the "CSDE Location"); and

WHEREAS, Sunrise Holdings 1 LCC ("Sunrise") filed a New Marijuana Business License Application with the Borough to operate a Class 5 Retail Cannabis Dispensary located at 178 Route 35, Eatontown, NJ 07724, designated as Block 2301, Lot 6 within the Borough (the "Sunrise Location"); and

WHEREAS, Fresh Dispensary Eatontown LLC ("Fresh Dispensary") filed a New Marijuana Business License Application with the Borough to operate a Class 5 Retail Cannabis Dispensary located at Plaza 35, 315 Highway 35 North, Eatontown, NJ 07724, Building C, Store #5, designated as Block 3801, Lots 21 & 22 within the Borough (the "Fresh Dispensary Location"); and

WHEREAS, the Borough Zoning Officer has deemed the CSDE Location, Sunrise Location and Fresh Dispensary Location as valid and compliant with all requirements of the Borough as part of and in consideration for settling outstanding litigation; and

WHEREAS, the Borough Administration and the Borough Council reviewed the New Marijuana Business License Applications submitted by CSDE, Sunrise and Fresh Dispensary, and found that each meets the criteria to obtain a Class 5 Retail Cannabis Dispensary license from the Borough, and therefore believes it is in the best interest of the Borough to provide a Resolution of Support to CSDE, Sunrise and Fresh Dispensary.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown in the County of Monmouth, State of New Jersey, that it hereby issues this Resolution of Support for the applications of:

- A. Discofries, LLC f/k/a CSDE Manufacturing LLC to operate a Class 5 Retail Cannabis Dispensary at the premises identified in its application located at 49 NJ-36, Eatontown, NJ 07724, designated as Block 2304, Lot 62 within the Borough; and
- B. Sunrise Holdings 1 LLC to operate a Class 5 Retail Cannabis Dispensary at the premises identified in its application located at 178 Route 35, Eatontown, NJ 07724, designated as Block 2301, Lot 6 within the Borough; and
- C. Fresh Dispensary Eatontown LLC to operate a Class 5 Retail Cannabis Dispensary at the premises identified in its application located at Plaza 35, 315 Highway 35 North, Eatontown, NJ 07724, Building C, Store #5, designated as Block 3801, Lots 21 & 22 within the Borough; and

BE IT FURTHER RESOLVED as follows:

1. Discofries, LLC f/k/a CSDE Manufacturing LLC, Sunrise Holdings 1 LLC, and Fresh Dispensary Eatontown LLC are each registered to do business in the State of New Jersey.
2. The Borough of Eatontown has authorized up to four (4) Class 5 Retail Cannabis Retail licenses through the adoption of Ordinances 19-2021 and 16-2023, and the issuance of licenses to Discofries, LLC f/k/a CSDE Manufacturing LLC, Sunrise Holdings 1 LLC, and Fresh Dispensary Eatontown LLC does not exceed the limitation for Class 5 Retail Cannabis establishments.
3. This Resolution shall become effective upon the passage of Ordinance 16-2023 and publication according to law.
4. A copy of this Resolution shall be forwarded to the following:
 - a. Discofries, LLC f/k/a CSDE Manufacturing LLC
 - b. Sunrise Holdings 1 LLC
 - c. Fresh Dispensary Eatontown LLC
 - d. Sunrise Holdings 1 LLC
 - e. Kathy Muscillo, Director of Planning and Zoning

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on July 26, 2023. Julie Martin, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember							
Mayor Talerico							