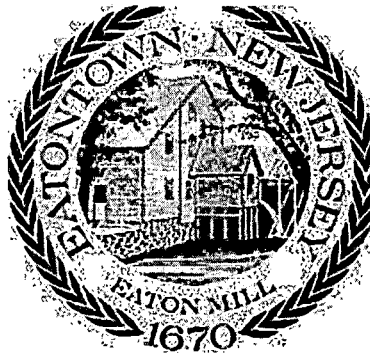


Mayor
ANTHONY TALERICO, JR.

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



BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

AGENDA
Mayor and Council
Wednesday, October 11, 2023

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

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

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Proclamation - Fire Prevention Month, October 2023
3. Fort Monmouth Update (*Mayor Talerico*)
4. **CLOSED SESSION**
 - A. Resolution 210-2023
Contract Negotiations - Architect

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

1. Roll Call
2. **APPROVAL OF MINUTES** *(vv)*
 - A. Workshop/Regular Meeting/Closed Session - 9/27/2023
3. **COMMUNICATIONS**
 - A. DEP Flood Hazard Area Permit/Verification, Wampum Creek
 - B. Monmouth County Board of County Commissioners, 2023 Open Space Grant, 80 Acres (\$151,000)
 - C. Notice of Planning Board Hearing - Zoom Plaza, LLC (Blk 2302, Lots 3 & 4)
 - D. Dynamic Traffic NJDOT Major Access Permit (Bk 2701, Lots 53, 60, 66 & 69)
 - E. Notice of Planning Board Hearing - Shaare Tefilah Ben Moshe, Inc. (Blk 4002, Lot 22.01)
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 - Councilmember Severinsen
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia

7. OLD BUSINESS (rc)

A. ORDINANCE ADOPTION (rc)

- 1) **Ordinance 27-2023** - An Ordinance Establishing the Borough as a Film Ready Municipality Creating a New Section of the Borough Code, Section 252 Entitled Filming - **Public Hearing/Adoption**
- 2) **Ordinance 28-2023** - An Ordinance Amending Chapter 250 of the Borough Code Concerning Vacant and Abandoned Properties and Reducing the Rise of Blight - **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 29-2023** - Commercial Deliveries prior to 7 am - **First Reading/Introduction (Public Hearing 10/26/23)**
Carried from 9/27/23
2. **Ordinance 30-2023** - An Ordinance Amending Chapter 57 "Professional Services", Article II "Pay-To-Play Restrictions" Repealing Local Pay-To-Play Restrictions in Conformance with the Elections Transparency Act - **First Reading/Introduction (Public Hearing 10/26/23)**
3. **Ordinance 31-2023** – An Ordinance Approving the FMERA Reuse and Redevelopment Plan as the Redevelopment Plan Under the Local Development and Housing Law for the Properties Located Within Eatontown that were Formerly Part of Fort Monmouth and that are identified on the Borough's Tax Map as Block 301, Lot 1, Block 501, Lots 1 and 1.01, Block 601, Lot 1 and Block 701, Lot 1 - **First Reading/Introduction (Public Hearing 10/26/23)**

B. CONSENT AGENDA RESOLUTIONS (rc)

(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request an item be removed for separate consideration).

- 1) **Resolution 211-2023** - Approving Chapter 159, New Jersey American Water EMS Grant
- 2) **Resolution 212-2023** - Appointments to Certain Boards/Committees
- 3) **Resolution 213-2023** - Governing Body Certification of the 2022 Audit
- 4) **Resolution 214-2023** - Auth. Tax Sale Certificate Redemptions
- 5) **Resolution 215-2023** - Auth. Amendment to Contract with CGP&H, Affordable Housing Administrative Agent
- 6) **Resolution 216-2023** - Auth. Clerk/Purchasing Agent to Prepare/Advertise/Receive RFPs for Rehab. Program Administrator & Affordable Housing Administrative Agent

C. CONSENT AGENDA MOTIONS (vv)

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

11. REMARKS OF COUNCIL AND CITIZENS

12. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday October 25, 2023 @ 7:00 p.m.***

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

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 October 11, 2023.

	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 October 11, 2023.
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

 Julie Martin, Borough Clerk

ORDINANCE 27-2023

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

**AN ORDINANCE ESTABLISHING THE BOROUGH AS A FILM READY
MUNICIPALITY CREATING A NEW SECTION OF THE BOROUGH CODE,
SECTION 252 ENTITLED FILMING**

WHEREAS, the New Jersey Motion Picture and Television Commission ("NJMP TVC"), which falls under the New Jersey Department of State's Business Action Center, promotes film and television production in New Jersey and serves as a resource for production companies.

WHEREAS, NJMP TVC established a Film Ready *New Jersey* 5-step certification and marketing program that educates municipalities on the basics of motion picture and television production and enables municipalities to effectively accommodate on location filming and market their communities as filming destinations and which sets basic standards for attracting filmmaking and positions the state as a top production destination.

WHEREAS, the "film-ready" designation provides an elevated platform for certified communities to promote themselves as filming destinations and connects film and TV professionals with skilled and knowledgeable liaisons across the state, who can provide local expertise and support to create easier, faster, and better access to nearby resources and location information.

WHEREAS, the Borough Council believes it is in the best interest of its residents to adopt a Film Ready ordinance in order to obtain the NJMP TVC Certification and to attract opportunities to the Borough and its constituents related to the growing film industry throughout New Jersey.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, that it hereby creates Chapter 152 "Filming", of the Borough Code is hereby created which will read as follows:

Section 252-1: Definitions.

FILMING: The taking of still or motion pictures, either on film or videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in theaters, for institutional uses, over the internet, or on any other medium. The provisions of this chapter shall not be deemed to include the filming of news stories within the Borough. Filming includes all rehearsals, preparations, assembly and dismantling of all equipment and structures, including, but not limited to, scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures, and food.

MOTION PICTURE: Any film which is financed and/or distributed by a motion picture studio.

PUBLIC LANDS: Any and every public street, highway, sidewalk, square, public park or playground or any other public place within or owned by the Borough which is within or owned by the Borough which is within the jurisdiction and control of the Borough.

TELEVISION SERIES: A series of programs or shows to be aired on television or any other platform, such as streaming or on the internet.

Section 252-2. Permit Required.

A. No person or organization shall film or permit filming within the Borough of Eatontown without first having obtained a permit from the Zoning Officer, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to dates. No permit shall authorize filming for more than three consecutive days in any one location, and in no event shall filming at one location within the Borough exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching this six-day maximum. This six-day limitation may be extended only if the filming requested constitutes a major motion picture or television series. Said permit must be readily available for inspection by Borough officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the Zoning Officer during normal business hours. Applications for such permits shall be in a form approved by the Zoning Officer and be accompanied by a permit fee in the amount set forth herein below.

C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Borough Zoning Officer may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

Section 250-3. Criteria for issuance of permits.

A. No permit will be issued by the Zoning Officer unless applied for at least ten days prior to the requested shooting date; provided, however, that the Zoning Officer may waive the ten day period if, in the Zoning Officer's judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

B. No permit shall be issued for filming upon public lands unless the applicant shall provide the Borough with satisfactory proof of the following:

1. Certificate of insurance specifically naming the Borough of Eatontown as an additional insured, providing general liability, bodily injury, and property damage coverage with minimum limits of liability not less than \$1,000,000 combined single limit. Said certificate shall state that "the issuing company shall mail 30 days' written notice to the certificate holder named, certified mail return receipt."

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Borough of Eatontown from any and all liability, expense, claim or damages resulting from the use of public lands.
3. The posting of a cash or surety bond of \$500 in favor of the Borough to ensure that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all ordinances, laws and regulations will be followed. Within seven days of the completion of the filming, the Borough will return the bond if there has been no damage to public property or public expense caused by the filming.
4. The hiring of an off-duty Eatontown police officer for the times indicated on the permit.

C. The holder of the permit shall take all reasonable steps to minimize interference with the passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Eatontown Police Department with respect thereto.

D. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activities on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Zoning Officer, said objections to form a part of the applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Zoning Officer within two days of the requested shooting date.

E. Filming in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m., provided that all requests for night scenes shall be approved in the permit to be granted in accordance with the provisions of Subsection H hereinbelow. The setup, production and breakdown required for all filming shall be included in the hours as set forth herein.

F. The Zoning Officer may refuse to issue a permit whenever the Zoning Officer determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Borough agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare. Further, the Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the

applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

G. Any person aggrieved by a decision of the Zoning Officer denying or revoking a permit or a person requesting relief pursuant to Subsection (F) may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk. An appeal from the decision of the Zoning Officer shall be filed within 10 days of the Zoning Officer's decision. The Mayor and Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Mayor and Council shall be in the form of a resolution supporting, reversing, or modifying the decision of the Zoning Officer at the first regularly scheduled public meeting of the Mayor and Council after the hearing on the appeal, unless the appellant agrees, in writing, to a later date for the decision.

H. The Zoning Officer may authorize filming other than during the hours described herein. In determining whether to allow an extension of time under this subsection, the Zoning Officer shall consider the following factors:

1. Traffic congestion at the location caused by vehicles parked on the public streets;
2. Applicant's ability to remove film-related vehicles off the public streets;
3. When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;
4. Nature of the film shoot itself, e.g., indoor, or outdoor, day or night; and
5. Prior experience of the film company/applicant with the Borough, if any.

I. Copies of the approved permit shall be sent to the Police, Fire Departments and First Aid before filming takes place and to the New Jersey Film Commission. The applicant shall permit members of the Police Department, Fire Department, Fire Prevention Bureau, Department of Public Works or other Borough officers or inspectors to access the site for such purposes as may be necessary or appropriate. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Borough inspectors.

J. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue that the Borough was prevented from earning because of filming calculated by the appropriate Department Head and providing this information to the Zoning Officer.

K. Special regulations for major motion pictures and television series.

1. When filming is requested with respect to a major motion picture or television series, the duration of such filming shall not exceed six consecutive days in duration.
 2. Any days necessary to be used for setup and preparation for a major motion picture or television series filming may, in the discretion of the Borough Zoning Officer, be counted as a filming day where setup is anticipated to involve one or more of the factors set forth in Subsection H hereinabove.
- L. An applicant requesting permission to film on Borough property or in a Borough building shall, in addition to a filming permit application, file a facilities use permit application . Except as provided hereinbelow, such an application shall require approval of the Mayor and Council. The Mayor and Council shall have sole discretion to grant or deny the application and shall have the authority to impose such terms and conditions as the Mayor and Council deem appropriate. Notwithstanding the foregoing, if there is no Mayor and Council meeting between the time the application is filed and the anticipated filming date(s), the Borough Administrator may grant an application for a one-day filming event provided it is approved by the Zoning Officer, the Police Chief and the Superintendent of Public Works, or their respective designees, and the Director of Recreation.

Section 250-4. Fees.

The schedule of fees for the issuance of permits authorized by this chapter is as follows:

- A. Filming permit application fee: \$200. Where an applicant requests a waiver of the provision of Subsection A of § 250-3 requiring expedited processing of the permit application, the application fee shall be \$400. The application fee for nonprofit applicants filming for educational purposes shall be \$25.
- B. In addition to the filming permit application fee, a daily filming fee as follows:
1. For motion picture, television series or commercial: \$3,000 per day;
 2. For all other filming, except as provided in Subsection B(3) below: \$500 per day;
 3. For nonprofit applicants filming for educational purposes: no fee.
- C. Fire Prevention Fees: \$250.00 per day for Fire Truck and \$35 per hour for each firefighter with a minimum of 4 firefighters, if required, at the discretion of the Fire Official.

Section. 250-5 Violations and penalties.

Where the owner of the premises is not the applicant for a permit required by this chapter, both the owner and the applicant shall each be liable for violations hereof. Any persons violating this chapter or these rules and regulations, upon conviction thereof, shall be punished by a fine not exceeding \$2,000 per day or by imprisonment in the county jail for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section,

paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective;

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

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

DATE INTRODUCED:

DATE ADOPTED:

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR

Date:

JULIE MARTIN RMC, MUNICIPAL CLERK

Date:

ORDINANCE 28-2023

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

**AN ORDINANCE AMENDING CHAPTER 250 OF THE BOROUGH CODE CONCERNING
VACANT AND ABANDONED PROPERTIES AND REDUCING THE RISK OF BLIGHT**

WHEREAS, the State of New Jersey has enacted legislation, Assembly Bill Number A2877 (the "Act"), concerning problems for communities associated with vacant and abandoned properties; and

WHEREAS, the Act empowers municipalities to enact ordinances to address potential problems to the community associated with vacant and abandoned properties; and

WHEREAS, the Borough Council believes it is in the best interest of the residents to amend the Borough Code pursuant to the Act and address potential problems to the community associated with vacant and abandoned properties;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, that Chapter 250 "Property Maintenance", of the Borough Code is hereby amended as follows:

Deleted text is shown with a strikethrough: ~~delete~~.

Inserted text is shown in brackets: [inserted].

Instructions are shown in *italics*.

[§ 250-8 Definitions and word usage.

A. Definitions. The following terms, wherever used herein or referred to in this Chapter, shall have the respective meanings assigned to them, unless a different meaning clearly appears from the context:

VACANT AND ABANDONED PROPERTY – any residential or commercial building which is not legally occupied by a mortgager or tenant, which is in such a condition that it cannot be legally reoccupied, and at which at least two of the following conditions exists:

- (1) Overgrown or neglected vegetation; (2) The accumulation of newspapers, circulars, flyers, or mail on the property; (3) Disconnected gas, electric, or water utility services to the property; (4) The accumulation of hazardous, noxious, or unhealthy substances or materials on the property; (5) The accumulation of junk, litter, trash, or debris on the property; (6) The absence of window treatments such as blinds, curtains, or shutters; (7) The absence of furnishings and personal items; (8) Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned; (9) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired; (10) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked; (11) A risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property; (12) An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied; (13) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing; (14) A

written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or (15) Any other reasonable indicia of abandonment.

OWNER - Any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without accompanying actual possession thereof, or shall have charge, care or control of any dwelling or dwelling unit as owner or agent of the owner, or as fiduciary, including but not limited to: executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate, or as a mortgagee in possession regardless of how such possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling or dwelling unit shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by said lessee.

AGENT or MANAGING AGENT - The individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner by this chapter. If the owner provides no such designation, the owner shall be considered the agent or managing agent. In any event, the owner shall be responsible for any acts or omission by the designated agent. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey as those terms are defined by the N.J.S.A. 45:15- 3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey if such person designated by the owner as his agent is so licensed. When used in Chapter, the Agent, Managing Agent and/or Operator may be the same person.

OPERATOR - Any person who has charge, care or control of a premises or a part thereof, whether with or without the knowledge and consent of the owner.

§ 250-9 General Requirements

- A. Except as provided in § 250-9E, the owner of any vacant and abandoned property, as defined herein, shall, within 60 days after the building becomes vacant property file a registration statement for each such vacant property with the Director of the Department of Land Use on forms provided by that Director of the Department of Land Use for such purposes.
- B. The owner shall be required to renew the registration annually as long as the property remains vacant and abandoned property and shall pay a registration or renewal fee in the amount prescribed in § 250-16 of this article for each vacant property registered.
- C. The owner shall notify the Director of the Department of Land Use within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Director of the Department of Land Use for such purpose.
- D. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the property.
- E. This chapter shall not apply to property owned by the federal government of the United States, or any of its agencies or instrumentalities.

§ 250-10 Registration statement requirements; property inspection.

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide access to the Borough to conduct an exterior and interior inspection of the building to determine compliance with the Borough Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.
- B. The registration statement shall include the name, address, email address and telephone number of a natural person 21 years of age or older, designated by the owner as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner in connection with the enforcement of any applicable code. This person must maintain an office in the State of New Jersey or reside within the State of New Jersey. The statement shall also include the name, address and telephone number of the person responsible for maintenance and security of the property, if different. The owner may designate the agent or managing agent as defined herein, or operator as defined herein.
- C. An owner who is a natural person and who meets the requirements of this article as to location of residence or office may designate himself or herself as agent.
- D. By designating an authorized agent under the provisions of this section, the owner consents to receiving any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered vacant property by service of the notice or process upon the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Director of the Department of Land Use of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this article.

250-11 Requirements for owners and authorized agents of vacant property.

Except as provided in § 250-9E, the owner or authorized agent of any property that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall, within 30 days thereof:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Borough Code or as set forth in rules and regulations supplementing the codes; and
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to § 250-10 of this chapter), and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a

location so as to be readable from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches by 24 inches; and

- C. Continue to secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.

§ 250-12 Creditor responsibility.

A. A creditor as defined under N.J.S.A. 40:48-2.12s(2)(d) and/or N.J.S.A. 40:48-2.12s(3)(i) and filing a summons and complaint in an action to foreclose upon a property that is vacant and abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the property. This obligation applies whether the determination that the property is vacant and abandoned is made by the public officer pursuant to the provisions of this article, pursuant to the provisions of N.J.S.A. 2A:50-73, or otherwise.

B. A creditor filing a summons and complaint in an action to foreclose on any property located within the Borough shall register the subject property with the Borough's property registration system as a property in foreclosure by filing a registration statement with the Director of the Department of Land Use on the forms provided for such purposes. In connection with registering the property to be foreclosed upon, pursuant to N.J.S.A. 46:10B-51, the creditor shall submit a written notice to the Director of the Department of Land Use that a summons and complaint has been filed against the property. The notice shall include the street address, lot and block number of the subject property, the date the summons and foreclosure complaint were filed, the court in which the action was filed, the docket number, and whether the property is vacant and abandoned. The notice must also contain the full name, address and telephone number of the lender who is responsible for receiving complaints concerning property maintenance and code violations; and the full name and contact information for any person or entity retained by the lender to be responsible for any care, maintenance, upkeep and security for the property.

C. If there is any change in name, address or telephone number for a representative agent, or individual authorized to accept service on behalf of a creditor required to be provided in a notice pursuant to this Chapter following the filing of the summons and complaint, the creditor shall provide notice the Director of the Department of Land Use as soon as possible, but no later than ten (10) from the date of any change in such information.

D. Any lender or creditor that has initiated a commercial foreclosure proceeding to foreclose upon property located within the Borough must provide the Director of the Department of Land Use with a list of all commercial properties in the Borough for which the lender has foreclosure actions pending.

E. If the property subject to the foreclosure action is vacant and abandoned property at the time the summons and complaint are filed, the creditor filing a summons and complaint shall register the property with the Borough pursuant to this Chapter. If the property subject to the foreclosure proceedings becomes vacant and abandoned during the pendency of the action, the creditor filing the summons and complaint shall be responsible for updating the Borough's property registry to reflect the change in status of the subject property.

F. If the property subject to the foreclosure action is vacant and abandoned or becomes vacant and abandoned during the pendency of the action, the creditor who filed the foreclosure action shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the Borough's property registration program. In addition to the responsibilities set forth in this Chapter, the creditor's minimum responsibilities under this Section shall also

include, but are not limited to, securing the property against unauthorized entry, posting a sign affixed to the inside of the property that is visible to the public indicating the name, address and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving process, and acquiring and otherwise maintaining liability insurance by procuring a vacancy policy covering any damage to any person or any property caused by any physical condition on the property while registered with the property registration program.

G. Any creditor required to register a property under this Section shall pay an initial registration fee of \$500 per property and \$500 for each subsequent year the foreclosure action is pending. If the property is vacant and abandoned as defined by Section 250-8 when the action to foreclose is filed or becomes vacant and abandoned at any time thereafter while the foreclosure action is pending, there shall be an additional registration fee of \$2,000 per property. The creditor shall thereafter pay an annual vacant and abandoned registration fee of \$2000 during the pendency of the foreclosure.

§ 250-13 Notice to creditor; time to correct violations.

- A. If the public officer, or other authorized municipal official, determines that a creditor obligated to care, maintain, secure, and upkeep a vacant and abandoned property has failed to do so in violation of the provisions of this article, the public officer or other authorized municipal official, shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute proof that a property is "vacant and abandoned" for purposes of Section N.J.S.A. 2A:50-73 of the Fair Foreclosure Act.
- B. A creditor subject to this article found by a court of competent jurisdiction to be in violation of the requirement to correct a care, maintenance, security or upkeep violation cited in a notice issued pursuant to this subsection shall be subject to a fine of \$1,500 for each day that the violation continues. Such fine shall commence 31 days following the creditor's receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fine shall commence 11 days following the creditor's receipt of the notice.
- C. If the Borough expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to this Section, but failed to abate the nuisance or correct the violation as directed, the Borough shall have the same recourse against the creditor as it would against a title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100.

§ 250-14 Designated representative of out-of-state creditor; violation.

In the event the creditor that has filed a summons and complaint in an action to foreclose on a commercial property is located out-of-state, the notice required by § 250-12 shall also contain the full name, address and telephone number of an in-State representative or agent who shall be responsible for the care, maintenance, security and upkeep of the exterior of the property in the event the property becomes vacant and abandoned. An out-of-state creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of

\$2,500 for each day of the violation commencing on the 11th day after the foreclosure complaint is served, as set forth in N.J.S.A. 46:10B-51.

§ 250-15 Registry of vacant and abandoned property and properties subject to foreclosure proceedings.

The Code Enforcement Office will maintain a registry of vacant and abandoned property and properties subject to foreclosure proceedings that tracks the history and plan of action developed by Borough Administration for alleviating such conditions. The registry of [vacant and] abandoned property and properties subject to foreclosure proceedings will be available for public inspection. The Borough Council will receive the current registry of vacant and abandoned property and properties subject to foreclosure proceedings along with the Mayor's proposed budget so that the Council shall have the ability to allocate funds for that year to alleviate those conditions where possible.

§ 250-16 Fee Schedule.

A. For vacant and abandoned properties being registered by the owner:

Vacant Property Registration	Fee Schedule
Initial registration and annual renewal without maintenance or code violations	\$250
The first renewal if any property maintenance or code violations that existed at the time of the previous registration remain unabated at the time of renewal or if there is a new such violation on the property that remains unabated at the time of renewal.	\$500
Any subsequent renewal if any property maintenance or code violations that existed at the time of the previous renewal remains unabated at the time of renewal or if there is a new such violation on the property that remains unabated at the time of renewal.	\$750

B. For vacant and abandoned properties being registered by a creditor:

Vacant Property Registration	Fee Schedule
Initial registration	\$500
Any subsequent renewal	\$2,500

§ 250-17 Administration.

The Director of the Department of Land Use may issue rules and regulations for the administration of the provisions of this article concerning vacant and abandoned property.

§ 250-18 Violations and penalties.

A. Any owner or authorized agent who is not in full compliance with this article or who otherwise violates any provision of this article or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500 and not more than \$1,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this article shall be recoverable from the owner and shall be a lien on the property.]

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

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

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

DATE INTRODUCED:

DATE ADOPTED:

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR

Date:

JULIE MARTIN, MUNICIPAL CLERK

Date:

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Bill List By Vendor Id

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8X8IN005	8X8 INC								
		23-02398	10/04/23	BORO MONTHLY PHONE SERVICE	Open	2,988.64	0.00		
ACME005	ACME/LINGO FLAGPOLES, LLC								
		23-00220	01/23/23		Open	6,396.00	0.00		
		23-02244	09/19/23		Open	99.00	0.00		
						6,495.00			
AHH001	AMERICAN HOSE & HYDRAULICS, INC								
		23-01503	06/14/23	OPEN FOR 2023	Open	334.28	0.00		B
AMAZ001	AMAZON.COM SERVICES, INC								
		23-02241	09/19/23	FIRE PREVENTION SUPPLIES	Open	415.91	0.00		
AMER007	AMERICAN PLUMBER LLC								
		22-02881	12/14/22	HOME IMPROVEMENT PROGRAM	Open	1,300.00	0.00		B
APP002	GANNETT NJ NEWSPAPERS								
		23-01945	08/10/23	LEGAL ADVERTISEMENTS	Open	357.28	0.00		B
		23-02335	09/29/23	LEGAL ADVERTISEMENTS	Open	309.32	0.00		B
						666.60			
APS002	ATLANTIC PLUMBING & SUPPLY COR								
		23-01631	06/30/23		Open	94.99	0.00		B
ASFI001	ATLANTIC SECURITY & FIRE, INC.								
		23-01844	07/31/23		Open	312.50	0.00		B
		23-02176	09/13/23		Open	506.85	0.00		
						819.35			
ATH001	ATHLETE'S ALLEY								
		23-02121	09/06/23	Fall Soccer League Gear	Open	1,665.40	0.00		
AVAKL001	LEON AVAKIAN, INC								
		23-02305	09/26/23	IW Partners Escrow #1605	Open	4,520.00	0.00		
BAND001	BANDAG, INC								
		23-02120	09/06/23	DPW#25 FIRESTONE VERSA BUILT A	Open	3,913.20	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
CARAD010	CARADAM LLC C/O ADAM JOHNSON								
		23-02188	09/14/23	#1532+#1553 RELEASE ESCROW FUN	Open	5,241.36	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
CARLOS01	CARLOS & SON JANITORIAL	23-02084	08/31/23		Open	905.00	0.00		
CIVIC005	CIVICPLUS LLC	23-02090	09/01/23	SSL MANAGEMENT ANNUAL RENEWAL	Open	8,737.73	0.00		
COMC004	COMCAST	23-02403	10/04/23	BORO SPC VIDEO ACCOUNT	Open	136.38	0.00		
CONF001	CONTINENTAL FIRE & SAFETY, INC	23-02196	09/15/23	FIRE DEPT SURVIVOR FLASHLIGHTS	Open	1,082.00	0.00		
CSUT001	CAROL SUTPHIN	23-00276	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CUMM001	GARY CUMMINGS	23-02326	09/28/23	FIRST AID STIPEND ENGINEER	Open	562.50	0.00		
		23-02327	09/28/23	FIRST AID LIEUTENNT STIPEND	Open	1,000.00	0.00		
						1,562.50			
DCC001	DWAYNE C. CONNELLY	23-02154	09/11/23	WOOBOOT REIMBURSEMENT	Open	250.00	0.00		
DWOM001	DORIS M. WOMBOUGH	23-00280	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	434.70	0.00		B
ECEL002	EAST COAST EMERGENCY LIGHTING	23-00865	03/21/23	Upfit of Marked 22 Chevy Tahoe	Open	6,883.75	0.00		
ENG001	WALLACE ENGLEHART	23-00287	01/26/23	2023 STATE SHBP REIMB RETIREE	Open	2,237.09	0.00		B
		23-00294	01/27/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
						2,731.79			
EPG001	EAGLE POINT GUN	22-02834	12/09/22	2022 Ammo	Open	2,953.08	0.00		B
FBI001	FBI NATIONAL ACADEMY ASSOC	23-02242	09/19/23	Annual Training Conference 570	Open	450.00	0.00		
FERRUGIA	LINDA G FERRUGIA	23-00509	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
FMERA001	FMERA	23-02405	10/05/23	FORT MONMOUTH STREET LIGHT SRV	Open	382.20	0.00		
FOO001	SAKER SHOPRITES, INC.	23-02040	08/24/23	SEPTEMBER SNACKS	Open	25.22	0.00		
		23-02041	08/24/23	SEPTEMBER SNACKS	Open	23.98	0.00		
		23-02222	09/18/23	OCTOBER BINGO SUPPLIES	Open	49.94	0.00		
						99.14			

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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
FSS002	FIRE & SAFETY SERVICES, LTD								
		23-01458	06/08/23	FIRE DEPT REPLACE NOZZLE	Open	1,620.00	0.00		
GAGL001	GAGLIANO & COMPANY								
		23-01972	08/15/23	Professional Services Rendered	Open	2,500.00	0.00		
GASK001	GASKO'S FAMILY FARM & GREENHOU								
		23-02267	09/20/23	EATONTOWN DAY SUPPLIES	Open	790.60	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-02275	09/21/23	PAY PERIOD 9/29/23 O/S DETAIL	Open	7,909.00	0.00		
GRAS002	JANICE GRASSO								
		23-02315	09/26/23	CELL PHONE REIMBURSEMENT 2023	Open	90.00	0.00		
GTBM001	GTBM, INC								
		23-02107	09/06/23	ICop Back Trace Renewal	Open	1,776.00	0.00		
		23-02155	09/11/23	ETicket Annual Service Fee	Open	7,350.00	0.00		
						9,126.00			
IMP001	IMPRINT SHOP LLC								
		23-02189	09/14/23	Eatontown Day shirts	Open	4,081.68	0.00		
		23-02195	09/15/23	Firearms Uniforms	Open	600.00	0.00		
						4,681.68			
JENG001	JOYCE ENGLEHART								
		23-00293	01/27/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
JERS001	JCP&L								
		23-02399	10/04/23	BORO MONTHLY ELECTRIC USAGE	Open	515.45	0.00		
		23-02407	10/05/23	BORO MONTHLY ELECTRIC SERVICE	Open	226.43	0.00		
		23-02409	10/05/23	BORO MONTHLY ELECTRIC SERVICE	Open	292.52	0.00		
		23-02424	10/06/23	BORO MONTHLY ELECTRIC SERVICE	Open	499.29	0.00		
						1,533.69			
JRCAMP01	John R. Campbell								
		23-00256	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
KAW001	CHARLES KAWAS								
		23-00506	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
LAKEV005	LAKEVIEW TOWNHOMES @ EATONTOWN								
		23-02230	09/18/23	REFUND OVERPAYMENT	Open	5,540.40	0.00		
LAN001	LANIGAN ASSOCIATES, INC.								
		23-01301	05/19/23	Uniform Purchases 2023	Open	8.00	0.00		B
		23-02175	09/13/23	Uniform purchase for Gilligan	Open	32.45	0.00		
						40.45			
LEAF0006	LEAF								
		23-02268	09/20/23	PUBLIC WORKS WATER COOLER	Open	89.85	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		23-02271	09/20/23	IW Partners Escrow #1605	Open	750.00	0.00		
		23-02360	10/02/23	Attendance 10.2.2023 PB Meet	Open	850.00	0.00		
						1,600.00			
MCK001	MARY ANN MCKEAN								
		23-00269	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
MEC001	MECO, INC								
		22-02684	11/15/22	INDUSTRIAL WAY WEST GRANT BAL	Open	119,191.70	0.00		B
		23-02357	10/02/23	IWW PHASE#2 & #3 PAY CERT# 3	Open	30,282.04	0.00		
						149,473.74			
MEGIL001	FRED MEGILL								
		23-00619	02/23/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC								
		23-01502	06/14/23	OPEN FOR 2023	Open	357.65	0.00		B
MRK001	MR. KEYS INC								
		23-02063	08/28/23		Open	464.00	0.00		B
MSW001	MOTOROLA SOLUTIONS								
		23-00615	02/23/23	EFD COMMAND VEHICLE RADIO	Open	1,647.38	0.00		
NEO003	QUADIENT/SUPPLIES								
		23-01521	06/16/23	BORO MAIL MACHINE INK SUPPLY	Open	281.20	0.00		
NJAM001	NJ ADVANCE MEDIA								
		23-02390	10/04/23	Legal Advertisement	Open	230.72	0.00		
NJAWC001	NEW JERSEY AMERICAN WATER								
		23-02404	10/04/23	BORO HYDRANTS WATER USAGE	Open	16,433.10	0.00		
NJB001	VERIZON								
		23-02397	10/04/23	POLICE CELL/ANTENNA SERVICES	Open	1,597.24	0.00		
		23-02402	10/04/23	BORO MONTHLY MAIN PHONE SRVC	Open	9,846.58	0.00		
						11,443.82			
NJDH001	NJ DEPT OF HEALTH AND SENIOR S								
		23-02348	09/29/23	Dog License Monthly Report	Open	7.80	0.00		
NJFE001	NEW JERSEY FIRE EQUIPMENT CO.								
		23-01523	06/16/23	FIRE DEPT ANNUAL SCBA TESTING	Open	1,790.00	0.00		
		23-02142	09/08/23	FIRE DEPT SCOTT AIR-PAK REPAIR	Open	1,135.73	0.00		
						2,925.73			
NJLE001	NJ LEAGUE OF MUNICIPALITIES								
		23-02281	09/21/23	JOB POSTING-PT CUSTODIAN	Open	115.00	0.00		
NJRPA005	NJRPA								
		23-02213	09/18/23	COMMUNITY REC FALL WORKSHOP	Open	65.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NOZ001	NOLZE GARAGE DOOR, LLC								
		23-01388	05/30/23		Open	160.00	0.00		B
		23-01741	07/14/23		Open	150.00	0.00		B
						310.00			
OLI002	OLIWA & COMPANY								
		22-02922	12/23/22	BORO AUDITOR SERVICES	Open	29,000.00	0.00		B
OUT003	OUTSTANDING SERVICE CO., INC.								
		23-02013	08/23/23		Open	1,150.00	0.00		
PASHSTEI	PASHMAN STEIN WALDER HAYDEN								
		23-02339	09/29/23	AUGUST 2023-GENERAL	Open	6,632.50	0.00		
		23-02340	09/29/23	AUGUST 2023-RETAINER	Open	1,541.66	0.00		
		23-02341	09/29/23	AUGUST 2023-TAX APPEALS	Open	2,415.00	0.00		
		23-02342	09/29/23	EATONTOWN ADV. FRESH	Open	315.00	0.00		
		23-02343	09/29/23	MONMOUTH MALL REDEVELOPMENT	Open	5,495.00	0.00		
						16,399.16			
PAY003	LOUISE M. PAYNE								
		23-02209	09/18/23	SHBP REIMBURSEMENT 2023	Open	323.72	0.00		
PCAMP001	Patricia Campbell								
		23-00257	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
PFLUG001	RYAN PFLUG								
		23-02328	09/28/23	FIRST AID STIPEND CAPTAIN	Open	1,750.00	0.00		
PIONE005	PIONEER POLE BUILDINGS, INC								
		22-02156	09/21/22	Shared Borough Storage Bldg.	Open	22,591.00	0.00		B
		22-02612	11/03/22	OEM SITE PREP LAND/BUILDING	Open	2,100.00	0.00		
		23-02211	09/18/23	Balance of Shed Project	Open	312.00	0.00		
						25,003.00			
PMCAS005	PMC ASSOCIATS								
		23-02162	09/12/23	Cradle point license	Open	204.48	0.00		
PROCW001	PROSHINE HAND CAR WASH								
		23-01989	08/17/23	Interior Detail LESO vehicle	Open	260.00	0.00		
REPT001	REPUBLIC SERVICES								
		23-02262	09/20/23	SEPTEMBER 2023 TONNAGE	Open	24,872.79	0.00		
ROBER020	ROBERT ROSCH								
		23-02261	09/19/23	MEDICARE REIMBURSEMENT RETIREE	Open	494.70	0.00		
RUTG099	RUTGERS CONTINUING STUDIES GOV.								
		23-02125	09/07/23	ELECTED OFFICIALS-POWERS &	Open	200.00	0.00		
SCH001	T&M ASSOCIATES								
		23-01959	08/14/23	LENNAR/US HOMES ESCROW#1601	Open	9,688.41	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SCH001	T&M ASSOCIATES			Continued					
		23-02351	10/02/23	FMRA 8'WATER MAIN ESCROW #1598	Open	32,615.89	0.00		
						42,304.30			
SEA001	SEABOARD FIRE & SAFETY EQUIPME								
		23-02132	09/08/23		Open	277.00	0.00		B
SHAV005	SHAVONNE HAMILTON								
		23-02306	09/26/23	RECREATION PAVILION REFUND	Open	250.00	0.00		
SICK001	SICKELS MARKET								
		23-01475	06/09/23	BEAUTIFY EATONTOWN MATERIALS	Open	99.72	0.00		B
STAP003	STAPLES ADVANTAGE								
		23-02253	09/19/23	FINANCE DEPT OFFICE SUPPLIES	Open	66.79	0.00		
		23-02255	09/19/23	HISTORICAL OFFICE SUPPLIES	Open	50.47	0.00		
		23-02256	09/19/23	RECREATION OFFICE SUPPLIES	Open	95.40	0.00		
		23-02257	09/19/23	POLICE CHIEF OFFICE SUPPLIES	Open	383.75	0.00		
		23-02320	09/28/23	LIBRARY OFFICE SUPPLIES	Open	84.48	0.00		
		23-02321	09/28/23	BORO REPLENISH COPY PAPER	Open	444.90	0.00		
		23-02322	09/28/23	FIRE PREVENTION OFFICE SUPPLY	Open	173.73	0.00		
		23-02324	09/28/23	FINANCE OFFICE SUPPLIES	Open	194.60	0.00		
						1,494.12			
SWOMB001	SHARON WOMBOUGH								
		23-00281	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
TEPS001	STATE OF NJ DEPT OF TREASURY								
		23-02347	09/29/23	SHBP CONTRIBUTION OCTOBER 2023	Open	290,667.90	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT								
		23-00343	02/06/23		Open	400.00	0.00		
		23-01483	06/12/23		Open	150.00	0.00		B
						550.00			
TNJ001	TREASURER, STATE OF NJ								
		23-02349	09/29/23	MARRIAGE 3RD QUARTER REPORT	Open	800.00	0.00		
TROP001	TROPICANA CASINO AND RESORT								
		23-02355	10/02/23	Convention 1 Night 11/15-16/23	Open	128.00	0.00		
TWOM001	THOMAS C. WOMBOUGH III								
		23-00279	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
UGIEN005	UGI ENERGY SERVICE, LLC								
		23-02325	09/28/23	BORO NATURAL GAS USAGE	Open	184.09	0.00		
UPS003	UPS								
		23-02263	09/20/23	Outbound shipping	Open	24.72	0.00		
WCE001	WIRELESS ELECTRONICS INC								
		23-01699	07/10/23	INSTALL SINGLE RADIO HEAD W/ A	Open	3,155.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WHITE006	WHITE DOVE CLEANERS								
		23-02171	09/13/23	Dry cleaning	Open	1,537.85	0.00		
WWG001	GRAINGER INC								
		23-02000	08/21/23	VP SMALL ENGINE FUEL	Open	1,325.44	0.00		
WWG010	W.W. GRAINGER, INC.								
		23-02015	08/23/23		Open	387.27	0.00		B
		23-02091	09/01/23		Open	<u>1,026.18</u>	0.00		
						1,413.45			
Total Purchase Orders:		122	Total P.O. Line Items:		0	Total List Amount:	724,145.65	Total Void Amount:	0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	2-01	34,053.08	0.00	34,053.08	0.00	0.00	34,053.08
CURRENT FUND:	3-01	451,768.02	0.00	451,768.02	250.00	0.00	452,018.02
GENERAL CAPITAL F	C-04	178,948.49	0.00	178,948.49	0.00	0.00	178,948.49
	T-12	7.80	0.00	7.80	0.00	0.00	7.80
	T-15	9,999.60	0.00	9,999.60	0.00	0.00	9,999.60
	T-17	49,118.66	0.00	49,118.66	0.00	0.00	49,118.66
Year Total:		59,126.06	0.00	59,126.06	0.00	0.00	59,126.06
Total of All Funds:		723,895.65	0.00	723,895.65	250.00	0.00	724,145.65

ORDINANCE 30-2023

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

**AN ORDINANCE AMENDING CHAPTER 57 "PROFESSIONAL SERVICES",
ARTICLE II "PAY-TO-PLAY RESTRICTONS" REPEALING LOCAL PAY-TO-PLAY
RESTRICTIONS IN CONFORMANCE WITH THE ELECTIONS TRANSPARENCY
ACT**

WHEREAS, the Legislature adopted Public Law 2023, Chapter 30 known as the Elections Transparency Act ("ETA"), which significantly changed New Jersey's pay-to-play laws in April 2023 which included a provision prohibiting local governmental entities from imposing pay-to-play provisions that are more restrictive than those which have been established in state law; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services issued LFN 2023-14 to provide guidance to municipalities in implementing the ETA (the "LFB Directive") and in part, directed municipalities to repeal any local pay-to-play ordinances in effect.

WHEREAS, the Borough Council adopted Ordinance 02-009 establishing local pay-to-play limits through the establishment of Chapter 57, Article II, Sections 57-6 through 57-18 in the Borough Code and those restrictions were subsequently amended through the adoption of Ordinance 02-2023; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to ensure the Borough Code is in conformance with state law and the LFB Directive and it is therefore eliminating the local pay-to-play standards in the Borough Code.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, that Chapter 57 "Professional Services", Article II "Pay-to-Play Restrictions" Sections 57-6 through 57-18 are hereby repealed in their entirety.

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

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

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

DATE INTRODUCED:

DATE ADOPTED:

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR

Date:

JULIE MARTIN RMC, MUNICIPAL CLERK

Date:

ORDINANCE 31-2023

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

**AN ORDINANCE APPROVING THE FMERA REUSE AND REDEVELOPMENT PLAN AS THE
REDEVELOPMENT PLAN UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW FOR THE
PROPERTIES LOCATED WITHIN EATONTOWN THAT WERE FORMERLY PART OF FORT MONMOUTH AND
THAT ARE IDENTIFIED ON THE BOROUGH'S TAX MAP AS BLOCK 301, LOT 1, BLOCK 501, LOTS 1 AND
1.01, BLOCK 601, LOT 1, AND BLOCK 701, LOT 1**

WHEREAS, on July 12, 2017, the Eatontown Borough Council adopted Resolution 152-2017 authorizing the Eatontown Planning Board to conduct a preliminary investigation to determine whether a study area consisting of the former Fort Monmouth Properties located in the Borough of Eatontown which are identified on the Borough's tax map as Block 301, Lot 1, Block 501, Lot 1, Block 601, Lot 1 and Block 701, Lot 1 (collectively, the "Study Area") and under the jurisdiction and control of the Fort Monmouth Economic Revitalization Authority ("FMERA") should be determined to be a Non-Condemnation Redevelopment Area under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, on July 26, 2017, the Eatontown Borough Council adopted Resolution 162-2017 authorizing the Eatontown Planning Board to expand the Study Area to include Block 501, Lot 1.01 (as amended, the "Expanded Study Area"); and

WHEREAS, pursuant to this authorization, the Planning Board scheduled a public hearing on the preliminary investigation of the Expanded Study Area for Monday, August 21, 2017 at 7:30 p.m. and published notice of the hearing to the public and to all impacted property owners in accordance with the requirements of the LRHL; and

WHEREAS, the Fort Monmouth Economic Revitalization Authority ("FMERA") retained Phillips Preiss Grygiel, LLC ("PPG") to prepare a planning report analyzing whether the Expanded Study Area qualifies as a Non-Condemnation Redevelopment Area under the LRHL; and

WHEREAS, PPG issued a planning report dated July 2017 concluding that the Expanded Study Area has conditions within it which would qualify it for designation as an area in need of redevelopment; and

WHEREAS, the Planning Board conducted a public hearing on its preliminary investigation of the Expanded Study Area on August 21, 2017 and heard testimony at that public hearing from a representative of PPG; and

WHEREAS, the Planning Board adopted a resolution declaring that the Expanded Study Area qualifies as an area in need of redevelopment due to the existence of conditions within the Expanded Study Area satisfying criteria N.J.S.A. 40A:12A-5(b) and (d), and recommending that the Borough Council determine that the Expanded Study Area is a Non-Condemnation Redevelopment Area under the LRHL; and

WHEREAS, the Borough Council adopted Resolution 178-2017 declaring that the Expanded Study Area qualifies as a Non-Condemnation area in need of redevelopment due to the existence of conditions satisfying criteria N.J.S.A. 40A:12A-5(b) and (d) under the LRHL; and

WHEREAS, the Borough Council adopted Resolution 173-2023 on August 9, 2023 reaffirming that the Expanded Study Area consisting of the former Fort Monmouth Properties located in the Borough of Eatontown which are identified on the Borough's tax map as Block 301, Lot 1, Block 501, Lots 1 and 1.01, Block 601, Lot 1 and Block 701, Lot 1 qualifies as an area in need of redevelopment due to the existence of conditions within the Expanded Study Area satisfying criteria N.J.S.A. 40A:12A-5(b) and (d), constitutes a Non-Condernation Redevelopment Area under the LRHL; and

WHEREAS, the Borough does not have independent zoning powers over the Fort Monmouth property, including the Expanded Study Area, but instead, FMERA, pursuant to N.J.S.A. 52:271-18 et. seq. and its implementing regulations, has created the Fort Monmouth Economic Reuse and Redevelopment Plan (the "FMERA Reuse Plan") as amended from time to time, to set the zoning standards for the properties on Fort Monmouth, including the Expanded Study Area; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to adopt the FMERA Reuse Plan as the Redevelopment Plan for the Expanded Study Area so that it may exercise the full powers afforded to it under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., (the "LRHL") to further the redevelopment of the properties in Eatontown within Fort Monmouth; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves and adopts the Fort Monmouth Reuse and Redevelopment Plan, as amended by FMERA from time-to-time, including future plan amendments, as the Redevelopment Plan for the properties identified as Block 301, Lot 1, Block 501, Lots 1 and 1.01 and Block 601, Lot 1 and Block 701, Lot 1 on the Borough of Eatontown Tax Map in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7.

BE IT FURTHER ORDAINED THAT in accordance with N.J.S.A. 40A:12A-7 (c), the Zoning District Map of the Borough of Eatontown is hereby amended to include the FMERA Reuse Plan, as amended from time-to-time including future plan amendments as a zoning district.

BE IT FURTHER ORDAINED, that:

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

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

DATE INTRODUCED:

PUBLIC HEARING:

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

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, the Borough of Eatontown has received notice of an award of \$1,961.90 from New Jersey American Water and wishes to amend its 2023 Budget to include this amount as revenue.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Severinsen						
Mavor 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 October 11, 2023

Julie Martin, RMC, Borough 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:

MEMBER: Jessica Buck
UNEXPIRED TERM: 10/11/23 – 12/31/23

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Severinsen						
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 October 11, 2023.

 Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby certify that they have complied with N.J.A.C. 5:30-6.5 and do hereby direct the Borough Clerk to submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Severinsen						
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 October 11, 2023.

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 Tax Sale Certificate Outside Liens for Redemption and has recommended that the same be refunded.

BLOCK	LOT	QUAL	NAME	AMOUNT CERTIFICATE	AMOUNT PREMIUM	CERTIFICATE NUMBER
1003	11		ATCF II NJ LLC, TAXSERV AS CUST	\$ 5,574.05	\$ 0	22000013
3201	39		CHRISTIANA T C/F CE1/FIRSTTRUST	\$ 9,275.71	\$ 18,400.00	20-00014

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Severinsen						
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 October 11, 2023

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

- | | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|--------------------------|--------|--------|-----|-----|---------|--------|
| Council President East | | | | | | |
| Councilmember Regan, Jr. | | | | | | |
| Councilmember Jones | | | | | | |
| Councilmember Gindi | | | | | | |
| Councilmember Araman | | | | | | |
| Councilmember Severinsen | | | | | | |
| 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 Octobe 11, 2023.

Julie Martin, RMC, Borough Clerk

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

Whereas, the Borough of Eatontown desires to receive Proposals for the positions of Rehabilitation Program Administrator and Affordable Housing Administrative Agent; and

Whereas, notice will be published on October 17, 2023, for receipt of proposals on November 9, 2023.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Severinsen						
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 October 11, 2023.

Julie Martin, RMC, Borough Clerk