

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 25, 2023

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

**Amended 10/25/23*

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. 2023 Best Practices, Discussion (*Administrator Lucia*)
3. Engineer Report *
4. Council Policy & Procedures Handbook Update (*C/Jones*)
5. Municipal Strategic Plan Update (*C/Jones*)
6. New Borough Employee, Public Information Officer (*C/Jones*)
7. Volunteer Fair, Spring 2024 (*C/Jones*)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (*vv*)
 - A. Workshop/Regular Meeting/Closed Session - 10/11/2023
3. **COMMUNICATIONS**
 - A. Monmouth County Board of Commissioners, Resolution Auth. Execution of Small Wireless Facility Right-of-Way
 - B. West Long Branch, Notice of Public Hearing (Blk 108, Lot 17)
 - C. NJ DEP, Well Restriction Area Fact Sheet Form (Blk 2401, Lot 55)
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 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 - **Public Hearing/Adoption**
- 2) **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 - **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 32-2023** - An Ordinance Revising Section 303 of the Borough Code Entitled Towing Pursuant to Eatontown Police Department Recommendations - **First Reading/Introduction (Public Hearing 11/9/23)**

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 218-2023** - Auth. Renewal of Contract, Animal Control Services, Monmouth County SPCA (2024)
- 2) **Resolution 219-2023** - Auth. Reimbursement of Adobe Creative Software (K. Lofgren)
- 3) **Resolution 220-2023** - Auth. Grant Application, NJ DCA (Police Dept)
- 4) **Resolution 221-2023** - Auth. Grant Application, NJ DCA (Recreation Dept)
- 5) **Resolution 222-2023** - Auth. Release of Escrow, Bedell, LLC (QuickChek, Blk 2302, Lot 1)
- 6) **Resolution 223-2023** - Auth. Amended Change Order No. 1 and Final Payment to Mecor, Inc. for the Industrial Way West Roadway Improvements Phases 2 & 3
- 7) **Resolution 224-2023** - Extending Deadline to Award Contract, Shop Local Eatontown Property Tax Reward Program
- 8) **Resolution 225-2023** - Approving Developer's Agreement, 1621 Pumo Real Estate, LLC, 215 Broad (Blk 301, Lot 51)
- 9) **Resolution 226-2023** - Auth. Reimbursement of EDA Application Fee (W. Lucia)

C. CONSENT AGENDA MOTIONS (vv)

- 1) Tax Collector - Results of 2023 Tax Sale

11. REMARKS OF COUNCIL AND CITIZENS

12. CLOSED SESSION (vv)

A. **Resolution 227-2023**

1. Attorney Client Privilege - Monmouth Mall
2. Contract Negotiations - Architect

13. ADJOURNMENT (vv)

The next meeting of the Governing Body is
THURSDAY, November 9, 2023 @ 7:00 p.m.

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 RESTRICTIONS" 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-Condemnation 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:

October 24, 2023
10:45 AM

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
AKEQ001	A&K EQUIPMENT CO INC								
		23-01889	08/04/23	AMBER/CLEAR LED STROBE LIGHTS	Open	1,825.82	0.00		
AMAZ001	AMAZON.COM SERVICES, INC								
		23-02269	09/20/23		Open	299.99	0.00		
		23-02277	09/21/23	Halloween Party 10.20.23	Open	114.07	0.00		
		23-02290	09/22/23	VINYL TRANSFER TAPE 12X48	Open	110.19	0.00		
		23-02439	10/11/23		Open	87.99	0.00		
						612.24			
AMAZ005	AMAZON.COM #A3898AWA7QWMO								
		23-02429	10/09/23	Beast ribbon and labels	Open	81.29	0.00		
AMER1001	AMERIFLEX BUSINESS SOLUTIONS								
		23-02450	10/12/23	FSA/COBRA ADMIN FEES 2023	Open	115.00	0.00		B
AMOD001	ANTONIO AMODIO								
		23-02430	10/09/23	2023 Boot Reimbursement	Open	100.00	0.00		
ANDRE015	ANDREW HUISMAN								
		23-02366	10/02/23	EYEGLASS REIMBURSMENT	Open	319.48	0.00		
ANJ001	ANJEC								
		23-02345	09/29/23	2023 ENVIROMENTAL CONGRESS	Open	25.00	0.00		
ANNH001	ANN HOWELL								
		23-00526	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
AOC001	ALLIED OIL LLC.								
		23-02207	09/18/23	93 RFG GAS/ETHANOL	Open	8,517.86	0.00		
APP002	GANNETT NJ NEWSPAPERS								
		23-02335	09/29/23	LEGAL ADVERTISEMENTS	Open	393.16	0.00		B
ARH001	ADAMS, REHMANN HEGGAN ASSOC INC								
		23-02314	09/26/23	GREENWAY CONTRUCTION PROJECT	Open	3,833.75	0.00		
		23-02379	10/03/23	PROFESS. SERV GREENWAY PROJECT	Open	1,421.25	0.00		
						5,255.00			
ARNONE01	JOAN ARNONE								
		23-00289	01/26/23	2023 SHBP REIMBURSMENT RETIREE	Open	1,385.54	0.00		B
		23-00510	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
						1,880.24			
ATH001	ATHLETE'S ALLEY								
		23-02033	08/24/23	NAMEPLATES.WALL PLAQUE	Open	52.50	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
ATTM002	AT&T MOBILITY - 287306454448								
		23-02529	10/18/23	BORO MONTHLY CELL USAGE	Open	440.81	0.00		
ATTM003	AT&T MOBILE 287306454309								
		23-02530	10/18/23	BORO VARIOUS CELL USAGE	Open	2,758.41	0.00		
AUTO001	AUTO PARTS CENTER								
		23-01248	05/12/23	PUBLIC WORKS UNPAID ACCOUNT	Open	174.47	0.00		
		23-01764	07/18/23	OPEN FOR 2023	Open	84.75	0.00		B
						259.22			
AVAKL001	LEON AVAKIAN, INC								
		23-02528	10/18/23	Tafilah Tent Escrow #1613	Open	2,640.00	0.00		
BBBA001	BROWN & BROWN BENEFITS ADV.								
		23-02460	10/12/23	NOVEMBER 2023 CONSULTING FEE	Open	1,500.00	0.00		
BELOP005	BELO PIZZERIA								
		23-01905	08/07/23	FIRE DEPT- FOOD VOUCHER	Open	130.44	0.00		B
		23-02362	10/02/23	Pizza Halloween Party 10.20.23	Open	302.50	0.00		
						432.94			
BLA001	JUDITH CLAUSS BLAIR								
		23-00254	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
BOE001	EATONTOWN BOARD OF EDUCATION								
		23-02232	09/18/23	TRANSPORTATION FACILITY OPERAT	Open	4,988.86	0.00		
		23-02452	10/12/23	TAX LEVY NOVEMBER 2023	Open	2,074,970.50	0.00		
						2,079,959.36			
BRAND011	BRANDON SMITH								
		23-02319	09/28/23	WOOBOOT REIMBURSEMENT	Open	144.99	0.00		
BRUN001	MARTIN R. BRUNO								
		23-00542	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
BSA001	BOY SCOUTS OF AMERICA								
		23-00041	01/09/23	OPEN FOR 2023	Open	125.00	0.00		B
BTF001	BOROUGH OF TINTON FALLS								
		23-01657	07/06/23	BUCKET TRUCK INSPECTION	Open	652.75	0.00		
		23-01684	07/07/23	SWEeper PARTS	Open	665.25	0.00		
		23-02505	10/17/23	COURT SHARED SERV AGREEMENT	Open	77,070.75	0.00		
						78,388.75			
CAG001	CLEARY GIACOBBE ALFIERI & JACO								
		23-02518	10/18/23	BORO MUNICIPAL PROSECUTOR SRV	Open	3,000.00	0.00		
CAPIC001	RONALD CAPICHANA								
		23-02361	10/02/23	DJ Halloween Party 10.20.23	Open	250.00	0.00		
CGPH001	CGP&H, LLC								
		23-02419	10/06/23	HOUSING REHABILITATION PROGRAM	Open	3,875.01	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CGPH001	CGP&H, LLC			Continued					
		23-02420	10/06/23	HOUSING REHABILITATION PROGRAM	Open	381.60	0.00		
		23-02421	10/06/23	HOUSING REHABILITATION PROGRAM	Open	339.30	0.00		
		23-02422	10/06/23	ADMINISTRATIVE AGENT SERVICES	Open	2,106.00	0.00		
						6,701.91			
CHAS001	ARTHUR F. CHASEY, JR.								
		23-00260	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CHEM001	CHEM-TEK INDUSTRIES INC.								
		23-01951	08/11/23	5/16-18 X 2-1/2 GALVANIZED CAR	Open	854.90	0.00		
CHRIS002	JAMES CHRISTIE								
		23-02441	10/11/23	EYEGLASS REIMBURSEMENT	Open	254.00	0.00		
CIOK001	PEGGY CIOK								
		23-00261	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CIOK002	ROBERT S CIOK								
		23-00262	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CKC001	CAROL K. CHASEY								
		23-00259	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
CLTS001	CoreLogic Tax Services								
		23-02190	09/15/23	REFUND OVERPAYMENT EX VETERAN	Open	2,091.07	0.00		
COM006	COMCAST BUSINESS								
		23-02514	10/17/23	BORO MONTHLY INTERNET SERVICE	Open	779.25	0.00		
COMC004	COMCAST								
		23-02512	10/17/23	LIBRARY ONLINE BUSINESS SERV	Open	106.90	0.00		
		23-02560	10/24/23	DPW MONTHLY INTERNET ACCT	Open	314.44	0.00		
						421.34			
CRANB005	CRANBURY CUSTOM LETTERING INC								
		23-02312	09/26/23	Garden signs -2	Open	270.00	0.00		
DEADY002	FLORA DEADY								
		23-00533	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
DET002	DETCON								
		23-01774	07/19/23	LOADMASTER TG TURNBUCKLES	Open	620.00	0.00		
DMV001	NJ DIVISION OF MOTOR VEHICLES								
		23-02416	10/06/23	Title Fees	Open	300.00	0.00		
DOBR001	JOHN DOBROWOLSKI								
		23-00267	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
EATON041	EATONTOWN INVESTORS								
		23-02187	09/14/23	#1597 DEVELOPERS ESCROW RELEAS	Open	3,660.09	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
EBSC0005	EBSCO INDUSTRIES, INC.								
		23-02156	09/11/23	Magazine Subscripton Renewal	Open	1,741.62	0.00		
FIB001	FIBAR SYSTEMS								
		23-02094	09/05/23	BULK WOOD FIBRE	Open	2,464.00	0.00		
FOLE002	FOLEY, INCORPORATED								
		23-00043	01/09/23	OPEN FOR 2023	Open	49.06	0.00		B
FOO001	SAKER SHOPRITES, INC.								
		23-02030	08/24/23	HAUNTED MUSEUM EVENT SUPPLIES	Open	73.39	0.00		
		23-02031	08/24/23	HAUNTED MUSEUM EVENT SUPPLIES	Open	121.36	0.00		
		23-02215	09/18/23	AFTERCARE OCTOBER SNACKS	Open	242.18	0.00		
		23-02221	09/18/23	OCTOBER BIRTHDAY LUNCHEON	Open	100.62	0.00		
		23-02223	09/18/23	OCTOBER SNACKS	Open	25.28	0.00		
		23-02224	09/18/23	OCTOBER SNACKS	Open	25.66	0.00		
		23-02225	09/18/23	OCTOBER SNACKS	Open	26.86	0.00		
		23-02243	09/19/23	WATER FOR COUNCIL CHAMBERS	Open	56.90	0.00		
		23-02363	10/02/23	Halloween Party Supplies	Open	60.83	0.00		
						733.08			
FUNEX001	FUN EXPRESS, LLC								
		23-02246	09/19/23	Halloween Celebration 10/20/23	Open	702.42	0.00		
		23-02272	09/20/23	ROID Halloween Party	Open	513.41	0.00		
						1,215.83			
FUNSER01	FUN SERVICES								
		23-02289	09/22/23	Halloween Party Photobooth	Open	750.00	0.00		
FWEB005	F.W. WEBB COMPANY								
		23-02133	09/08/23		Open	674.16	0.00		B
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		23-02524	10/18/23	PAY PERIOD 10/27/23 O/S DETAIL	Open	7,584.00	0.00		
GPC001	GENUINE PARTS COMPANY INC								
		23-01331	05/23/23	OPEN FOR 2023	Open	366.77	0.00		B
		23-01885	08/04/23	OPEN FOR 2023	Open	344.15	0.00		B
						710.92			
GSB002	GARDEN STATE BOBCAT, INC								
		23-02009	08/22/23	OPEN FOR 2023	Open	173.79	0.00		B
GWL001	GEORGE WALL LINCOLN MERCURY, IN								
		23-00134	01/17/23	OPEN FOR 2023	Open	235.38	0.00		B
HEALY001	THERESA HEALY								
		23-02365	10/02/23	ORTHODONTIC REIMBURSMENT	Open	650.00	0.00		
HOW001	WALTER HOWELL								
		23-00520	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B

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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
INT001	INTERSTATE BATTERIES, INC								
		23-00050	01/09/23	OPEN FOR 2023	Open	311.90	0.00		B
		23-02210	09/18/23	OPEN FOR 2023	Open	291.90	0.00		B
		23-02300	09/25/23	PF-31P-7	Open	<u>3,111.20</u>	0.00		
						3,715.00			
JERS001	JCP&L								
		23-02509	10/17/23	BORO MONTHLY ELECTRIC USUAGE	Open	158.37	0.00		
		23-02553	10/20/23	BORO MONTHLY ELECTRIC USUAGE	Open	<u>17,939.84</u>	0.00		
						18,098.21			
JGC001	John Guire Supply LLC								
		23-01153	05/02/23	OPEN FOR 2023	Open	191.98	0.00		B
		23-01465	06/09/23	OPEN FOR 2023	Open	<u>309.65</u>	0.00		B
						501.63			
JOHN005	MICHAEL JOHNSON								
		23-02353	10/02/23	2023 Boot Reimbursement	Open	100.00	0.00		
KASSI005	KASSIN, JACOB								
		23-02023	08/23/23	FIELD RENTAL REFUND RAIN OUT	Open	250.00	0.00		
KBS001	K.B.D. SUPPLY LLC								
		23-02317	09/27/23		Open	306.95	0.00		
KEM002	KEMPTON SHEDS								
		23-02386	10/04/23		Open	1,482.44	0.00		
KEPWE005	KEPWEL SPRING WATER CO, INC								
		23-00018	01/06/23		Open	47.00	0.00		B
KIMBA005	KIMBALL MIDWEST								
		23-02024	08/23/23	TORQ CB PENETRATING OIL	Open	737.08	0.00		
KOV001	JOSHUA KOVAL								
		23-02443	10/11/23	2023 Boot Reimbursement	Open	99.96	0.00		
KSTAUF01	KATHLEEN M. STAUFFER								
		23-00274	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
		23-00288	01/26/23	2023 STATE SHBP REIMB RETIREE	Open	<u>2,237.06</u>	0.00		B
						3,226.16			
LASTB005	LAST BITE MOSQUITO & TICK, LLC								
		23-00677	03/02/23	COMMUNITY GARDEN TREATMENT	Open	1,500.00	0.00		B
LAURE005	LAUREN HENNING								
		23-02437	10/11/23		Open	119.97	0.00		
LAWRE005	LAWRENCE JR & GEORGINA EDWARDS								
		23-02229	09/18/23	REFUND TAX OVERPAYMENT	Open	872.89	0.00		
LEADA005	LEADAONLINE LLC								
		23-02087	09/01/23	PowerPlus Investigation Sys.	Open	1,384.00	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
LECK001	LECKSTEIN & LECKSTEIN, LLC	23-02483	10/16/23	Planning Board 10.16.2023	Open	450.00	0.00		
LINC002	LINCOLN FINANCIAL LIFE INS CO	23-01955	08/14/23	2022 LOSAP AWARDS	Open	6,750.00	0.00		
LINDA015	LINDA ANN MURAKATA	23-02436	10/10/23	RELEASED ESCROW #1427	Open	261.50	0.00		
LLPEA005	LLP EATONTOWN LLC	23-02226	09/18/23	REFUND TAX OVERPAYMENT	Open	3,245.30	0.00		
LOU001	LOUIS R. MICELI	23-00270	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	1,285.80	0.00		B
LUCI001	WILLIAM LUCIA	23-02459	10/12/23	REIMBURSEMENT FOR ZOOM VIDEO	Open	213.14	0.00		
MACA001	PETER MACALUSO	23-00268	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	510.30	0.00		B
MAZ003	MAZZA RECYCLING SERVICES INC	23-00745	03/08/23	OPEN FOR BULK 2023	Open	11,077.72	0.00		B
MCA001	BARBARA MCAULIFFE	23-00271	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
MERCH005	MERCHANT RETAIL PARTNERS LLC	22-01596	07/14/22	RELEASE ESCROW FUNDS	Open	11,827.57	0.00		
MON002	MONMOUTH BUILDING CENTER	23-00559	02/15/23	OPEN FOR 2023	Open	32.84	0.00		B
		23-01391	05/30/23	OPEN FOR 2023	Open	40.36	0.00		B
		23-01588	06/27/23		Open	151.21	0.00		B
						224.41			
MOR002	LINDA MORGAN	23-00507	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
MRH001	MONMOUTH REGIONAL H.S. BD. OF	23-02451	10/12/23	TAX LEVY NOVEMBER 2023	Open	926,785.00	0.00		
MU002	MONMOUTH UNIVERSITY	23-02318	09/28/23	FEDERAL WORK STUDY PROGRAM	Open	45.00	0.00		
MURP002	SEAN MURPHY	23-02442	10/11/23	2023 Boot Reimbursement	Open	124.00	0.00		
NAU001	KAREN SIANO	23-00504	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
NEO003	QUADIENT/SUPPLIES	23-02391	10/04/23	MAIL MACHINE POSTAL SUPPLIES	Open	161.50	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
NJAWC001 NEW JERSEY AMERICAN WATER									
		23-02515	10/17/23	BORO MONTHLY WATER USAGE	Open	1,455.15	0.00		
		23-02550	10/20/23	BORO MONTHLY WATER USAGE	Open	723.27	0.00		
						2,178.42			
NJB001 VERIZON									
		23-02511	10/17/23	BORO MONTHLY PHONE USAGE	Open	111.65	0.00		
NJLE001 NJ LEAGUE OF MUNICIPALITIES									
		23-02316	09/26/23	REGISTRATION 2023 NJLM CONFERENCE	Open	70.00	0.00		
		23-02466	10/12/23	ADVERTISEMENT NOTICE OF RFP	Open	160.00	0.00		
		23-02516	10/18/23	RFP Advertisement	Open	210.00	0.00		
						440.00			
NOR002 NORTHWIND MECHANICAL SYSTEMS									
		23-00015	01/06/23		Open	497.60	0.00		B
NRPA006 NRPA									
		23-02364	10/02/23	NRPA Membership Renewal	Open	180.00	0.00		
NWFG001 NW FINANCIAL GROUP LLC									
		23-02392	10/04/23	FINANCIAL ADVISORY SERV MALL	Open	9,320.00	0.00		
ODELL001 KAREN A ODELL									
		23-00272	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
OTOOL005 O'TOOLE SCRIVO, LLC									
		23-02338	09/29/23	LABOR COUNSEL FEES	Open	1,277.50	0.00		
PAMELO10 PAMELA AND PETER MORLEY									
		23-02191	09/15/23	REFUND OVERPAY EX VETERAN	Open	2,409.92	0.00		
PAY003 LOUISE M. PAYNE									
		23-00511	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
PEL002 JOSEPH PELELLA JR									
		23-00512	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
PEL003 SHERYL PELELLA									
		23-00515	02/14/23	2023 MEDICARE REIMBURSEMENT	Open	494.70	0.00		B
POORJ005 POOR JOHN'S PORTABLE TOILETS									
		23-00673	03/01/23		Open	732.00	0.00		B
QUACK001 CHRISTOPHER QUACKENBUSH									
		23-02352	10/02/23	2023 Boot Reimbursement	Open	100.00	0.00		
REPT001 REPUBLIC SERVICES									
		23-02388	10/04/23	SEPTEMBER 2023 TONNAGE	Open	20,418.16	0.00		
		23-02465	10/12/23	SEPTEMBER 23 TONNAGE	Open	7,356.23	0.00		
						27,774.39			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
RESC002	ALBERT J. RESCINIO, ESQ.	23-02498	10/16/23	BORO PUBLIC DEFENDER SERVICES	Open	5,935.00	0.00		
ROSSI001	CHRIS ROSSI	23-02423	10/06/23	2023 Boot Reimbursement	Open	100.00	0.00		
RSTA001	ROBERT G. STAUFFER	23-00273	01/25/23	MEDICARE REIMBURSEMENT 2023	Open	989.10	0.00		B
RSUNJ001	RUTGERS, STATE UNIVERSITY OF N.	23-01801	07/24/23	NJ CLEAN COMMUNITIES COORDINAT	Open	240.00	0.00		
SCH001	T&M ASSOCIATES	23-02415	10/05/23	ETWN Parker Road Escrow #1548	Open	4,746.05	0.00		
SHAMA005	SHAMAR WASHINGTON	23-02334	09/29/23	WOOKBOOTS REIMBURSEMENT	Open	233.99	0.00		
SHERW005	SHERWIM WILLIAM -AUTOMOTIVE	23-01829	07/27/23	OPEN FOR 2023	Open	1,484.46	0.00		B
SHORE002	THE HOSE SHOP, INC.	23-02301	09/25/23	MRB137+18MM,21MM,33MM,42MM DIE	Open	5,170.57	0.00		
SPCA001	MONMOUTH COUNTY SPCA	23-02332	09/28/23	BORO ANIMAL CONTROL SERVICES	Open	1,875.00	0.00		
STAP003	STAPLES ADVANTAGE	23-02410	10/05/23	FINANCE OFFICE SUPPLIES	Open	334.97	0.00		
		23-02411	10/05/23	LIBRARY OFFICE SUPPLIES	Open	353.36	0.00		
		23-02412	10/05/23	POLICE CHIEF OFFICE SUPPLIES	Open	37.39	0.00		
		23-02413	10/05/23	CLERK OFFICE SUPPLIES	Open	225.05	0.00		
		23-02414	10/05/23	TAX OFFICE SUPPLIES	Open	35.46	0.00		
						986.23			
STEVE005	STEVEN DECAESAR	23-02401	10/04/23	2023 Boot Reimbursement	Open	100.00	0.00		
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
		23-02323	09/28/23	DELL LATITUDE LAPTOP	Open	1,506.00	0.00		
						12,954.00			
TAXC001	MONMOUTH COUNTY TREASURER	23-02455	10/12/23	COUNTY TAX NOVEMBER 2023	Open	1,825,757.53	0.00		
TAXH001	MONMOUTH COUNTY TREASURER	23-02457	10/12/23	COUNTY HEALTH TAX NOVEMBER 23	Open	35,307.04	0.00		
TAXL001	MONMOUTH COUNTY TREASURER	23-02456	10/12/23	COUNTY LIBRARY TAX NOVEMBER 23	Open	127,983.92	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
TAX0001 MONMOUTH COUNTY TREASURER						
23-02458	10/12/23 COUNTY OPEN SPACE TAX NOV. 23	Open	275,981.59	0.00		
TERM001 TERMINATOR TERMITE & PEST MGT						
23-02239	09/19/23	Open	75.00	0.00		B
TIM001 W. E. TIMMERMAN CO., INC.						
23-01557	06/21/23 SWEEPER BROOMS	Open	1,509.01	0.00		
23-01570	06/23/23 DPW 8 BALL SOCKET	Open	<u>338.36</u>	0.00		
			1,847.37			
TREA001 TREASURER, STATE OF NJ						
23-02313	09/26/23 COMMUNITY CENTER RENEWAL FEE	Open	195.00	0.00		
TURF001 TURF TRADE						
23-00608	02/23/23 OPEN FOR 2023	Open	616.40	0.00		B
VBF001 VERIZON BUSINESS FIOS						
23-02561	10/24/23 FIREHOUSE FIOS BUNDLE ACCT	Open	415.01	0.00		
VER003 V.E. RALPH & SON, INC.						
23-01999	08/21/23 First Aid & Medical Supplies	Open	292.65	0.00		
VERI005 VERIZON - ALBANY						
23-02513	10/17/23 BORO FIBEROPTIC SERVICES	Open	829.87	0.00		
VERR001 PATRICIA VERRONE						
23-00277	01/25/23 MEDICARE REIMBURSEMENT 2023	Open	494.70	0.00		B
WVG001 GRAINGER INC						
23-00046	01/09/23 OPEN FOR 2023	Open	162.47	0.00		B
Total Purchase Orders: 170 Total P.O. Line Items: 0 Total List Amount: 5,575,618.33 Total Void Amount: 0.00						

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	3-01	5,527,168.23	0.00	5,527,168.23	250.00	0.00	5,527,418.23
GENERAL CAPITAL F	C-04	10,425.57	0.00	10,425.57	0.00	0.00	10,425.57
GRANT FUND	G-02	513.41	0.00	513.41	0.00	0.00	513.41
	T-15	14,285.91	0.00	14,285.91	0.00	0.00	14,285.91
	T-17	22,975.21	0.00	22,975.21	0.00	0.00	22,975.21
Year Total:		37,261.12	0.00	37,261.12	0.00	0.00	37,261.12
Total of All Funds:		5,575,368.33	0.00	5,575,368.33	250.00	0.00	5,575,618.33

ORDINANCE 32-2023

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

**AN ORDINANCE REVISING SECTION 303 OF THE BOROUGH CODE ENTITLED TOWING PURSUANT TO
EATONTOWN POLICE DEPARTMENT RECOMMENDATIONS**

WHEREAS, the Traffic Safety Borough of the Eatontown Police Department has made recommendations to update and revise Chapter 303 of the Borough's Municipal Code entitled "Towing;" and

WHEREAS, the Borough Council believes it is in the best interest of its residents to adopt the suggestions set forth by the Eatontown Police Department.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, and State of New Jersey, that Section 303 of the Borough Code is hereby amended as follows:

[additions are underlined, and deletions are marked as strike-out]

...

303-2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

BASIC TOWING SERVICE

The removal and transportation of an automobile from a highway, street or other public or private road, or a parking area, or from a storage facility and other services normally incident thereto but does not include recovery of an automobile from a position beyond the right-of-way or berm, or from being impaled upon any other object within the right-of-way or berm.

STORAGE FACILITY

A storage area or lot owned and/or operated by a Towing Contractor or the Borough of Eatontown.

TOWING OPERATOR

A person, firm or corporation engaged in the business of providing wrecker services which are made available to the general public upon such rates, charges, fees as are determined by this chapter and applied for and are listed on the tow list of the Borough.

TOW LISTS

A list of towing and storage contractors maintained by the Eatontown Police Department containing the names and addresses of towing and storage contractors who will be called on a rotating basis when the Police Department determines that the assistance of such services are required within the Borough.

TOW VEHICLE

Only those vehicles equipped with a broom or brooms, winches, slings, tilt beds, wheel lifts or under-reach equipment specifically designed by its manufacturer for the removal or transport of private passenger automobiles. Tow vehicles shall include wreckers.

WINCHING

The process of moving a motor vehicle by use of additional chains, nylon slings and additional lengths of winch cable from a position that is not accessible for direct hook up by conventional means for towing and/or loading onto a tow vehicle. Winching is not pulling a vehicle onto a flatbed carrier or lifting a motor vehicle by conventional means (i.e. tow sling, wheel lift, standard tow vehicle winch, etc.).

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303-3. Establishment of tow list.

The Chief of Police, Traffic Safety Supervisor or a designee appointed by the Chief shall establish a list of towing contractors designated to provide towing and storage services required by the Eatontown Police Department. Any towing and storage operators qualifying pursuant to this chapter shall be included on the list and those on the list shall be called on a rotating basis to provide the required towing and storage services. The Eatontown Police Department shall have no less than three (3) towing companies and no more than six (6) towing companies on the established list. Nothing contained herein shall prevent the Chief of Police, Traffic Safety Supervisor or a designee appointed by the Chief from requesting additional towing services from others, if, in the judgment of such person, the size, nature or scope of the accident or crime conditions or the performance of the called towing service requires that assistance be rendered.

303-4. Application.

All towing and storage operators desiring to be included on the tow list shall file an application with the Eatontown Police Department on a form to be approved by the Chief of Police. By filing such application, the applicant shall agree to the conditions set forth on the application, including compliance with all provisions of this chapter. The application process shall open annually on October 1st and will close on November 1st. Under no circumstances will any application be accepted after November 1st.

303-6. Standards and Qualifications.

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D. Equipment Specifications.

1. The towing and storage operator must have specialized towing equipment in good repair, which meets the following specifications:
 - a. Tow vehicle. The towing service must have available two professionally constructed tow vehicles, one of which being a flatbed type tow vehicle capable of removing damaged vehicles or those, which by design, cannot be removed by conventional wreckers without sustaining additional damage. Operators approved under this chapter may arrange to cover for each other in emergent times. Operators approved under this chapter may arrange to cover for each other when necessary. All towing vehicles used in performance of the contract must meet the standards specified by the State of New Jersey Motor Vehicle codes and this specification in all respects. Each applicant is required to list all equipment/vehicles to be used, including registered name, type and license number of each.

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F. Company Main Office & Disabled vehicle storage. The towing service must operate a suitable, fenced and secure vehicle storage area in an area zoned for such use. The lot must be able to store at least nine full-size vehicles. Said storage yard must be within a five-mile radius of the Borough of Eatontown. Upon request, authorized personnel of the Eatontown Police Department shall be able to have access to vehicles 24 hours per day within the storage area. The towing service must have a physical location and/or office,

and must operate a fenced secure vehicle storage area, in an area zoned for such use. The lot must be able to store at least twelve full-sized vehicles. Said towing location and yard must be within a seven mile radius of the Borough of Eatontown. Upon request, authorized personnel of the Eatontown Police Department shall have access to vehicles 24 hours per day within the storage area.

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303-7. Standards and Qualifications.

Strike entirety of 303-7 (a) and update to read as follows:

A. No towing and storage operator shall charge fees in excess of those set forth below:

1. Road Service:
 - a. Light Duty – up to 10,000 lbs. \$150.00 per hour plus parts.
 - b. Medium/Heavy Duty – 10,001 lbs. and up \$200.00 per hour plus parts.
2. Basic Towing:
 - a. Light Duty- up to 10,000 lbs. \$155.00.
 - b. Medium Duty – 10,001 - 16,000 lbs. \$300.00.
 - c. Heavy Duty - 16,001 lbs. and above \$500.00.
 - d. Decoupling Fee (if tow is not performed) ½ of basic rate.
3. On-Hook Mileage:
 - a. \$5.00 per loaded mile.
4. Recovery/Winching (in addition to towing per truck, including driver)
 - a. Light/Medium Duty – up to 16,000 lbs. \$250.00 per hour charged in ½ hour increments of \$125.00 per ½ hour.
 - b. Heavy Duty – 16,001 lbs and above - \$600.00 per hour.
5. Specialized Recovery Equipment – Must be an actual recovery event.
 - a. Rotator/Crane Recovery Unit - \$1,200.00 per hour.
 - b. Tractor with Landall Trailer or Detach Trailer - \$500.00 per hour.
 - c. Tractor/Transport Hauler Only - \$350.00 per hour.
 - d. Air Cushion Unit - \$1,000.00 per hour.
 - e. Pallet Jack - \$200.00 flat rate.
 - f. Rollers- \$200.00 flat rate.
 - g. Forklift- \$400.00 per hour.
 - h. Any other specialized equipment- \$300.00 per hour.
6. Labor – All labor, minimum of one (1) hour.
 - a. Minor accident clean-up and disposal of debris - \$25.00 per hour.
 - b. Significant accident clean-up, disposal of debris, plus absorbent materials used - \$50.00 per hour.
7. Storage Fees – Not including the day of tow, day of release, weekends, or holidays.
 - a. Light Duty – up to 10,000 lbs. \$40.00 per day.
 - b. Medium Duty – 10,001 – 16,000 lbs. \$80.00 per day.
 - c. Heavy Duty - 16,001 lbs. and above \$120.00 per day.
8. Additional Services.
 - a. Fuel/Hazmat/Cargo Spills/Clean -Up and Disposal – Time and Materials.
 - i. Hazmat and trash recovery – Ten percent (10%) surcharge applied to total.

- b. Certified Letter Fee - \$25.00 flat rate.
- c. Tarping/wrapping vehicle - \$75.00 per car, \$150.00 per truck.
- d. If additional services are required other than as set forth in 8 (a)-(c) above, before the towing storage operator quotes the vehicle owner/agent, such operator must request permission to do so in writing and submit same to the Eatontown Police Department Traffic Safety Bureau. Once the request is received, the towing storage operator shall answer the request to determine whether they may proceed with additional billing.

B. After-hours release fee. The towing/storage operator may charge an after-hours release fee if a vehicle owner asks to retrieve their vehicle outside of normal business hours. If a towing/storage operator has an employee stationed at the towing/storage facility 24 hours a day, they are not permitted to charge an after-hours release fee.

- 1. After-hours release fee - \$75.00 flat rate.

C. No towing or storage operator will be permitted to charge and individual for requesting access to their vehicle to retrieve personal items while it is located in their storage yard.

D. Towing and storage companies shall accept the following forms of payment.

- 1. Cash.
- 2. Check.
- 3. Credit Card.
- 4. Debit Card.

E. All towing/ storage companies shall keep proper records of towing and billing either by paper filing, or electronically. These records shall be made available to the Eatontown Police Department Traffic Safety Bureau upon request and at no cost.

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309-9. Removal from tow list.

In the event that a person or entity shall fail to perform satisfactorily or performs in violation of this chapter, the Chief of Police or Traffic Safety Supervisor may immediately remove such person or entity from the tow list. As soon as practical after such removal, the Chief of Police shall cause written notice of such removal to be given to the person or entity removed. The notice shall set forth the reason(s) for such removal. The person or entity removed shall have the right to submit, in writing, such rebuttal as deemed appropriate and an explanation of the steps being implemented to correct any deficiencies. After review of such response, the Chief of Police, Traffic Safety Officer or a designee may continue the removal from the list, or may return the person or entity to the list either immediately or after a ~~specified period of time.~~ the following violation schedule:

- A. First violation – written warning.
- B. Second violation – six month suspension.
- C. Third violation – permanent removal from tow list and prohibited from submitting future applications to this agency.

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

DATE INTRODUCED: 10/25/2023

DATE ADOPTED:

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR

Date:

JULIE MARTIN, MUNICIPAL CLERK

Date:

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be provided to each of the following: Monmouth County Society for Prevention of Cruelty to Animals; Dena Amoda, Chief Financial Officer and Eatontown Police Department.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan						
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 25, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 219-2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

AUTHORIZING REIMBURSEMENT OF ADOBE CREATIVE SOFTWARE

Whereas, the Borough of Eatontown Recreation and Community Services Department has a need for Adobe Creative Software; and

Whereas, Director Janice Grasso, of the Eatontown Recreation and Community Services Department has submitted a request to reimburse Kimberly Lofgren for the purchase of the software in the amount not to exceed \$703.60 for the Adobe Creative Software Annual Subscription.

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement not to exceed amount of \$703.60 to Kimberly Lofgren for the purchase of an annual subscription for Adobe Creative Software.

	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 a regular meeting held on October 25, 2023. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

RESOLUTION 220-2023

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

AUTHORIZING GRANT APPLICATION - POLICE DEPARTMENT

WHEREAS, the Borough of Eatontown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to provide adequate resources and essential equipment to ensure the safety and security of the Eatontown Police Force and Borough residents.

BE IT THEREFORE RESOLVED,

- 1) that the Borough of Eatontown does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser 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:

Anthony Talerico, Jr.,
Mayor

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 a regular meeting held on October 25, 2023. _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

**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 \$250,000.00 to carry out a project to EXTEND THE Eatontown Greenway from West Street to the existing Wolcott Park asphalt walkway and perform walkway repairs.

1) that the Borough of Eatontown does hereby authorize the application for such a grant; and,
2) recognizes and accepts that the Department may offer a lesser 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.

**Anthony Talerico, Jr.,
Mayor**

William P. Lucia III
Interim Administrator

	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 25, 2023.

Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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 25, 2023.

Julie Martin, RMC, Borough Clerk

RESOLUTION 223-2023

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING AMENDED CHANGE ORDER NO. 1 AND FINAL PAYMENT TO MECO, INC.
FOR THE INDUSTRIAL WAY WEST ROADWAY IMPROVEMENTS PHASES 2 & 3**

WHEREAS, pursuant to resolution 249-2022 on November 15, 2022, the Borough of Eatontown (the "Borough") authorized the award of a contract for the Industrial Way West Improvements Project (the "Project") to MECO, Inc., in an amount not to exceed \$604,443.50 (the "Project") in accordance with New Jersey's Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. ("the Contract");

WHEREAS, the Borough adopted Resolution 207-2023 authorizing Change Order #1 and Final Payment premised upon the Borough Engineer's recommendation dated September 12, 2023 with a net increase to the aforementioned Contract in the amount of increase of \$55,767.92; and

WHEREAS, the Borough Engineer subsequently determined that the Borough is required to impose a penalty applied to MECO, Inc. because of post-construction core test results pursuant to NJDOT requirements for Phase 3 of the Project which resulted in a decrease to MECO Inc.'s final payment and final contract amount of \$1,269.20 from \$55,757.92 to \$54,498.72.

WHEREAS, the final payment for the contract with Meco, Inc. for the Industrial Way West Roadway Improvements Project Phases 2 & 3 is resultingly reduced as a result of the Amended Change Order from \$150,742.94 to \$149,473.74.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Eatontown hereby approves Change Order No. 1 in the amended amount of \$54,498.72 and Final Payment for the Industrial Way West Roadway Improvements in the amended amount of \$149,473.74, subject to the posting of a two year maintenance bond in favor of the Borough in the amount of \$165,052.85 via Bond No. HICNE-25-187-0018 and certification of funds by the Borough's Chief Financial Officer.

	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 October 25, 2023. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, the Borough of Eatontown (the "Borough") issued a Request for Proposals for Shop Eatontown, Property Tax Reward Program (the "Program"); and

WHEREAS, the Borough is considering whether to move forward with the Program and it requested that Fincredit, Inc. consent to extend the deadline to award the contract until November 20, 2023 and Fincredit, Inc. consented to the extension requested by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that the Borough Council hereby extends the contract award deadline for the Requests for Proposals for the Shop Eatontown, Property Tax Reward Program until November 20, 2023.

- a. Fincredit Inc.
- b. William Lucia, Interim Borough Administrator
- c. Andrew Bayer, Borough Attorney

	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 25, 2023.

 Julie Martin, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

WHEREAS, 1621 Pumo Real Estate, LLC (the “Developer”) is the developer of the premises designated as Block 301, Lot 51, on the official tax map of the Borough of Eatontown and located at 215 Broad Street in the Borough of Eatontown, (the “Property”); and

WHEREAS, the Zoning Board of Adjustment granted Use Variance and Final Site Plan Approval to construct two-story building addition, shed, fee-standing sign and to reconfigure the existing parking lot (the "Project") on the Property on February 13, 2023; and

WHEREAS, the Developer has agreed to construct the Project in accordance with the terms set forth in the approved Resolution of the Zoning Board of Adjustment, amongst other requirements, was subject to and conditioned upon the execution of a Developer's Agreement between the Borough and the Developer (the "Developer's Agreement"); and

WHEREAS, the Borough Council of the Borough of Eatontown believes it is in the best interests of its residents and taxpayers to enter into the Developer's Agreement with the Developer to ensure construction of the Project in accordance with the approved plans and the terms and conditions required by the Zoning Board of Adjustment.

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 Developer's Agreement with 1621 Pumo Real Estate, LLC and the Mayor is authorized to execute the Developer's Agreement in a form approved by the Borough Attorney.

1. 1621 Pumo Real Estate, LLC
2. Kathy Muscillo, Zoning Officer
3. Ed Herrman, Borough Engineer

	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 October 25, 2023
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

Julie Martin, RMC, Borough Clerk

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement not to exceed amount of \$1,000.00 to William Lucia for EDA Application Fee.

	MOTION	SECOND	AVE	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 25, 2023.

Julie Martin, RMC, Borough Clerk

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

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

- 1) Attorney Client Privilege - Monmouth Mall
- 2) Contract Negotiations - Architect

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 25, 2023.

	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, 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 25, 2023.

Julie Martin, Borough Clerk