

Mayor
ANTHONY TALERICO, JR.

Council
VIRGINIA M. EAST, President
DANIELLE M. JONES
DAVID GINDI
MEIR ARAMAN
CARL LAWSON
CANDACE M. FAUST



BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

AGENDA
Mayor and Council
Wednesday, June 26, 2024

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

*** Amended 6/26/24**

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 - "What Eatontown Means to Me" Essay Winner, Destiny Perez (C/East)
3. Community Resource Center & Helpsy (Mayor Talerico)
4. **CLOSED SESSION**
 - A. **Resolution 127-2024**
 1. Attorney Client Privilege/Potential Litigation - CSLR's

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Workshop/Regular Meeting/Closed Session - 6/5/2024
3. **COMMUNICATIONS**
 - A. Notice of Planning Board Hearing - Surrey Equities, LLC
 - B. Freshwater Wetlands Letter of Interpretation, Line Verification
4. **MAYOR'S REPORT** - Mayor Talerico
5. **REPORTS OF COMMITTEES**
 - A. EMERGENCY SERVICES - Council President East
 - B. FINANCE & ORDINANCE - Councilmember Jones
 - C. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Gindi
 - D. POLICE, PUBLIC LIGHTS, PARKING - Councilmember Araman
 - E. PARKS & RECREATION - Councilmember Lawson
 - F. PUBLIC WORKS & INSURANCE - Councilmember Faust
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia
7. **PUBLIC HEARING** - Monmouth County Open Space Grant Program 2024
Phase II, Fresh Start 80 Acres Park, Wall Street & Industrial Way East, Eatontown (Blk 2803, Lot 13)

8. OLD BUSINESS (rc)

1. **Resolution 116-2024** - Adopting 2023 Volunteer List for Eatontown Fire Dept., Enrollment in LOSAP

9. PUBLIC COMMENT ON AGENDA ITEMS ONLY

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

11. NEW BUSINESS

A. ORDINANCE INTRODUCTION (rc)

- 1) **Ordinance 08-2024** - Ordinance of the Borough Amending Chapter 89 Land Use, Article XII Application Fees, Tax Map Revision Fees for Subdivisions and Escrow Fees Creating Section 89-105.2 Entitled Development Impact Fees - ***First Reading/Introduction (Public Hearing/Adoption 7/10/24)***

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 128-2024** - Auth. Renewal of MOU/Agreement Between Eatontown PD and NJMV (Security)
- 2) **Resolution 129-2024** - Auth Application for County of Monmouth Open Space Trust Funds (PH II Fresh Start, 80 Acres)
- 3) **Resolution 130-2024** - Auth. Tax Sale Certificate Redemptions
- 4) **Resolution 131-2024** - Auth. Transfer of Tax Overpayments Due to Tax Appeals
- 5) **Resolution 132-2024** - Auth. Release of Escrow for the Monmouth Mall (Police Outside Detail)
- 6) **Resolution 133-2024** - Approving Chapter 159, Clean Communities Grant (\$36,586.45)
- 7) **Resolution 134-2024** - Approving Chapter 159, Opioid Settlement Grant (\$69,856.98)
- 8) **Resolution 135-2024** - Approving Chapter 159, Federal Highway Safety Grant (\$4,200.00)
- 9) **Resolution 136-2024** - Confirming Appointment of Borough Professional, Public Defender
- 10) **Resolution 137-2024** - Appointment of Fire Department Training Officer
- 11) **Resolution 138-2024** - Amend. Amended Contract for Sale of Blk 401, Lots, 10,11,129 & 130, Habitat for Humanity
- 12) **Resolution 139-2024** - Auth. Change Order for Eng. Svcs. to Close out IWW PHII and PHIII Improvement Project *
- 13) **Resolution 140-2024** - Auth. Purchase of Playground Equipment for Gurbisz Park Through ESCNJ Coop (\$143,921.57)
- 14) **Resolution 141-2024** - Auth. Access and Indemnity Agreement With White Oak Funding (Blk401, Lots 41,42,43,58) *

C. CONSENT AGENDA MOTIONS (vv)

1. Acceptance of Adjusted Tax Collector Report for May 2024
2. Approval of Mobile Home Park Annual License (Conditional, Pine Tree)

12. REMARKS OF COUNCIL AND CITIZENS

13. ADJOURNMENT (vv)

***The next meeting of the Governing Body is
Wednesday July 10, 2024 @ 7:00 p.m.***

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

1) Attorney Client Privilege/Potential Litigation – CSLR's

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 June 26, 2024.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
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 June 26, 2024.

Julie Martin, Borough Clerk

RESOLUTION 116-2024

BOROUGH OF EATONTOWN COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ADOPTING 2023 VOLUNTEER LIST FOR EATONTOWN FIRE DEPARTMENT ENROLLMENT IN LOSAP

WHEREAS, the Governing Body of the Borough of Eatontown passed Ordinance 24-2004 on August 4, 2004, implementing the Emergency Services Volunteer Length of Service Awards Program (LOSAP) in the Borough of Eatontown; and

WHEREAS, LOSAP was created in accordance with Chapter 388 of the Laws of 1997 to reward members of the volunteer firefighter and first aid organizations for their loyal, diligent and devoted service; and

WHEREAS, on May 11, 2005 the Governing Body adopted a Length of Service Award Program deferred plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, said plan of which required both the Eatontown First Aid Squad and Eatontown Fire Department to submit a list of volunteers to be eligible under LOSAP, with points assessed for each volunteer per Ordinance adopted by the Governing Body, and said list should be adopted by resolution by the Governing Body; and

WHEREAS, the Eatontown Fire Department has prepared and submitted such a volunteer list which is hereby attached, and is seeking approval by the Governing Body so that the same may be submitted to the LOSAP Program Agent for implementation.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Eatontown hereby adopts said volunteer list of the Eatontown Fire Department and authorizes said volunteer list to be submitted to the LOSAP Program Agent for the Borough of Eatontown, Lincoln National Life Insurance Company and Lincoln Financial Group, for implementation of LOSAP for the Eatontown Fire Department.

FIRE DEPARTMENT LOSAP QUALIFIERS

Alcott, D.	Lewis, T.	Roth, B.	Trask, R.
Bennett, D.	Morris, M.	Strasser, G.	Vital, B.
Brand, K.	MacDonald Jr., B	Sanders, J.	Wicklund, T.
Dunn, A.	Mego, W.	Shea, T.	Woloshin, M.
Johnson, M.	Myskowski, J.	Sneath, K.	
	Phillips, R.	Suffill, H.	
		Sucj	

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION
Council President East							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 June 26, 2024. Julie Martin, Borough Clerk
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							

June 24, 2024
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BOROUGH OF EATONTOWN
Bill List By Vendor Id

Page No: 1

P.O. Type: All

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

Range: First to Last

Format: Condensed

Vendors: All

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

Vendor # Name

PO # PO Date Description Status Amount Void Amount Contract PO Type

4IMP001 4 IMPRINT USA

24-01077 05/07/24 DRAWSTRING SPORTPACK 18"X14" Open 2,099.00 0.00

8X8IN005 8X8 INC

24-01305 06/06/24 BORO MONTHLY PHONE USAGE Open 2,977.09 0.00

ACTI005 ACTION UNIFORM CO, LLC

23-02804 11/14/23 2023 Police Uniforms Open 467.00 0.00 B

AMAZ001 AMAZON.COM SERVICES, INC

24-01008 04/24/24 AMAZON ORDER Open 45.77 0.00

AMERI001 AMERIFLEX BUSINESS SOLUTIONS

24-00406 02/08/24 2024 FSA ADMIN/COBRA FEES Open 115.00 0.00 B

ANDRE020 ANDREA KIM CUMMINGS

24-01216 05/22/24 FIRST AID EDUCATION REIMB Open 300.00 0.00

AOC001 ALLIED OIL LLC

24-01183 05/20/24 93 RFG GAS/ETHANOL Open 6,632.61 0.00

24-01353 06/17/24 93 RFG GAS/ETHANOL Open 7,788.44 0.00

24-01368 06/18/24 93 RFG GAS/ETHANOL Open 5,889.34 0.00

20,310.39

APP002 GANNETT NJ NEWSPAPERS

24-01020 04/29/24 Legal Advertisements Open 66.00 0.00 B

ARH001 ADAMS, REHMANN, HEGGAN ASSOC INC

24-01096 05/17/24 ARP DOWNTOWN GREENWAY PHASE 2 Open 10,476.75 0.00

ASFI001 ATLANTIC SECURITY & FIRE, INC.

24-00038 01/08/24 Open 125.00 0.00 B

24-01102 05/10/24 Open 687.00 0.00

812.00

ATTM002 AT&T MOBILITY - 287306454448

24-01351 06/17/24 BORO CELL PHONE SERVICES Open 419.37 0.00

ATTM003 AT&T MOBILE 287306454309

24-01383 06/18/24 BORO/POLICE CELL PHONE USAGE Open 2,706.45 0.00

AVAKL001 LEON AVAKIAN, INC

24-01269 06/03/24 Surrey Eq Escrow #1618 Open 4,372.50 0.00

BAND001 BANDAG, INC

24-01073 05/07/24 PD TAHOES Open 1,216.00 0.00

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Bill List By Vendor Id

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Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
BAND001	BANDAG, INC	Continued				
24-01075	05/07/24 DPW TRUCK CAPS	Open	653.02	0.00		
			1,869.02			
BBBA001	BROWN & BROWN BENEFITS ADV.					
24-01326	06/11/24 JULY 2024 CONSULTING FEE	Open	1,500.00	0.00		
BELOP005	BELO PIZZERIA					
24-01105	05/10/24 PRESCHOOL AFTERCARE	Open	77.27	0.00		
24-01106	05/10/24 WOODMERE AFTERCARE	Open	180.50	0.00		
24-01109	05/10/24 MEADOWBROOK AFTERCARE	Open	132.50	0.00		
			390.27			
BLOOD005	BLOODGOOD LAW ENFORCE TRAIN					
24-00493	02/21/24 Miranda Training	Open	700.00	0.00		
24-00573	02/29/24 Retail Theft Training	Open	195.00	0.00		
			895.00			
BOE001	EATONTOWN BOARD OF EDUCATION					
24-01297	06/06/24 TAX LEVY JULY 2024	Open	2,114,771.00	0.00		
CAG001	CLEARY GIACOBBE ALFIERI & JACO					
24-01336	06/12/24 MUNICIPAL PROSECUTOR SERVICES	Open	3,000.00	0.00		
CAPIC001	RONALD CAPICHANA					
24-01287	06/05/24 DJ Ron ROID Fun Day BBQ	Open	250.00	0.00		
CARLOS01	CARLOS & SON JANITORIAL					
24-00888	04/10/24	Open	600.00	0.00		
24-00889	04/10/24	Open	525.00	0.00		B
			1,125.00			
COACH005	COACHING SYSTEMS LLC					
24-01229	05/23/24 FIRE DEPT TRAINING TEXTBOOKS	Open	190.20	0.00		
COMC004	COMCAST					
24-01306	06/06/24 BORO SPV VIDEO ACCOUNT	Open	135.46	0.00		
24-01354	06/17/24 LIBRARY ONLINE SERVICES	Open	96.90	0.00		
24-01424	06/21/24 PUBLIC WORKS ONLINE ACCOUNT	Open	157.94	0.00		
			390.30			
CUMM001	GARY CUMMINGS					
24-01154	05/15/24 FIRST AID EDUCATION REIMBURSE	Open	375.00	0.00		
DCONN001	DENNIS CONNELLY					
24-01248	05/29/24 EYEGLASS REIMBURSEMENT	Open	1,200.00	0.00		
DELTA001	DELTA DENTAL					
24-01345	06/13/24 JULY 2024 PREMIUM	Open	12,374.46	0.00		
DENA001	DENA AMODEA					
24-00914	04/12/24 2024 CELL PHONE REIMBURSEMENT	Open	90.00	0.00		B

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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
DONNA010	DONNA STANIS								
		24-01186	05/20/24	RECREATION REFUND	Open	50.00	0.00		
DOREE010	DOREEN R. JACKSON								
		24-01165	05/16/24	MEDICARE REIMBURSEMENT 2024	Open	733.80	0.00		
EAT004	EATONTOWN MEDICAL ASSOCIATES								
		24-01253	05/29/24	FIRST AID EXAM NEW MEMBERS	Open	180.00	0.00		
ECEL002	EAST COAST EMERGENCY LIGHTING								
		24-00294	01/26/24	Upfit 2005 Ford Excurion	Open	5,598.70	0.00		
		24-00562	02/28/24	FIRE DEPT EMERG LIGHTS REPAIR	Open	1,844.30	0.00		
						7,443.00			
EML001	ELECTRONIC MEASUREMENT LAB INC								
		23-02829	11/16/23	FFEMS GRANT FIRE DEPT MONITORS	Open	1,961.90	0.00		
		23-02944	12/06/23	EMERG REPAIR/REPLACE GAS METER	Open	1,184.70	0.00		
		24-01254	05/29/24	FIRE DEPT GAS METER REPAIRS	Open	145.95	0.00		
						3,292.55			
ENF001	ENFORSYS, INC.								
		24-01130	05/14/24	Annual Subscription Fee	Open	16,900.00	0.00		
FMERA001	FMERA								
		24-01307	06/06/24	BORO STREET LIGHT FORT MONM.	Open	382.20	0.00		
FO0001	SAKER SHOPRITES, INC.								
		24-00973	04/18/24	JUNE PRESCHOOL SNACK	Open	81.16	0.00		
		24-00974	04/18/24	JUNE AFTERCARE SNACKS	Open	248.74	0.00		
		24-00978	04/18/24	PRESCHOOL CELEBRATION SUPPLIES	Open	99.36	0.00		
		24-01066	05/06/24	JUNE BIRTHDAY LUNCH	Open	100.04	0.00		
		24-01068	05/06/24	JUNE SNACKS	Open	49.51	0.00		
		24-01069	05/06/24	JUNE SNACKS	Open	24.01	0.00		
		24-01142	05/15/24	SHOP RITE - RECREATION	Open	313.15	0.00		
		24-01261	05/30/24	MUNICIPAL ALLIANCE SPEAK PRGM	Open	272.11	0.00		
						1,188.08			
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		24-01140	05/15/24	PAY PERIOD 5/24/24 O/S DETAIL	Open	7,505.00	0.00		
		24-01268	05/31/24	PAY PERIOD 6/7/24 O/S DETAIL	Open	6,715.00	0.00		
		24-01329	06/12/24	PAY PERIOD 6/21/24 O/S DETAIL	Open	8,295.00	0.00		
						22,515.00			
GENEL001	GEN-EL SAFETY & INDUSTRIAL PRO.								
		24-00933	04/16/24	CALIBRATION: (1) X-AM 2500	Open	75.00	0.00		
GHW001	GEORGE H. WITTENBERG								
		24-01301	06/06/24	MEDICARE REIMBURSEMENT 2024	Open	524.10	0.00		
GM001	G&M TROPHY CO, INC								
		24-01159	05/16/24	5K Race Awards	Open	450.98	0.00		
		24-01285	06/05/24	Fishing Derby Trophies	Open	46.50	0.00		

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GM001	G&M TROPHY CO, INC	Continued					
24-01286	06/05/24	ROID BBQ PBA Plaque	Open	75.00	0.00		
				572.48			
GRAS002	JANICE GRASSO						
24-01360	06/17/24	2024 CELL PHONE REIMBURSEMENT	Open	90.00	0.00		
GTBM001	GTBM, INC						
24-01131	05/14/24	Info-Cop License Renewal	Open	9,955.49	0.00		
GWL001	GEORGE WALL LINCOLN MERCURY, IN						
23-00884	03/24/23	OPEN FOR 2023	Open	390.35	0.00		B
HEALY001	THERESA HEALY						
24-01309	06/06/24	EYEGLASS REIMBURSEMENT	Open	424.31	0.00		
HOMED01	HOME DEPOT/6035322538819545						
24-01311	06/07/24		Open	219.00	0.00		
IMA003	MARCO TECHNOLOGIES, LLC						
24-01333	06/12/24	POLICE/CONSTRUCTION COPY USE	Open	248.63	0.00		
IMP001	IMPRINT SHOP LLC						
24-01092	05/09/24	Fishing Derby Logo Hats	Open	1,063.20	0.00		
24-01093	05/09/24	ROID BBQ Cooler Bags	Open	1,921.00	0.00		
				2,984.20			
JAC001	GEORGE JACKSON						
24-01166	05/16/24	MEDICARE REIMBURSEMENT 2024	Open	733.80	0.00		
JENG001	JOYCE ENGLEHART						
24-01188	05/20/24	WALLACE ENGLEHART LIFE	Open	5,000.00	0.00		
JENNI015	JENNIFER SROUR						
24-01288	06/05/24	REFUND SUMMER PROGRAM REGISTRA	Open	410.00	0.00		
JERS001	JCP&L						
24-01330	06/12/24	BORO MONTHLY ELECTRIC USAGE	Open	525.77	0.00		
24-01355	06/17/24	BORO MONTHLY ELECTRIC USAGE	Open	17,718.80	0.00		
24-01375	06/18/24	BORO MASTER ELECTRIC USAGE	Open	8,185.28	0.00		
				26,429.85			
JULIE001	JULIE MARTIN						
24-01319	06/10/24	Election Day Reimbursements	Open	64.66	0.00		
KATHL005	KATHLEEN MUSCILLO						
24-01316	06/10/24	Mileage Reimbursement	Open	19.65	0.00		
KBS001	K.B.D. SUPPLY LLC						
24-00243	01/23/24		Open	147.22	0.00		B
KEVIN010	KEVIN KAWAS						
24-01308	06/06/24	FIRST AID LIEUTENNT STIPEND	Open	1,000.00	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
KIMBA005	KIMBALL MIDWEST								
		24-00262	01/24/24	MISC PARTS REFILL	Open	583.44	0.00		
		24-00784	03/26/24	MISC PARTS FOR DPW STOCK	Open	6,469.00	0.00		
						7,052.44			
KLEIN1	KENNETH KLEINMAN								
		24-01304	06/06/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
KLEINE01	EILEEN KLEINMAN								
		24-01303	06/06/24	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
LASER001	LASER SAVE								
		24-01161	05/16/24	TAX OFFICE COPIER TONER	Open	202.75	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC								
		24-01278	06/03/24	Attendance PB 6.3.2024	Open	1,100.00	0.00		
		24-01314	06/10/24	Shea ZB2024-06	Open	750.00	0.00		
						1,850.00			
LUCI001	WILLIAM LUCIA								
		24-01203	05/21/24	EYEGLASS REIMBURSEMENT	Open	1,200.00	0.00		
		24-01299	06/06/24	REIMBURSEMENT FOR ZOOM VIDEO	Open	234.47	0.00		
						1,434.47			
MCAA016	M.C.A.A.								
		24-01144	05/15/24	2024 MEMBERSHIP JOHN GILLOOLY	Open	200.00	0.00		
		24-01145	05/15/24	ATTEND THE 18TH ANNUAL	Open	140.00	0.00		
						340.00			
MCBT001	COUNTY TAX ADMINISTRATOR								
		24-01141	05/15/24	FOR MAILING STATE MANDATED CRD	Open	1,448.12	0.00		
MCMAS005	MCMAS CARR SUPPLY COMPANY								
		24-00745	03/19/24		Open	46.67	0.00		B
MCP004	MONMOUTH COUNTY PARKS								
		24-00909	04/11/24	FARMERS FIELD DAY- CHORES	Open	50.00	0.00		
MGL001	MGL PRINTING SOLUTIONS								
		24-01170	05/16/24	PRINTING TAX SALE NOTICES	Open	273.00	0.00		
MICK001	MICKEY'S ICE CREAM & ITAL ICE								
		24-01143	05/15/24	Eatontown Fun Day 6.13.24	Open	400.00	0.00		
MIL002	JOSEPH MILLER								
		24-01221	05/22/24	MEDICARE INS REIMBURSEMENT	Open	524.10	0.00		
MOB001	MOBILITY ELEVATOR, INC								
		24-01019	04/29/24		Open	595.00	0.00		B
MON002	MONMOUTH BUILDING CENTER								
		24-00768	03/20/24		Open	235.94	0.00		B

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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
MONM005 MONMOUTH COUNTY PUBLIC WORKS									
		24-01038	05/02/24	DPW VEHICLE WASH	Open	45.00	0.00		
MRH001 MONMOUTH REGIONAL H.S. BD. OF									
		24-01296	06/06/24	TAX LEVY JULY 2024	Open	1,420,261.92	0.00		
MRK001 MR KEYS INC									
		24-00042	01/08/24		Open	415.00	0.00		B
MU002 MONMOUTH UNIVERSITY									
		24-01129	05/14/24	FEDERAL WORK STUDY PROGRAM	Open	542.46	0.00		
		24-01207	05/21/24	FEDERAL WORK STUDY PROGRAM	Open	163.64	0.00		
		24-01272	06/03/24	FEDERAL WORK STUDY PROGRAM	Open	51.26	0.00		
						757.36			
MYREC005 MYRECDEPT.COM									
		24-01172	05/16/24	SOFTWARE ENL REC & Comm Ctr	Open	7,565.00	0.00		
NINA001 NINA BERNARDO									
		24-01315	06/10/24	PRIMARY ELECTION DAY MILEAGE	Open	19.65	0.00		
NJAWC001 NEW JERSEY AMERICAN WATER									
		24-01374	06/18/24	BORO MONTHLY WATER USAGE	Open	113.36	0.00		
NJB001 VERIZON									
		24-01352	06/17/24	MUSEUM/COMM CTR PHONE SERVICE	Open	148.17	0.00		
NJLE001 NJ LEAGUE OF MUNICIPALITIES									
		24-01273	06/03/24	NJ Municipal Magazine 24-25	Open	425.00	0.00		
		24-01279	06/04/24	Legal Advertisement	Open	160.00	0.00		
						585.00			
NWFG001 NW FINANCIAL GROUP LLC									
		24-01083	05/08/24	FINANCIAL ADVISORY SERVICES	Open	1,406.25	0.00		
		24-01084	05/08/24	FINANCIAL ADVISORY SERVICES	Open	450.00	0.00		
		24-01276	06/03/24	FINANCIAL ADVISORY SERVICES	Open	200.00	0.00		
		24-01277	06/03/24	FINANCIAL ADVISORY SERVICES	Open	1,181.25	0.00		
						3,237.50			
OLI002 OLIVA & COMPANY									
		24-01155	05/15/24	PROFESSIONAL SERVICES BORO	Open	4,000.00	0.00		
		24-01356	06/17/24	BORO 2024 ADOPTED BUDGET SERV	Open	1,000.00	0.00		
						5,000.00			
OTOOL005 O'TOOLE SCRIVO, LLC									
		24-01088	05/08/24	LABOR COUNSEL FEES	Open	58.50	0.00		
PASHSTEI PASHMAN STEIN WALDER HAYDEN									
		24-01256	05/29/24	APRIL 2024-GENERAL	Open	7,768.84	0.00		
		24-01257	05/29/24	APRIL 2024-RETAINER	Open	1,541.66	0.00		
		24-01258	05/29/24	APRIL 2024-TAX APPEALS	Open	1,085.00	0.00		
						10,395.50			

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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
PAY003	LOUISE M. PAYNE								
		24-01231	05/23/24	MEDICARE INSURANCE REIMBURSE	Open	380.01	0.00		
PETR002	PETRO KING SERVICE								
		24-00422	02/12/24	GPI HEAVY DUTY GASOLINE PUMP 1	Open	5,137.60	0.00		
POORJ005	POOR JOHN'S PORTABLE TOILETS								
		24-00659	03/08/24		Open	732.00	0.00		B
		24-01137	05/14/24	Portable Toilet Extra Cleaning	Open	40.00	0.00		
						772.00			
PTM001	PANGARO TRAINING AND MANAGEMEN								
		24-01195	05/20/24	PTC Licensing Req Training	Open	189.00	0.00		
REP001	REPUBLIC SERVICES								
		24-01262	05/31/24	MAY 2024 RESI SERVICE	Open	85,402.63	0.00		
RESC002	ALBERT J. RESCINIO, ESQ.								
		24-01359	06/17/24	PUBLIC DEFENDER SERVICES	Open	3,000.00	0.00		
RICOH005	RICOH USA, INC.								
		24-01357	06/17/24	FINANCE MONTHLY COPIER LEASE	Open	166.75	0.00		
RRR001	R&R RADAR, INC.								
		24-00791	03/27/24	Tuning Forks	Open	480.00	0.00		
SAFE002	SAFE KIDS WORLDWIDE								
		24-00383	02/06/24	Child Car Seat Installation	Open	95.00	0.00		
SGH001	T&M ASSOCIATES								
		23-03047	12/22/23	106 Broad Escrow #1608	Open	2,535.10	0.00		
		23-03052	12/26/23	Eatontown 36 LLC Escrow #1472	Open	599.25	0.00		
		24-00988	04/19/24	76 Broad Escrow #1640	Open	1,037.25	0.00		
		24-01194	05/20/24	ETWN Parker Road Escrow #1548	Open	916.75	0.00		
						5,088.35			
SC0001	SCOLES FLOORSHINE IND.								
		24-01290	06/06/24		Open	691.60	0.00		
SEACST01	SEA COAST CHEVROLET-OLDSMOBILE								
		24-00624	03/06/24	OPEN FOR 2024	Open	209.02	0.00		B
SEC002	THYSSSEN KRUPP ELEVATOR								
		24-01289	06/06/24		Open	744.97	0.00		
SPCA001	MONMOUTH COUNTY SPCA								
		24-01249	05/29/24	BORO ANIMAL CONTROLS SERVICE	Open	2,137.50	0.00		
STAP003	STAPLES ADVANTAGE								
		24-01156	05/15/24	POLICE CHIEF OFFICE SUPPLIES	Open	459.89	0.00		
		24-01157	05/15/24	ADMINISTRATION OFFICE SUPPLIES	Open	39.41	0.00		
		24-01158	05/15/24	PUBLIC WORKS OFFICE SUPPLIES	Open	120.60	0.00		
		24-01226	05/23/24	FIRE DEPT OFFICE SUPPLIES	Open	188.48	0.00		

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BOROUGH OF EATONTOWN
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
STAP003	STAPLES ADVANTAGE			Continued					
		24-01361	06/17/24	BORO REPLENISH COPY PAPER	Open	444.90	0.00		
		24-01363	06/17/24	FINANCE OFFICE SUPPLIES	Open	87.75	0.00		
						1,341.03			
SUST001	SUSTAINABLE JERSEY INC								
		24-01095	05/09/24	SJ SUSTAINABLE SUMMIT-BRESLOW	Open	45.00	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC								
		24-01334	06/12/24	BORO MONTHLY IT SERVICES	Open	7,858.00	0.00		
		24-01335	06/12/24	POLICE MONTHLY IT SERVICES	Open	4,186.00	0.00		
						12,044.00			
TEAM001	T.E.A.M. LIFE								
		24-01167	05/16/24	Adult DEFIB pads	Open	375.00	0.00		
TEPS001	STATE OF NJ DEPT OF TREASURY								
		24-01300	06/06/24	SHBP CONTRIBUTIONS JUNE 2024	Open	317,757.55	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT								
		24-01003	04/24/24		Open	75.00	0.00		B
TIM001	W. E. TIMMERMAN CO., INC.								
		24-01071	05/06/24	D-CANTER SWP MANDRL 66	Open	2,054.87	0.00		
TOWNBAGE	TOWN BAGEL AND GRILL								
		23-02662	10/31/23	PRESCHOOL HOLIDAY SHOW	Open	61.00	0.00		
		24-01177	05/17/24	WOODMERE B4CARE CELEBRATION	Open	70.00	0.00		
						131.00			
TRA001	RUDOLPH R. TRASK								
		24-01331	06/12/24	REFUND PERMIT FEE FIRE MEMBER	Open	65.00	0.00		
TRE001	TREASURER, STATE OF NEW JERSEY								
		24-01202	05/21/24	STORMWATER DISCHARGE GENERAL P	Open	3,000.00	0.00		
TREAS005	TREASURER, STATE OF NJ DCA								
		24-01176	05/17/24	MEMBERSHIP RENEWAL - C WEST	Open	91.00	0.00		
TRUN001	TRAINING UNLIMITED, LLC								
		24-01251	05/29/24	Zoom Training Webinar	Open	95.00	0.00		
TRY001	TRYSTONE CAPITAL ASSET, LLC								
		24-01280	06/04/24	Lien 20-00017 Redemption	Open	495,948.05	0.00		
VANB001	FLOWERS BY VAN BRUNT								
		24-01058	05/03/24	Memorial Day Wreaths	Open	525.00	0.00		
		24-01151	05/15/24	FIRST AID MEMORIAL DAY WREATH	Open	175.00	0.00		
		24-01152	05/15/24	FIRE DEPT MEMORIAL DAY WREATH	Open	175.00	0.00		
						875.00			
VBF001	VERIZON BUSINESS FIOS								
		24-01423	06/21/24	FIRE HOUSE FIOS ACCOUNT	Open	415.02	0.00		

BOROUGH OF EATONTOWN
Bill List By Vendor Id

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
VERIZ005	VERIZON - ALBANY	24-01350	06/17/24	BORO FIBEROPTIC ACCOUNT	Open	820.44	0.00		
VIANC005	VIANCA FRIAS-PORTUONDO	24-01217	05/22/24	FIRST AID EDUCATION COURSES	Open	300.00	0.00		
WALTE005	WALTER SMITH	24-01222	05/22/24	MEDICARE INS REIMBURSEMENT	Open	524.10	0.00		
WEN001	WENNING AND SON	24-01091	05/08/24	ROID EVENT 6/13	Open	372.07	0.00		
WHITE006	WHITE DOVE CLEANERS	24-01132	05/14/24	Dry Cleaning 4/16-4/22	Open	345.62	0.00		
		24-01133	05/14/24	4/23-4/29 Dry Cleaning	Open	213.12	0.00		
		24-01134	05/14/24	4/30-5/06 Dry Cleaning	Open	291.99	0.00		
		24-01135	05/14/24	5/7-5/13 Dry Cleaning	Open	492.82	0.00		
						1,343.55			
WWG010	W.W. GRAINGER, INC.	24-00910	04/12/24		Open	361.55	0.00		B
Total Purchase Orders: 173 Total P.O. Line Items: 0 Total List Amount: 4,691,493.45 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	2,103.05	0.00	2,103.05	0.00	0.00	2,103.05
CURRENT FUND:	4-01	4,137,174.82	0.00	4,137,174.82	525.00	0.00	4,137,699.82
GENERAL CAPITAL F	C-04	6,285.70	0.00	6,285.70	0.00	0.00	6,285.70
GRANT FUND	G-02	17,793.87	0.00	17,793.87	0.00	0.00	17,793.87
	T-15	518,463.05	0.00	518,463.05	0.00	0.00	518,463.05
	T-17	8,825.85	0.00	8,825.85	0.00	0.00	8,825.85
	T-20	322.11	0.00	322.11	0.00	0.00	322.11
Year Total:		527,611.01	0.00	527,611.01	0.00	0.00	527,611.01
Total of All Funds:		4,690,968.45	0.00	4,690,968.45	525.00	0.00	4,691,493.45

**BOROUGH OF EATONTOWN
ORDINANCE NO. 08-2024**

**ORDINANCE OF THE BOROUGH AMENDING CHAPTER 89 LAND USE, ARTICLE XII APPLICATION FEES,
TAX MAP REVISION FEES FOR SUBDIVISIONS AND ESCROW FEES CREATING SECTION 89-105.2
ENTITLED DEVELOPMENT IMPACT FEES**

WHEREAS, the Borough is expecting substantial development and redevelopment within its borders and it is concerned about the impact of that development upon f the Borough's streets, water, sewerage, drainage facilities, open space and parks within the boundaries of the Borough of Eatontown; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to establish development impact fees to ensure that the developer and property owner pay their pro rata share of the cost of improving the Borough's public facilities impacted by the development.

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 amends Chapter 89 Land Use, Article XII "Application Fees, tax Map Revision Fees for Subdivisions and Escrow Fees" creating a new section 89-105.2 entitled "Development Impact Fees" as follows:

SECTION I.

§89-105.2.1 Purpose

The purpose of this article is to establish regulations pursuant to which a developer and/or property owner, as a condition for approval of a subdivision and/or site plan, shall pay a pro rata share of the cost of providing reasonable and necessary street improvements and water, sewerage and drainage facilities, and easements therefor, and provide for open space and park improvements, located off-tract but necessitated or required by construction or improvements within the subdivision or development.

§89-105.2.2 Impact Fees

- A. To the fullest extent permitted by New Jersey law, presently or as may be amended and supplemented from time to time, and whenever the Borough can fairly and reasonably establish, based upon appropriate traffic and utility service analyses, plans or studies and open space or park improvement plans, the proportionate or pro rata amount of the cost of the aforementioned facilities located off-tract but necessitated or required by construction or improvements within the subdivision or development that shall be borne by each developer or owner within a related common area as provided for herein. The developer or owner shall pay said cost as a condition of approval up to the following amounts:

- (1) Each square foot of new construction of warehouse space shall be assessed an impact fee of \$2.25. **[Red Bank is at \$3.25]**
 - (2) Each square foot of new construction of retail, commercial and/or other industrial space shall be assessed an impact fee of \$3.25. **[Red Bank is at \$4.25]**
 - (3) Each square foot of new construction of residential space shall be assessed an impact fee of \$2. **[Red Bank is at \$3].**
 - (4) Construction of new tanks above or below grade of any gallon size shall be assessed an impact fee of \$0.10/gallon. Single- and multifamily homes shall be exempt.
- B. The foregoing amounts shall apply to each square foot of lot coverage only and shall not be required for additions to existing owner-occupied residential dwellings and approvals for up to two residential dwellings.
 - C. The provisions of this article notwithstanding, nothing herein shall prevent a developer or owner from voluntarily agreeing to pay its off-site development impact fee , by way of in-kind services, that the Borough and developer or owner agrees reflects the pro rata or proportionate share of the cost of proving reasonable and necessary off-tract improvements or facilities required by the construction or improvements to the be approved pursuant to a development application. In such a case, the Borough and developer or owner may enter into a developer's agreement that provides for the in-kind services in lieu of any pro rata contribution provided for pursuant to these aforesaid requirements.
 - D. The Borough may waive the provisions of this Section for any duly authorized redevelopment project.
 - E. Where a developer or owner pays under protest the amount determined to be his/her/its pro rata share as provided for herein, he/she/it shall institute legal action within one year of such payment in order to preserve the right to a judicial determination as to the fairness and reasonableness of such amount.

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: JUNE 26, 2024
PUBLIC HEARING: JULY 10, 20024

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR
Date:

JULIE MARTIN RMC, MUNICIPAL CLERK
Date:

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

WHEREAS, under New Jersey Motor Vehicle Security and Customer Service Act, the New Jersey Motor Vehicle Commission has been charged with the responsibility to deter criminal activities at all Motor Vehicle agencies; and

WHEREAS, the New Jersey Motor Vehicle Commission desires to engage the Eatontown Police Department to provide certain services with regards to security.

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
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 June 26, 2024.

Julie Martin, RMC, Borough Clerk

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

WHEREAS, the Tax Collector has forwarded to the Borough of Eatontown, a list of taxes which are overpaid, and has recommended that the same be transferred from 2023 4th quarter to the 3rd quarter of 2024.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Eatontown that the following taxes are hereby authorized to be transferred to the third quarter of 2024 based upon the recommendation of the tax collector:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
Mayor Talerico						

CERTIFICATION

I, Julie Martin, Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on June 26, 2024

Julie Martin, Borough Clerk

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
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 June 26, 2024.

Julie Martin, RMC, Borough Clerk

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on June 26, 2024. _____ Julie Martin, Municipal Clerk
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY
FEDERAL HIGHWAY SAFETY**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at a regular meeting held on June 26, 2024. <u>Julie Martin, Municipal Clerk</u>
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							

RESOLUTION 136-2024

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

CONFIRMING APPOINTMENT OF BOROUGH PROFESSIONAL

BE IT RESOLVED that the following appointment to the professional position for the Borough of Eatontown for the term of 6/26/2024-12/31/2024 is hereby confirmed:

PUBLIC DEFENDER:

	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 reorganization meeting held on June 26, 2024. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico, Jr.							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

WHEREAS, the State of New Jersey through the New Jersey Department of Community Affairs, Division of Fire Safety Administration (the "State") has created a voluntary program to provide statewide educational and training programs related to all facets of the fire service and has adopted credentialing requirements for various positions within the fire service; and

WHEREAS, the Borough Council of the Borough of Eatontown wants to fully support the Fire Department and its members so that they are fully qualified and trained to serve as firefighters within the Borough.

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

1. Patrick Renaldi
2. William P. Lucia, III, Interim Administrator
3. Eatontown Fire Department

	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 June 26, 2024.
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							

Julie Martin, RMC, Borough Clerk

RESOLUTION 138-2024

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

**RESOLUTION AUTHORIZING AMENDED CONTRACT FOR SALE OF BLOCK 401, LOTS 10, 11, 129 AND 130
TO HABITAT FOR HUMANITY OF MONMOUTH COUNTY, INC.**

WHEREAS, the Borough filed a declaratory judgment action captioned In the Matter of the Application of the Borough of Eatontown, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-2522-15 (the "Mt. Laurel Litigation") in July 2015 following the New Jersey Supreme Court's decision in the matter of In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, wherein the Supreme Court directed that municipalities which were before the Council on Affordable Housing, such as the Borough of Eatontown were required to file declaratory judgment actions in the Superior Court to evaluate compliance with their *Mount Laurel* obligations in order to maintain immunity from builder's remedy litigation; and

WHEREAS, the Borough entered into a Settlement Agreement with the Fair Share Housing Center on December 17, 2018 to resolve the Superior Court Litigation, and the Court thereafter entered a Final Third Round Judgment of Repose and Compliance on January 17, 2020 approving the Settlement Agreement with Fair Share Housing Center and immunizing the Borough from builder's remedy litigation through July 1, 2025; and

WHEREAS, the Borough is seeking to plan for its Fourth Round affordable housing obligation and it adopted Ordinance No. 15-2023 authorizing the donation of Block 401, Lots 10, 11, 129 and 130 (the "Property") to Habitat for Humanity in Monmouth County, Inc. ("Habitat") to construct a single family home which will be deed restricted as an affordable housing unit available to either a moderate income household in conformance with COAH and UHAC regulations; and

WHEREAS, the Borough adopted Resolution 70-2024 authorizing the Mayor to execute all necessary documents to effectuate the donation of the Property to Habitat and the Borough executed a Contract for Sale of Real Estate with Habitat on April 12, 2024 to transfer ownership of the Property to Habitat under the condition, amongst others, that Habitat apply for and obtain any and all required permits and approvals to construct a fully conforming variance free sing-family home within two years of obtaining such permits and approvals (the "Contract"); and

WHEREAS, the Borough Engineer advised Habitat through a review of the survey prepared by Habitat during the due diligence period under the Contract that there is an existing paved turn around area abutting Taylor Place on Block 401, Lots 129 and 130 which is currently used by the Borough for solid waste collection, public works purposes, emergency vehicle use and other pubic purposes and it is therefore necessary for the Borough to retain an easement on Lots 129 and 130 for the purposes outlined herein (the "Easement");

WHEREAS, Habitat is amenable to granting the Borough the Easement but the granting of the Easement to the Borough will trigger the need for Habitat to obtain a variance from the front yard impervious coverage standards in the Borough Ordinance in violation of the variance free requirement of the Contract; and

RESOLUTION 139-2024

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING CHANGE ORDER FOR ENGINEERING SERVICES PERFORMED BY THE BOROUGH
ENGINEER TO CLOSE OUT THE INDUSTRIAL WAY WEST PHASE TWO AND PHASE THREE IMPROVEMENT PROJECT**

WHEREAS, the Borough received a grant from the New Jersey Department of Transportation Municipal Aid Program in the amount of \$340,000 for the Borough's Industrial Way West Phase Two Improvement project; and

WHEREAS, the Borough received a grant from the New Jersey Department of Transportation Municipal Aid Program in the amount of \$332,100.00 for the Borough's Industrial Way West Phase Three Improvement project; and

WHEREAS, the Borough Council adopted Resolution 169-2022 authorizing the Borough Engineer to perform engineering services in connection with the construction of the Phase Two Industrial Way West Improvement project in an amount not to exceed \$88,000.00; and

WHEREAS, the Borough Council adopted Resolution 197-2022 authorizing the Borough Engineer to perform engineering services in connection with the construction of Phase Three Industrial Way West Improvement Project in an amount not to exceed \$66,000.

WHEREAS, THE Borough Engineer advised the Borough that the final project construction costs exceed the contractor's bid price by \$55,767.92 due to field adjustments that were necessary to ensure proper functionality on major commercial driveways and to ensure that ADA ramps were added that were none were previously; and as a result there was additional and unexpected construction inspection and management services required to properly supervise the construction of the improvements on behalf of the Borough; and

WHEREAS, the Borough Engineer, T&M Associates, submitted a letter proposal to the Borough Administrator dated September 8, 2023 requesting approval of a change order in the additional amount of \$16,000 for Phase Two and Phase Three soft cost services to cover time already spent by T&M Associates and for the additional time required to perform the NJDOT grant closeout work (the "Change Order"); and

WHEREAS, the Borough Council believes it is in the best interest of its residents to authorize the Change Order for the Industrial Way West Phases Two and Three Improvement project to properly compensate the Borough Engineer for work it already performed and to close out the NJDOT grant on behalf of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby authorizes the Change Order of \$16,000 for T&M Associates' services performed on Phase Two and Phase Three of the Industrial Way West Improvement project and close out the NJDOT grant on behalf of the Borough.

BE IT FURTHER RESOLVED, that the Chief Financial Officer hereby certifies that there are available funds in the amount of \$16,000 to fund this work.

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

1. Edward Herrman, P.E., T&M Associates
2. William P. Lucia, III, Interim Administrator

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-5.1 et seq., and any other applicable requirement, I Dena Amodea, CFO of the Borough of Eatontown have ascertained that there are sufficient uncommitted funds not to exceed \$16,000.00 (P.O.# 24-01397).


Dena Amodea, CFO

	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 June 26, 2024. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							

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

WHEREAS, the Borough is a member of the Educational Services Commission of New Jersey purchasing cooperative ("ESCNJ") and the Division of Recreation is seeking to purchase playground equipment as delineated in the quote from MRC dated June 24, 2024 from ESCNJ in an amount not to exceed \$143,921.5; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Eatontown hereby authorizes the purchase of playground equipment from MRC, Inc. of Spring Lake, New Jersey as delineated in its price quote dated June 24, 2024 with associated installation in the total amount of \$143,921.57 through the Educational Services Commission of New Jersey purchasing cooperative for Gurbisz Park.

1. Borough Chief Financial Officer
2. Director of Recreation
3. MRC, Inc.

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-5.1 et seq., and any other applicable requirement, I Dena Amodea, CFO of the Borough of Eatontown have ascertained that there are sufficient uncommitted funds not to exceed \$143,921.57 (PO# 24- 01449).

Dena Amodea
Dena Amodea, CFO

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Gindi						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
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 June 26, 2024.

 Julie Martin, RMC, Borough Clerk

RESOLUTION 141-2024

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING ACCESS AND INDEMNITY AGREEMENT WITH WHITE OAK FUNDING, INC.
FOR ACCESS ONTO AND REMEDIATION OF BOROUGH PROPERTY LOCATED AT BLOCK 401, LOTS 41, 42,
43 AND 58.**

WHEREAS, White Oak Funding, Inc. ("White Oak") is the owner of a certain real property located at 15 Lewis Street in the Borough of Eatontown (the "Borough") and identified on the Borough's official tax map as Block 401, Lot 64 (the "White Oak Property"); and

WHEREAS, White Oak completed the delineation assessment of the White Oak Property, as it is required by the New Jersey Department of Environmental Protection due to a fuel oil contamination of the White Oak Property prior to White Oak's ownership; and

WHEREAS, in connection with said delineation assessment, White Oak previously requested the Borough grant it access to a portion of Borough-owned property located adjacent to the White Oak Property, identified on the Borough's official tax map as Block 401, Lots 41, 42, 43, and 58 (the "Borough Property") to assess the environmental condition of the Borough Property; and

WHEREAS, the Borough Council adopted Resolution 161-2019 authorizing the Borough and White Oak to enter into an Access Agreement on August 12, 2019, granting White Oak access to the Borough Property for a period of eighteen (18) months to install soil borings and/or monitor wells that are necessary to define and delineate the extent of any off-site contamination migration; and

WHEREAS, due to the COVID-19 pandemic, the delineation assessment was paused and the eighteen (18) month term of the 2019 Access Agreement has expired; and

WHEREAS, the Borough Council approved Resolution 158-2022 authorizing a second Access Agreement with White Oak to continue with the delineation assessment of the Borough Property; and

WHEREAS, White Oak has completed the site delineation assessment of White Oak's property and off-site properties impacted, including Borough property, through the submittal to the New Jersey Department of Environmental Protection of a Remedial Action Investigation/Remedial Action Workplan dated March 2024 and it is now proceeding to remediate the historic contamination in accordance with NJDEP requirements, and

WHEREAS, White Oak retained a Licensed Site Remediation Professional (the "LSRP") to perform and oversee the remediation of its property and the surrounding impacted properties, including Borough owned property which will be through soil excavation and groundwater monitoring, also known as Monitored Natural Attenuation, unless excavation is technically impracticable; and

WHEREAS, White Oak has requested that the Borough grant them access to a portion of Borough-owned property located adjacent to the White Oak Property identified on the Borough's

official tax map as Block 401, Lots 41, 42, 43 and 58 (the "Borough Property") in order to perform the remediation required as outlined in the Remedial Action Work Plan to comply with NJDEP requirements; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough and its residents to enter into the Access and Indemnification Agreement in order to assure the Borough Property is remediated in conformance with the requirements of the New Jersey Department of Environmental Protection standards at no cost to the taxpayers.

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 Access and Indemnity Agreement with White Oak Funding, Inc. and the Mayor is authorized to execute the Access and Indemnity Agreement on behalf of the Borough.

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

- 1. Robert C. Epstein, Esq.
- 2. Edward Herrman, P.E., 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 June 26, 2024. Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Mayor Talerico							