

Mayor
ANTHONY TALERICO, JR.

Council
VIRGINA M. EAST, President
DANIELLE M. JONES
MEIR ARAMAN
CARL LAWSON
CANDACE M. FAUST
MARIA GRAZIA ESCALANTE



BOROUGH OF EATONTOWN
47 Broad Street
Eatontown, New Jersey 07724

AGENDA
Mayor and Council
Wednesday, February 12, 2025

Interim Administrator
WILLIAM P. LUCIA III

Borough Clerk
JULIE MARTIN

Borough Attorney
ANDREW BAYER

Borough Engineer
EDWARD HERRMAN

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

WORKSHOP 7:00 pm

1. Roll Call, Flag Salute
2. Proclamation - Wear Red for Ryan
3. Resuming the Borough's Strategic Plan (C/Jones)
4. Borough Celebrations/Events, 2025 (C/Jones)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
 - A. Regular Meeting- 1/22/25
3. **COMMUNICATIONS**
 - A. Tinton Falls Borough - Ordinance Vacating the Borough's Rights and Interest in a Roadway Known as Gun Club Road
 - B. Tinton Falls Land Use - Ordinance to Revise the Zoning Requirements for Cemeteries
 - C. Eatontown Borough Zoning Board Public Hearing - The Ridge at Suneagles, Block 501, Lots 1.03
 - D. Eatontown Borough Zoning Board Public Hearing - 4 Eton Place Variance Application, Block 2607, Lot 24
 - E. JIF Monthly Meetings Notification
 - F. NJAW Notice of Public Hearing
4. **MAYOR'S REPORT** - Mayor Talerico
5. **REPORTS OF COMMITTEES**
 - A. EMERGENCY SERVICES - Council President East
 - B. FINANCE & ORDINANCE - Councilmember Jones
 - C. POLICE, PUBLIC LIGHTS & PARKING - Councilmember Araman
 - D. PARKS & RECREATION - Councilmember Lawson
 - E. PUBLIC WORKS & INSURANCE - Councilmember Faust
 - F. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Escalante
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia
7. **HEARING** - Boarding House/Rooming House - Coastal Sober Living, LLC, 3 Kellys Lane

8. OLD BUSINESS

A. **Ordinance 02-2025** - Bond Ordinance Reappropriating \$2,441,383.00 in Excess Bond Proceeds Not Needed for Their Original Purposes in Order to Finance the Cost of Various Capital Improvements, Authorized in and by the Borough of Eatontown, in the County of Monmouth, New Jersey - **Public Hearing/Adoption**

B. **Resolution 29-2025** - Auth. Purchase of Container/Trailer, DPW (\$19,290.00) - **Carried from 1/8/25**

9. PUBLIC COMMENT ON AGENDA ITEMS ONLY**10. BILLS & CLAIMS AND BI-WEEKLY PAYROLL (vv)****11. NEW BUSINESS****A. ORDINANCE INTRODUCTION (rc)**

1. **Ordinance 03-2025** - Ordinance Repealing and Replacing Chapter 258 "Streets and Sidewalks", Article II "Street Excavations", Section 285-10 "Surface Restoration Specifications" to Ensure the Proper Restoration of the Borough's Streets and Roadways - **First Reading/Introduction (Public Hearing 2/26/25)**

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 48-2025** - Auth. Contracts for 2025 Professional Services
2. **Resolution 49-2025** - Auth. Release of Escrow Funds, FMERA (\$13.51)
3. **Resolution 50-2025** - Auth. Bid Opportunity for Bulky Waste Disposal
4. **Resolution 51-2025** - Auth. County of Monmouth Mosquito Control Aerial Operations
5. **Resolution 52-2025** - Auth. Execution of Agreement, Eatontown Choraliers, Musical Entertainment Services
6. **Resolution 53-2025** - Auth. Reimbursement for Printing/Certificate Supplies, C/Jones (\$56.36)
7. **Resolution 54-2025** - Auth. Emergency Temporary Appropriations
8. **Resolution 55-2025** - Auth. Tax Sale Certificate Redemptions
9. **Resolution 56-2025** - Dedication by Rider
10. **Resolution 57-2025** - Enabling Resolution/Agreement, Wolcott Park, Jake's Law Playground
11. **Resolution 58-2025** - Auth. Issuance of Class 5 Cannabis License, Fresh Dispensary, Plaza 35, 315 Hwy 35
12. **Resolution 59-2025** - Auth. Release of Escrow Balance to FMERA in Accordance with the MOU, Phase IV Water Extension Project
13. **Resolution 60-2025** - Auth. Borough Clerk to Issue Four Shopping Mall Retail Consumption Liquor Licenses

C. CONSENT AGENDA MOTIONS (vv)

- 1) Acceptance of Tax Collector Report, January 2025
- 2) Acceptance of Planning/Zoning Report, January 2025
- 3) Acceptance of 2024 Annual Report of the Eatontown Historical Committee

12. REMARKS OF COUNCIL AND CITIZENS**13. ADJOURNMENT (vv)**

**The next meeting of the Governing Body is
Wednesday, February 26, 2025 @ 7:00 p.m.**

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

BOND ORDINANCE NO. 02-2025

**BOND ORDINANCE REAPPROPRIATING \$2,441,383 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR
ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST OF VARIOUS CAPITAL IMPROVEMENTS, AUTHORIZED IN
AND BY THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough Council of the Borough of Eatontown, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 08-2016 on July 27, 2016; Bond Ordinance No. 09-2017 on December 6, 2017; Bond Ordinance No. 04-2018 on July 11, 2018; Bond Ordinance No. 15-2019 on July 10, 2019; Bond Ordinance No. 02-2020 on May 13, 2020; and Bond Ordinance No. 14-2021 on July 14, 2021 (collectively, the "Ordinances"); and

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

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

WHEREAS, there currently remains on deposit in the Borough capital accounts excess bond proceeds in the amount of \$2,441,383 which excess bond proceeds are allocable to such project improvements in the Ordinances (the "Excess Proceeds"), but are no longer necessary to complete such improvements or purposes authorized therein; and

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

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

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

Section 1. It is hereby determined that the aggregate amount of \$2,441,383 of the total appropriation for capital purposes originally made available pursuant to the following Ordinances of the Borough is no longer necessary for the purposes for which the obligations previously were authorized:

<u>Amount to be Reappropriated</u>	<u>Ordinance & Purpose</u>
\$ 14,035.00	No. 08-2016 adopted July 27, 2016, providing for various capital improvements and acquisition of various capital equipment.
\$ 335,168.45	No. 09-2017 adopted December 6, 2017 providing for various capital improvements and acquisition of various capital equipment.
\$ 605,478.88	No. 4-2018 adopted July 18, 2018, providing for various capital improvements and acquisition of various capital equipment.
\$ 678,001.25	No. 15-2019 adopted July 10, 2019, providing for various capital improvements and acquisition of various capital equipment.
\$ 226,316.22	No. 02-2020 adopted May 13, 2020, providing for various capital improvements and acquisition of various capital equipment.
\$ 582,383.20	No. 14-2021 adopted July 14, 2021, providing for various capital improvements and acquisition of various capital equipment.
<u>\$ 2,441,383</u>	Total to be reappropriated to other capital purposes

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

Section 3. The aggregate amount of \$2,441,383, representing the amount referred to in Section 1 hereof, is hereby appropriated to provide for the following capital improvement purposes, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost the project is as follows:

<u>Amount to be Appropriated</u>	<u>Purpose</u>
\$ 100,000	(i) Hard costs associated with Wampum, DPW fencing, and downtown streetscaping;
\$ 80,000	(ii) Soft costs associated with Borough's bike plan and street lighting study;
\$1,200,000	(iii) Soft costs associated with municipal building project improvements, including but not limited to, architect planning, construction management company, and engineering services.

- \$ 896,383 (iv) Acquisition of Police Department and Emergency Services equipment, including, but not limited to vehicles, police radios, fire department hoses, and the upgrade ADA compliance, various road repairs due to winter wear and tear;
- \$ 150,000 (v) costs associated with the installation of basement sprinkler system in the municipal building; and
- \$ 15,000 (vi) costs associated with the efforts to digitize the Borough's human resources.
- \$ 2,441,383

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

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

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance is 9.63 years.

(c) An aggregate amount not exceeding \$1,280,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

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

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

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

DATE INTRODUCED: January 22, 2025
PUBLIC HEARING: February 12, 2025

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
Councilmember Escalante						
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 January 8, 2025.

Julie Martin, RMC, Borough Clerk

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BOROUGH OF EATONTOWN
Bill List By Vendor Name

Page No: 1

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ADS002	ACTION DATA SERVICES, INC.	25-00297	01/28/25	PAYROLL INV# 90217	Open	494.92	0.00		
ACTIO005	ACTION UNIFORM CO, LLC	24-02077	09/20/24	2024 Police Uniforms	Open	350.00	0.00		B
ARH001	ADAMS, REHMANN, HEGGAN ASSOC INC	25-00138	01/15/25	#1648 FMERA-NICADEMUIS-BROAD	Open	10,240.00	0.00		
APS001	AIR PURIFICATION SOLUTIONS, LLC	25-00098	01/10/25		Open	3,360.00	0.00		
ADD002	ALAN D. DRAKE, INC.	24-02848	12/26/24		Open	5,800.00	0.00		
		24-02849	12/26/24		Open	6,200.00	0.00		
		25-00161	01/16/25		Open	895.00	0.00		
						12,895.00			
AHFE001	ALL HANDS FIRE EQUIPMENT	24-02664	11/20/24	FIRE DEPT IDENTIFY PLACECARDS	Open	949.39	0.00		
AOC001	ALLIED OIL LLC	24-02823	12/18/24	93 RFG GAS/ETHANOL 12/10/24	Open	4,946.20	0.00		
AMAZ0005	AMAZON.COM #A3898AWA7QWVMO	25-00166	01/16/25	Electronic Ear Muffs	Open	234.18	0.00		
ARO002	AMERICAN ROLL-OFF	24-00737	03/18/24	OPEN FOR 2024	Open	1,274.00	0.00		B
AMERI001	AMERIFLEX BUSINESS SOLUTIONS	25-00334	02/03/25	FSA/COBRA FEE FEBRUARY 2025	Open	115.00	0.00		
ASFI001	ATLANTIC SECURITY & FIRE, INC.	24-02635	11/14/24		Open	5,560.00	0.00		
		24-02861	12/30/24		Open	500.00	0.00		
						6,060.00			
ATS001	ATLANTIC TREE EXPERTS CO.	25-00070	01/07/25	30 MEADOWBROOK AVE -- REMOVAL	Open	1,500.00	0.00		
BAND001	BANDAG, INC	24-02147	09/27/24	OPEN FOR 2024	Open	1,785.54	0.00		B
BELOP005	BELO PIZZERIA	24-01699	07/31/24	FIRE DEPT MEETINGS/TRAININGS	Open	37.65	0.00		B
		24-02547	11/07/24	LARGE PLAIN PIE	Open	266.50	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BELOP005	BELO PIZZERIA	Continued							
		24-02659	11/20/24	FIRE DEPT TRAIN/MEETINGS	Open	276.60	0.00		B
		24-02679	11/20/24	BORO REORGANIZATION EVENT	Open	298.96	0.00		B
						879.71			
GENAC001	BOROUGH OF EATONTOWN GENERAL A								
		25-00082	01/08/25	PAY PERIOD 1/17/25 O/S DETAIL	Open	11,426.00	0.00		
		25-00221	01/22/25	PAY PERIOD 1/31/25 O/S DETAIL	Open	13,344.00	0.00		
						24,770.00			
BSA001	BOY SCOUTS OF AMERICA								
		25-00022	01/06/25	OPEN FOR 2025	open	125.00	0.00		B
BBBA001	BROWN & BROWN BENEFITS ADV.								
		25-00355	02/05/25	JANUARY 2025 CONSULT FEE	Open	1,500.00	0.00		
CALI001	CALIBRE PRESS								
		24-01912	08/29/24	COURSE TRAINING	Open	395.00	0.00		
CSUT001	CAROL SUTPHIN								
		25-00277	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
KRUEG001	Caroline Krueger								
		25-00178	01/16/25	BASKETBALL LEAGUE CANCELATION	open	95.00	0.00		
CENTR015	CENTRAL JERSEY/CARBON URGENT								
		24-02827	12/19/24	New Hire Physical K Quigly	open	166.00	0.00		
KAW001	CHARLES KAWAS								
		25-00264	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
CAG001	CLEARY GIACOBBE ALFIERI & JACO								
		25-00340	02/03/25	BORO MUNICIPAL PROSECUTOR SERV	Open	3,000.00	0.00		
COMC004	COMCAST								
		25-00361	02/05/25	BORO BUSINESS INTERNET ACCT	open	323.06	0.00		
		25-00362	02/05/25	BORO BUSINESS INTERNET ACCT	open	334.84	0.00		
		25-00363	02/05/25	BORO SPC VIDEO ACCOUNT	open	143.67	0.00		
		25-00365	02/06/25	LIBRARY ONLINE BUSINESS ACCT	Open	101.90	0.00		
						903.47			
DWD002	D&W DIESEL								
		24-01210	05/22/24		Open	575.00	0.00		B
BEN002	DALE BENNETT								
		25-00237	01/24/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
DANIE030	DANIEL CERVANTES								
		25-00215	01/22/25	RECREATION REIMBURSEMENT	Open	95.00	0.00		
DELTA001	DELTA DENTAL								
		25-00125	01/14/25	FEB DETLA DENTAL BILLING PERIO	Open	12,908.60	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DWOM001	DORIS M. WOMBOUGH	25-00279	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	471.00	0.00		B
ROV001	DR DINA ROVERE	24-02900	01/06/25	2025 Rabies Clinic	Open	200.00	0.00		
BOE001	EATONTOWN BOARD OF EDUCATION	24-02743	12/05/24	SPEAK PROGRAM BUS USE-FUEL	Open	187.95	0.00		
ESA001	EATONTOWN SEWERAGE AUTHORITY	24-02798	12/13/24	VAC-CON TRUCK MAINT.	Open	2,411.11	0.00		
EAT003	EATONTOWN T.V. AND APPLIANCE C	24-02476	11/04/24		Open	998.00	0.00		B
EDM001	EDMUNDS & ASSOCIATES, INC.	25-00314	01/28/25	TAX DEPT EPSON VALIDATOR	Open	270.00	0.00		
KLEINE01	EILEEN KLEINMAN	25-00282	01/27/25	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
ELITE006	ELITE EQUIPMENT SERVICE INC	24-02867	12/30/24	FIRST AID VEHICLE REPAIRS	Open	1,878.50	0.00		
FWWEB005	F.W. WEBB COMPANY	25-00011	01/06/25		Open	354.74	0.00		B
		25-00179	01/17/25		Open	1,995.34	0.00		B
						2,350.08			
FIRE001	FIREFIGHTER ONE	24-02753	12/06/24	FIRE DEPT EMERGENCY EQUIPMENT	Open	7,322.20	0.00		
FOLE002	FOLEY, INCORPORATED	24-01241	05/24/24	OPEN FOR 2024	Open	1,971.17	0.00		B
MEGIL001	FRED MEGILL	25-00269	01/27/25	MEDICARE REIMBURESMENT 2025	Open	555.00	0.00		B
GM001	G&M TROPHY CO, INC	24-02546	11/07/24	Rec Basketball Medals	Open	343.20	0.00		
GAGL001	GAGLIANO & COMPANY	24-02724	11/27/24	Professional Services Rendered	Open	3,500.00	0.00		
APP002	GANNETT NJ NEWSPAPERS	25-00400	02/10/25	Legal Advertisements	Open	356.40	0.00		B
GEN001	GENERAL CODE PUBLISHERS CORP	25-00097	01/10/25	Supplements	Open	2,694.00	0.00		
GPC001	GENUINE PARTS COMPANY INC	24-02001	09/12/24	OPEN FOR 2024	Open	141.11	0.00		B

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Bill List By Vendor Name

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GPC001	GENUINE PARTS COMPANY INC				Continued				
		24-02641	11/14/24	OPEN FOR 2024	Open	1,620.59	0.00		B
						1,761.70			
GHW001	GEORGE H. WITTENBERG								
		25-00285	01/27/25	MEDICARE INS REIMBURSEMENT	Open	349.40	0.00		
GIRL001	GIRL SCOUTS OF THE JERSEY SHOR								
		24-00016	01/05/24	OPEN FOR 2024	Open	125.00	0.00		B
GOVTE005	GOVT EDUCATION SOLUTIONS LLC								
		25-00109	01/13/25	REGISTRATION FOR TAX WEBINAR	Open	50.00	0.00		
WWG001	GRAINGER INC								
		24-00197	01/17/24	OPEN FOR 2024	Open	387.92	0.00		B
GROFFMID	GROFF TRACTOR MID ATLANTIC LLC								
		24-00017	01/05/24	OPEN FOR 2024	Open	338.37	0.00		B
		24-02341	10/17/24	CUTTING EDGE KIT	Open	3,027.70	0.00		
		24-02651	11/15/24	SERVICE BRAKE JOB FOR REAR DIF	Open	11,339.44	0.00		
						14,705.51			
BENNG01	GWEN E BENNETT								
		25-00238	01/24/25	MEDICARE REIMBURSEMENT 2025	Open	549.00	0.00		B
HERS002	HUNTER JERSEY PETERBILT LP								
		24-02650	11/15/24	DPW#93 PUMP, FUEL/CAPS PUMP	Open	4,402.37	0.00		
IBPC001	IMPERIAL BAG & PAPER CO LLC								
		24-02266	10/11/24	ITEM #VBCCPET7	Open	1,181.54	0.00		
		24-02326	10/16/24	PAPER ORDER	Open	783.33	0.00		
						1,964.87			
IMP001	IMPRINT SHOP LLC								
		24-02470	11/01/24	F219 PORT AUTHORITY	Open	560.00	0.00		
		24-02472	11/01/24	6991 LAT MEN'S HARBORSIDE	Open	180.60	0.00		
		24-02498	11/05/24	BUILDING DEPT UNIFORMS	Open	534.00	0.00		
						1,274.60			
IPD001	INST. FOR PROFESSIONAL DEVELOP								
		25-00090	01/09/25	WEBINARS FOR JULIE MARTIN	Open	150.00	0.00		
		25-00289	01/27/25	Bankruptcy Webinar	Open	50.00	0.00		
		25-00290	01/27/25	Gov't Ethics Webinar	Open	50.00	0.00		
		25-00291	01/27/25	Records Mgt Webinar	Open	50.00	0.00		
		25-00292	01/27/25	Deductions/Exemptions Webinar	Open	50.00	0.00		
						350.00			
INT001	INTERSTATE BATTERIES, INC								
		24-01238	05/24/24	OPEN FOR 2024	Open	1,071.70	0.00		B
HARRIS01	J.HARRIS ACADEMY POLICE TRAIN								
		24-02763	12/10/24	Search Warrant Update Course	Open	189.00	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GRAS002	JANICE GRASSO	25-00148	01/15/25	REIMBURSE CELL PHONE SERVICE	Open	90.00	0.00		
JASCH001	JERSEY AUTO SPA CAR WASH LLC	24-00930	04/15/24	BUILDING DEPT CAR WASHES	Open	17.00	0.00		B
FAY002	JOHN FAY	25-00233	01/24/25	EYEGASS REIMBURSEMENT RETIREE	Open	350.00	0.00		
DFWLL001	JOSEPH FAZZIO-HOWELL LLC	24-01896	08/28/24	OPEN FOR 2024	Open	465.42	0.00		B
MIL002	JOSEPH MILLER	25-00287	01/27/25	MEDICARE INS REIMBURSEMENT	Open	349.40	0.00		
KLEIN1	KENNETH KLEINMAN	25-00283	01/27/25	MEDICARE INS REIMBURSEMENT	Open	174.70	0.00		
KEPWE005	KEPWEL SPRING WATER CO, INC	24-00046	01/08/24		Open	338.50	0.00		B
LEADA005	LEADAONLINE LLC	25-00106	01/13/25	Renewal Package	Open	4,405.00	0.00		
LECK001	LECKSTEIN & LECKSTEIN, LLC	24-02845	12/23/24	Sligo Bay Cert Escrow #1675	Open	300.00	0.00		
		25-00088	01/08/25	5 Iris ZB2024-18 Escrow #1664	Open	2,550.00	0.00		
						2,850.00			
LEES002	LEE'S GARAGE, INC	24-02813	12/17/24	Painfor LESO F-150	Open	2,500.00	0.00		
LERT002	LERTCH RECYCLING CO, INC	24-02449	10/30/24	OPEN FOR CRUSHED CONCRETE	Open	55.65	0.00		B
LIFEW005	LIFEWAY MOBILITY	25-00167	01/16/25		Open	2,700.00	0.00		
IMA003	MARCO TECHNOLOGIES, LLC	25-00132	01/14/25	DPW/SENIOR CTR COPIER CONTRACT	Open	1,744.50	0.00		
MCG004	MARK MCGOWAN	24-02825	12/19/24	EYEGLOSS REIMBURSEMENT RETIREE	Open	387.55	0.00		
MCK001	MARY ANN MCKEAN	25-00268	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
MGL001	MGL PRINTING SOLUTIONS	25-00313	01/28/25	FIRST AID BUSINESS CARDS	Open	75.00	0.00		
CARR004	MICHAEL CARR	25-00091	01/09/25	WOOBOOT REIMBURSEMENT	Open	400.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CARR004	MICHAEL CARR				Continued				
		25-00162	01/16/25	EYEGLOSS REIMBURSEMENT	Open	619.00	0.00		
						1,019.00			
MICHA010	MICHAEL HREHA								
		25-00219	01/22/25	M HREHA PHONE REIMBURS 4TH QTR	Open	90.00	0.00		
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC.								
		24-02004	09/12/24	OPEN FOR 2024	Open	8.72	0.00		B
MCPCA001	MON. COUNTY POLICE CHIEFS ASSOC								
		25-00105	01/13/25	RDF Annual Dues	Open	500.00	0.00		
SPCA001	MONMOUTH COUNTY SPCA								
		24-02338	10/16/24	BORO ANIMAL CONTROL SERVICES	Open	2,026.40	0.00		B
MCT001	MONMOUTH COUNTY TREASURER								
		25-00107	01/13/25	MUNICIPAL/ HOUSEHOLD WASTE	Open	1,564.14	0.00		
MU002	MONMOUTH UNIVERSITY								
		24-02764	12/10/24	FEDERAL WORK STUDY PROGRAM	Open	447.14	0.00		
		24-02847	12/24/24	FEDERAL WORK STUDY PROGRAM	Open	318.48	0.00		
						765.62			
MOTCTA14	MONMOUTH/OCEAN TCTA								
		25-00129	01/14/25	MONMOUTH/OCEAN TAX/TREAS 2025	Open	80.00	0.00		
MSW001	MOTOROLA SOLUTIONS								
		25-00396	02/10/25	FIRST AID MOBILE RADIOS	Open	9,175.32	0.00		
MUNCO001	MUNCO OF NEW JERSEY								
		25-00084	01/08/25	D WIEGERS MEMBERSHIP RENEWAL	Open	75.00	0.00		
NAEYC001	NAT'L ASSOC EDUCATION YOUNG								
		24-02416	10/25/24	NAEYC PREMIUM LEVEL MEMBERSHIP	Open	69.00	0.00		
NAVIG005	NAVIGATE360 LLC								
		24-01837	08/20/24	ALICE Intstructor Training	Open	749.00	0.00		
NJAWC001	NEW JERSEY AMERICAN WATER								
		25-00367	02/06/25	BORO HYDRANTS WATER SERVICE	Open	18,414.99	0.00		
		25-00368	02/06/25	BORO MONTHLY WATER SERVICE	Open	260.03	0.00		
						18,675.02			
NEWJE010	NEW JERSEY STATE POLICE								
		24-02129	09/25/24	Radio User Fees 1st Semi	Open	5,850.00	0.00		
NJSHD001	NEW JERSEY STATE VET HEALTH DE								
		25-00336	02/03/25	JANUARY 2025 DOG REPORT	Open	319.20	0.00		
NFP002	NFPA								
		24-02524	11/06/24	NFPA LINK USER - WIEGERS	Open	359.99	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NFP003	NFPA	24-02744	12/05/24	D WEIGERS MEMBERSHIP RENEWAL	Open	225.00	0.00		
NFP002	NFPA	24-02805	12/13/24	NFPA RENEWAL SUBSCRIPTION 2025	Open	1,725.00	0.00		
NJAM001	NJ ADVANCE MEDIA	25-00192	01/17/25	Zoning Board Results 2025	Open	116.59	0.00		
NJBOA001	NJBOA	25-00085	01/08/25	D WIEGERS MEMBERSHIP RENEWAL	Open	100.00	0.00		
NOZ001	NOLZE GARAGE DOOR, LLC	24-02860	12/27/24	GARAGE DOOR REPLACEMENT	Open	1,845.00	0.00		
		24-02864	12/30/24		Open	431.00	0.00		
						2,276.00			
NOR002	NORTHWIND MECHANICAL SYSTEMS	24-02121	09/25/24		Open	1,106.25	0.00		B
		25-00099	01/10/25		Open	5,965.00	0.00		
						7,071.25			
NWEG001	NW FINANCIAL GROUP, LLC	24-02795	12/12/24	MONMOUTH MALL SERVICES	Open	393.75	0.00		
OLI002	OLIWA & COMPANY	25-00118	01/13/25	PROFESSIONAL SERVICES 2024	Open	450.00	0.00		
PASHSTEI	PASHMAN STEIN WALDER HAYDEN	25-00246	01/27/25	GENERAL COUNCIL JANUARY	Open	22,226.19	0.00		
PATRI025	PATRICIA CAMPBELL	25-00217	01/22/25	RECREATION REIMRSMNT	Open	95.00	0.00		
PATRI030	PATRICK R. VACCARO	25-00226	01/23/25	#1671 DEVELOPERS ESCROW RELEAS	Open	500.01	0.00		
PETRO02	PETRO KING SERVICE	24-02030	09/16/24	MONTHLY CELLULAR/CLOUD TECH SU	Open	1,106.00	0.00		
QUAD01	QUADIENT LEASE	25-00131	01/14/25	BORO POSTAGE METER LEASE 2025	Open	501.75	0.00		
RSCON005	R.S.CONSTRUCTION LLC	25-00338	01/30/25	FINAL COMPLETED WORK 5 MAXWELL	Open	1,750.00	0.00		
RAJ002	REGISTRAR'S ASSOCIATION OF NJ	24-02894	01/03/25	Registrar Membership Renewal	Open	75.00	0.00		
REP001	REPUBLIC SERVICES	25-00139	01/15/25	RESI RECYCLING DEC 2024	Open	1,586.13	0.00		

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Bill List By Vendor Name

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
REP001	REPUBLIC SERVICES			Continued					
		25-00140	01/15/25	RESI RECYCLING JAN 25	Open	26,783.51	0.00		
						28,369.64			
REPT001	REPUBLIC SERVICES								
		25-00210	01/21/25	JANUARY 2025 TONNAGE	Open	19,355.78	0.00		
REP001	REPUBLIC SERVICES								
		25-00315	01/28/25	RESI SERVICE 12/01-12/31	Open	67,366.17	0.00		
ROADR005	ROAD REMEDY LLC								
		25-00142	01/15/25	INSTARMAC PERMANENT POTHOLE RE	Open	2,958.00	0.00		
RUTG099	RUTGERS CONTINUING STUDIES GOV								
		25-00212	01/21/25	MUNICIPAL CLERK REVIEW	Open	653.00	0.00		
FOO001	SAKER SHOPRITES, INC.								
		25-00075	01/07/25	JANUARY BINGO SUPPLIES	Open	48.02	0.00		
		25-00076	01/07/25	JANUARY SNACKS	Open	76.44	0.00		
		25-00078	01/07/25	FEBRUARY BINGO SUPPLIES	Open	54.65	0.00		
		25-00111	01/13/25	Youth Committee Supplies	Open	142.62	0.00		
		25-00228	01/23/25	AFTERCARE JANUARY SNACKS	Open	348.51	0.00		
		25-00318	01/28/25	Cookies & Canvas Supplies	Open	141.21	0.00		
						811.45			
SEACST01	SEA COAST CHEVROLET-OLDSMOBILE								
		24-01240	05/24/24	OPEN FOR 2024	Open	108.88	0.00		B
SEAVI005	SEA VIEW AUTO CORP								
		24-00030	01/05/24	OPEN FOR 2024	Open	305.25	0.00		B
		24-01239	05/24/24	OPEN FOR 2024	Open	992.00	0.00		B
		24-02831	12/20/24	HOSE: HEATER RETURN	Open	312.00	0.00		
						1,609.25			
SIC003	STANDARD INSURANCE COMPANY INC								
		25-00123	01/14/25	Firemens Life Insurance	Open	463.32	0.00		
		25-00124	01/14/25	JAN DISABILITY INSURANCE	Open	2,903.74	0.00		
						3,367.06			
STAP003	STAPLES ADVANTAGE								
		24-02857	12/26/24	BUILDING DEPT EQUIP/SUPPLIES	Open	2,293.97	0.00		
		25-00086	01/08/25	LABOR LAW POSTERS BORO BLDGS	Open	431.92	0.00		
		25-00100	01/10/25		Open	135.78	0.00		
		25-00303	01/28/25	FINANCE OFFICE SUPPLIES	Open	508.35	0.00		
		25-00306	01/28/25	ADMIN/MAYOR OFFICE SUPPLIES	Open	97.22	0.00		
		25-00308	01/28/25	PLANNING/ZONING OFFICE SUPPLY	Open	817.55	0.00		
		25-00310	01/28/25	BORO COPY PAPER REPLENISH	Open	454.90	0.00		
		25-00311	01/28/25	CLERK OFFICE SUPPLIES	Open	352.15	0.00		
						5,091.84			
ITEPS001	STATE OF NJ DEPT OF TREASURY								
		25-00337	02/03/25	SHBP CONT PAYMENT FEBRUAR 2025	Open	373,529.40	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ELEV001	STATE OF NJ-DEPT COMM AFFAIRS	25-00165	01/16/25		Open	622.00	0.00		
STORA005	STORAGE ENGINE, INC	25-00104	01/13/25	Laserfiche Renewal	Open	1,800.00	0.00		
STORR001	STORR TRACTOR COMPANY	24-02240	10/09/24	TORO WING MOWER AXLE/STEERING	Open	4,129.66	0.00		
SCH001	T&M ASSOCIATES	21-02684	11/16/21	ARP WAMPUM BROOK FLOOD STUDY	Open	1,857.75	0.00		B
		23-02180	09/13/23	FIREHOUSE DRIVEWAY REHABILITAT	Open	204.00	0.00		B
		24-01180	05/17/24	INDUSTRIAL WAY W PHASE 4	Open	415.50	0.00		B
		24-02115	09/24/24	GURBISZ SPLASH PARK BATHROOM B	Open	10,160.00	0.00		B
		24-02455	10/31/24	LAND SURVEYING BORO HALL	Open	712.80	0.00		B
		24-02736	12/04/24	STORMWATER MAPPING	Open	3,230.00	0.00		B
		24-02836	12/23/24	5 Iris Escrow #1664	Open	1,678.63	0.00		
		24-02837	12/23/24	18 Judy Escrow #1659	Open	1,569.00	0.00		
		24-02838	12/23/24	Netflix Escrow #1660	Open	1,696.50	0.00		
		24-02840	12/23/24	90-92 HWY 36 Escrow 1653	Open	1,800.01	0.00		
		25-00171	01/16/25	Netflix Escrow #1660	Open	8,292.26	0.00		
		25-00172	01/16/25	12.2024 Road Open Escrow#5555	Open	14,539.95	0.00		
						46,156.40			
TEAM001	T.E.A.M. LIFE	25-00183	01/17/25	Defib Pads	Open	225.00	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC	24-02721	11/26/24	POLICE LAPTOP	Open	3,223.00	0.00		
		24-02761	12/10/24	Printers	Open	1,103.00	0.00		
		25-00018	01/06/25	FIREWALL RENEWAL DPW LEWIS ST.	Open	982.00	0.00		
		25-00188	01/17/25	BORO DOMAIN AGREEMENT SERV	Open	300.00	0.00		
		25-00201	01/21/25	BLANKET FOR IT SERVICES 2025	Open	13,355.78	0.00		B
						18,963.78			
TCTA006	TAX COLLECTORS & TREASURERS AS	25-00128	01/14/25	2025 MEMBERSHIP TAX/FINANCE	Open	100.00	0.00		
TAYLO006	TAYLORS TOWING	24-02758	12/09/24	AUCTION TOWING AUGUST 2024	Open	255.00	0.00		
TERM001	TERMINATOR TERMITE & PEST MGT	25-00010	01/06/25		Open	75.00	0.00		B
SHORE002	THE HOSE SHOP, INC.	24-01237	05/24/24	OPEN FOR 2024	Open	440.58	0.00		B
TWOM001	THOMAS C. WOMBOUGH III	25-00280	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
TURF001	TURF TRADE	24-01000	04/23/24	OPEN FOR 2024	Open	1,359.51	0.00		B

BOROUGH OF EATONTOWN
Bill List By Vendor Name

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
UNIFI005 UNIFIRST CORPORATION							
24-01723	08/02/24	DPW UNIFORM REGULAR CLEANING	Open	948.34	0.00		B
24-02653	11/15/24	OPEN FOR 2024	Open	54.87	0.00		B
25-00062	01/06/25	OPEN FOR 2025	Open	<u>122.57</u>	0.00		B
				1,125.78			
VBF001 VERIZON BUSINESS FIOS							
25-00364	02/06/25	FIREHOUSE FIOS SERVICES	Open	420.22	0.00		
COSEN001 VICTOR A COSENTINO, JR.							
25-00257	01/27/25	MEDICARE REIMBURSEMENT 2025	Open	555.00	0.00		B
WWG010 W.W. GRAINGER, INC.							
24-00910	04/12/24		Open	343.63	0.00		B
24-01310	06/07/24		Open	894.70	0.00		B
24-01774	08/15/24		Open	614.46	0.00		B
25-00003	01/06/25		Open	984.34	0.00		B
25-00231	01/24/25		Open	<u>1,270.80</u>	0.00		
				4,107.93			
WALTE005 WALTER SMITH							
25-00286	01/27/25	MEDICARE INS REIMBURSEMENT	Open	349.40	0.00		
WHITE006 WHITE DOVE CLEANERS							
24-02888	01/02/25	End of year Dry Cleaning	Open	1,851.43	0.00		
LUCI001 WILLIAM LUCIA							
25-00120	01/14/25	ZOOMN JANUARY	Open	234.47	0.00		
Total Purchase Orders:				198	Total P.O. Line Items:		0
Total List Amount:				827,688.69	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:	4-01	103,649.35	0.00	103,649.35	0.00	0.00	103,649.35
CURRENT FUND:	5-01	601,234.28	0.00	601,234.28	540.00	0.00	601,774.28
GENERAL CAPITAL F	C-04	51,269.50	0.00	51,269.50	0.00	0.00	51,269.50
GRANT FUND	G-02	5,080.75	0.00	5,080.75	0.00	0.00	5,080.75
	T-12	319.20	0.00	319.20	0.00	0.00	319.20
	T-15	26,520.00	0.00	26,520.00	0.00	0.00	26,520.00
	T-17	39,075.61	0.00	39,075.61	0.00	0.00	39,075.61
Year Total:		65,914.81	0.00	65,914.81	0.00	0.00	65,914.81
Total of All Funds:		827,148.69	0.00	827,148.69	540.00	0.00	827,688.69

ORDINANCE 03-2025

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

ORDINANCE REPEALING AND REPLACING CHAPTER 258 "STREETS AND SIDEWALKS", ARTICLE II "STREET EXCAVATIONS," SECTION 285-10 "SURFACE RESTORATION SPECIFICATIONS " TO ENSURE THE PROPER RESTORATION OF THE BOROUGH'S STREETS AND ROADWAYS

WHEREAS, the Borough has encountered complaints from residents about the quality of street restoration following work performed by utility companies requiring the opening of the Borough's Street and roadways; and

WHEREAS, the Borough Engineer has recommended that the Borough Council repeal and replace the current surface restoration specifications to ensure that the Borough's streets and roadways are restored in conformance with the magnitude of the work being done by the utility companies and others who are accessing the Borough's streets and roadways; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to protect the public's investment in the Borough's streets and roadways in order to ensure they are appropriately restored to the recommended standards of the Borough Engineer.

NOW THEREFORE BE IT ORDAINED, by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter 258 "Street and Sidewalks", Article II, "Street Excavations", Section 285-10 "Surface Restoration Specifications" is hereby repealed in its entirety and replaced with the following:

§ 285-10 Surface Restoration Specifications

For the purposes of this section, the term "curb" shall also be construed as to mean the longitudinal edge of pavement if no curb exists on the street in question. The term "edge of pavement" shall be construed as the traverse edge crossing the street.

- A. All pavement surfaces shall be replaced in accordance with the Borough's specifications governing new construction of such pavements. Said finished pavement surface layers shall conform to the following materials and minimum thicknesses:
- (1) Major and minor collectors (through streets).
 - (a) Dense graded aggregate subbase course, six inches thick.
 - (b) Hot mix asphalt, 19M64 base course, six inches thick.
 - (c) Hot mix asphalt, 9.5M64 surface course, two inches thick.
 - (2) Local roads (interior subdivision streets).
 - (a) Dense graded aggregate subbase course six inches thick.
 - (b) Hot mix asphalt, 19M64 base course, four inches thick.
 - (c) Hot mix asphalt, 9.5M64 surface course, two inches thick.
- B. Whenever an opening is made in a pavement that has a concrete base, the new concrete pavement or foundation shall be made three inches thicker than the original concrete and a minimum of eight inches. New concrete shall be NJDOT Class B, 4500 psi and shall be reinforced with three-eighths-inch round reinforcing steel rods spaced six inches on center

or equivalent thereof. In addition, the new concrete pavement or foundation shall be doweled into the surrounding concrete using No. 4 reinforcing steel rods drilled and set a minimum of six inches into the existing concrete on twelve-inch centers and protruding a minimum of 12 inches into the newly poured concrete base.

C. Following the completion of the work for which the permit is issued, the following standards for permanent surface restoration shall be strictly adhered to:

- (1) Prior to surface restoration, all trenches shall be backfilled by depositing therein dense graded aggregate, crushed concrete, or other suitable fill material in layers of not more than eight inches in depth; each layer thoroughly mechanically compacted to a minimum ninety- percent modified proctor density, and, if required by the Borough Engineer, flushed with water.
- (2) If the distance from the edge of the excavation work area to the existing curb is less than two feet, the permittee shall be required to excavate to the curb and evenly install six inches of dense graded aggregate followed by eight inches of bituminous stabilized base course in the entire area.
- (3) Temporary pavement surface restoration: Following proper backfill and compaction, the permittee shall install no less than six inches of dense graded aggregate subbase course followed by:
 - (a) Major and minor collectors (through streets): eight inches of bituminous stabilized base course to a height even with the surface of the existing pavement.
 - (b) Local roads (interior subdivision streets): six inches of bituminous stabilized base course to a height even with the surface of the existing pavement.
- (4) The temporarily restored pavement shall be allowed to settle for no less than 90 days and no more than 180 days. It shall be the responsibility of the permittee to monitor and maintain the trench to ensure that a depression does not develop. If at any time during the settlement period the trench becomes unacceptable in the view of the Borough Director of Public Works or Borough Engineer, the permittee shall be notified of the condition requiring repair, and such repair shall be performed by the permittee within 24 hours of such notification. In the absence of such repair, the Borough reserves the right to use bond fees to repair said trench.
- (5) Following the period of settlement, the permittee shall be required to mill the excavation work area surface as specified in Subsection D below and install no less than two inches of hot mix asphalt 19M64 surface course. The permittee shall also be required to provide a tack coat on all existing bituminous concrete surfaces and hot-poured rubber asphalt joint sealer per Section 401 of the NJDOT 2017 Standard Specifications for Road and Bridge Construction.

D. Pavement Restoration Limits

- (1) All excavations shall require milling and restoration of the excavation work area extending a minimum of two feet beyond the outer edges of the excavation.
- (2) Edges of milling will generally be perpendicular and parallel to the curb and the center line of the roadway.
- (3) For excavations along the street's curbline which disturb at least 30% of the width of the street (i.e., A 30-foot-wide street with ≥ 10 -foot-wide excavation), milling shall extend from the curb to the center line of the street.

- (4) For excavations along the street's curblin which cross the centerline of the street by more than one foot, milling shall extend from the curb to curb of the street.
- (5) In the case of utility work undertaken by a public utility, private utility, or contractor, which involves placing of new or replacing or repairing of existing utility infrastructure, including but not limited to gas lines, water lines, sewer lines, electrical lines, and telecommunication lines, or any disturbance of the roadway surface, where the area to be trenched is greater than 50 linear feet, or where multiple small openings in the pavement are made within a 50 linear foot or greater length of a roadway; Upon completion and within timelines specified in §285-10.C.(4) (or as determined by the Borough Engineer), the permittee shall mill and repave the entire pavement surface from curb to curb for the full length of the excavation, in accordance with the Borough's specifications governing construction of such pavements. Further, should any proposed construction result in an undisturbed section of roadway between two disturbed segments, or between one disturbed segment and an intersecting roadway, and such undisturbed section is 500 linear feet or less in length, said undisturbed section will still require full restoration, curb to curb, in accordance with Borough specifications. This section shall not apply to consecutive construction conducted by separate entities for separate work which results in trenches or multiple small openings greater than 50 linear feet.
- (6) For cement concrete streets with asphalt overlay, milling will be required to the full depth of the overlay to the limits determined by the Borough Engineer. In the case where the full length of pavement repairs is greater than 50 linear feet, the Borough Engineer has the discretion to require saw-cuts in the new surface course over the existing cement concrete base course's longitudinal and transverse joints and sealed.
- (7) For excavations in streets which, within the past five years, have been constructed, reconstructed, or resurfaced, the permittee will be required to mill all excavation work from curb to curb, to the limits determined by the Borough Engineer. The Borough Engineer may waive this requirement for a minor individual opening.
- (8) The Borough Engineer has the discretion to extend, modify or revise milling limits to accommodate existing pavement and drainage conditions.
- E. All excavations of less than 100 square feet shall be repaired using infrared thermal bond seamless bituminous pavement patching. If, in the opinion of the Borough Engineer, the condition of the existing road surface does not warrant infrared repair, this requirement may be waived.
- F. The permittee shall be required to replace any facilities including, but not limited to, curb, pavement, sidewalk, line striping, signs, etc., that are affected by the excavation and restoration work.
- G. The permittee shall be required to replace any existing speed humps, striping, associated advanced placement signs, etc., that are affected by the excavation and restoration work. The existing speed hump shall be removed entirely, and the surrounding roadway shall be milled at one foot beyond the limits of the existing speed hump. The dimensions, markings, and construction of the replacement speed hump shall be in accordance with guidance from New Jersey Department of Transportation and MUTCD.
- H. All materials and workmanship are to be in accordance with the New Jersey Department of Transportation Standard Specifications.

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.

DATE OF INTRODUCTION: February 12, 2025

PUBLIC HEARING: February 26, 2025

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorized the execution of contracts for the provision of services as listed below commencing January 1, 2025 and ending December 31, 2025, per the Contracts for Services on file in the Office of the Borough Clerk according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

Special Projects Engineer	Colliers Engineering & Design, Inc.
Bond Counsel	Dilworth Paxson, LLP (M. Bennett, Esq.)
Administrative Agent	CGP&H
Housing Rehab. Admini. Services	CGP&H
Property/Casualty Insurance Broker	Acrisure, LLC
Financial Advisor Services	NW Financial, LLC
Architect	Parallel Architectural Group
Attorney, Labor	O'Toole Scrivo
Prosecutor	Sean Kean, Esq.

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

CERTIFICATION

I, Julie Martin, RMC, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on February 12, 2025.

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 Araman						
Councilmember Lawson						
Councilmember Faust						
Councilmember Escalante						
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 February 12, 2025.

Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, it is the desire of the Borough of Eatontown to advertise a bid opportunity for the disposal of bulky waste; and

WHEREAS, bid specifications are being prepared by Director of Public Works, Keith Ferrugia and will thereafter be available in the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Eatontown, Monmouth County, New Jersey, hereby authorizes a notice to bidders be published and advertised in order to seek a contract for the specifications and proposal package for the disposal of bulky waste.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Regan, Jr.						
Councilmember Jones						
Councilmember Gindi						
Councilmember Lucas						
Councilmember Araman						
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 February 12, 2025.

Julie Martin, RMC, Borough Clerk

RESOLUTION 51-2025

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

**AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT
AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF EATONTOWN**

WHEREAS, the Monmouth County Board of Commissioners, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population with the county of Monmouth; and

WHEREAS, prior to conducting the aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Eatontown is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticide, application equipment and aircraft that are approved for aerial application by applicable Federal (USEPA) and State (NJDEP) agencies; and
 - b. such operations will be performed in compliance with applicable Federal and State regulations; and
 - c. the County will Notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, RMC, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on February 12, 2025. Julie Martin, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							

RESOLUTION 52-2024

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

**AUTHORIZING EXECUTION OF AGREEMENT WITH EATONTOWN CHORALERS
FOR THE PROVISION OF MUSICAL ENTERTAINMENT SERVICES**

WHEREAS, the Eatontown Choraliers have been an integral part of the Borough of Eatontown (the "Borough") for many years providing musical entertainment at various Borough functions; and

WHEREAS, the Borough is desirous of continuing this tradition and formalizing an Agreement with the Eatontown Choraliers to provide their services to the citizens of the Borough; and

WHEREAS, the Borough shall pay the Eatontown Choraliers Five Hundred Dollars (\$500.00) for their services pursuant to the Agreement; and

WHEREAS, the Chief Financial Officer of the Borough of Eatontown has prepared and submitted a Certification of Availability of Funds for this purpose in the amount not to exceed \$500.00 from the line item entitled "Recreation – Other Expenses" for the annual performances for the benefit of the Borough of Eatontown payable \$250.00 July, 2025 and \$250.00 December 2025.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Eatontown do hereby authorize the Agreement for Musical Entertainment Services between the Eatontown Choraliers and the Borough of Eatontown for a period of one year beginning January 1, 2025 and ending December 31, 2025 for which payment will be made in the amount of not to exceed \$500.00 for providing musical entertainment as set forth in the Agreement, a true copy of which is attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Eatontown do hereby authorize the Mayor and Borough Clerk to execute said Agreement, as reviewed and approved by the Borough Attorney.

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 Amoda, CFO of the Borough of Eatontown have ascertained that there are sufficient uncommitted funds not to exceed \$500 (Purchase Order No. 25-00384).



Dena Amoda, CFO

	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 February 12, 2025. _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

Whereas, Councilmember Araman has submitted a request for reimbursement for printing/certificate supplies in an amount of \$56.36.

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Eatontown authorizes the reimbursement to Ms. Jones in the amount not to exceed \$56.36 for Printing/Certificate Supplies.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
Councilmember Escalante						
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 February 12, 2025.

Julie Martin, RMC, Borough Clerk

RESOLUTION 54-2025

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

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergency condition has arisen in the 2025 Current Fund Budget with respect to additional costs prior to the adoption of the 2025 Budget; and

WHEREAS, the adoption of the 2025 Budget has not been completed and adequate provision was not made in the 2025 Temporary Budget and N.J.S.A. 40a:4-20 provides for the creation of an Emergency Temporary Appropriation; and

WHEREAS, the total emergency resolutions adopted in the year 2025 pursuant to the provisions of N.J.S.A. 40A:4-20, chapter 96 P.L. (as amended) including this resolution total \$11,592,318.12

NOW, THEREFORE BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20 an Emergency Temporary Appropriation be and the same is hereby made as follows:

GENERAL GOVERNMENT:

Administrative & Executive

Salaries & Wages	\$	80,000.00
Other Expenses	\$	50,000.00

Historical

Other Expenses	\$	2,712.50
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Labor Council

Other Expenses	\$	6,000.00
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Mayor & Council

Salaries & Wages	\$	8,000.00
Other Expenses	\$	2,000.00

Borough Clerk

Salaries & Wages	\$	60,000.00
Other Expenses	\$	20,000.00

Information Technology

Other Expenses	\$	90,000.00
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Assessment of Taxes

Salaries & Wages	\$	60,000.00
Other Expenses	\$	20,000.00

Reserve for Appeals

Other Expenses		
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Elections

Other Expenses		
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Advertising		\$	5,000.00
	Other Expenses		
Beautify Eatontown			
	Other Expenses	\$	2,600.00
Complete Streets			
	Other Expenses	\$	737.50
Financial Administration			
	Salaries & Wages	\$	80,000.00
	Other Expenses	\$	30,000.00
Tuition Reimbursement			
	Other Expenses		
Bond Registration			
	Other Expenses	\$	3,818.75
Purchasing			
	Salaries & Wages	\$	30,000.00
	Other Expenses	\$	10,000.00
Auditing			
	Other Expenses	\$	20,000.00
Collection of Taxes			
	Salaries & Wages	\$	60,000.00
	Other Expenses	\$	5,000.00
Legal Services			
	Other Expenses	\$	100,000.00
Engineering			
	Other Expenses	\$	50,000.00
Planning Board			
	Other Expenses	\$	8,000.00
Board of Adjustment			
	Other Expenses	\$	10,000.00
Zoning Officer			
	Salaries & Wages	\$	100,000.00
	Other Expenses	\$	10,000.00
Inspection of Buildings			
	Salaries & Wages	\$	300,000.00
	Other Expenses	\$	15,000.00
Housing Inspection			
	Salaries & Wages	\$	50,000.00
	Other Expenses	\$	1,817.50
Other Insurance			
	Other Expenses	\$	
Group Insurance			
	Other Expenses	\$	1,000,000.00
Unemployment			
	Other Expenses	\$	20,000.00

Workmen's Compensation		
	Other Expenses	\$ 100,000.00
First Aid		
	Salaries & Wages	\$ 6,625.00
	Other Expenses	\$ 10,000.00
Police		
	Salaries & Wages	\$ 3,000,000.00
	Other Expenses	\$ 200,000.00
	911 O/S Caps	\$ 10,000.00
Emergency Management		
	Salaries & Wages	\$ 3,691.87
	Other Expenses	\$ 6,000.00
Fire/Water		
	Salaries & Wages	\$ 4,885.94
	Other Expenses	\$ 50,000.00
Uniform Fire Safety		
	Salaries & Wages	\$ 50,000.00
	Other Expenses	\$ 10,000.00
Municipal Prosecutor		
	Other Expenses	\$ 20,000.00
Recycling O/S Caps		
	Other Expenses	
Sanitation		
	Garbage Contract	\$ 500,000.00
Public Bldg & Grounds		
	Salaries & Wages	\$ 40,000.00
	Other Expenses	\$ 60,000.00
Municipal Court - Tinton Falls		
	Other Expenses	\$ 200,000.00
DPW		
	Salaries & Wages	\$ 500,000.00
	Other Expenses	\$ 500,000.00
Snow		
	Other Expenses	\$ 6,000.00
Health Commission		
	Salaries & Wages	\$ 1,209.50
	Other Expenses	\$ 2,687.50
Environmental		
	Other Expenses	\$ 2,422.69
Green Team		
	Other Expenses	\$ 2,343.75
Community Garden		
	Other Expenses	\$ 3,548.75
Animal Control		

	Other Expenses	\$ 10,000.00
Recreation		
	Salaries & Wages	\$ 100,000.00
	Other Expenses	\$ 40,000.00
Community Center		
	Salaries & Wages	\$ 100,000.00
	Other Expenses	\$ 20,000.00
Youth Committee		
	Other Expenses	\$ 1,659.37
Senior Citizens		
	Salaries & Wages	\$ 20,000.00
	Other Expenses	\$ 10,000.00
Library		
	Salaries & Wages	\$ 20,000.00
	Other Expenses	\$ 5,000.00
Celebration of Public Events		
	Other Expenses	\$ 10,000.00
Employee Sick Buy Back		
	Other Expenses	
Accumulated Absences		
	Other Expenses	
Utilities		
	Telephone	\$ 100,000.00
	Electric	\$ 50,000.00
	Fire Hydrant	\$ 100,000.00
	Street Lighting	\$ 100,000.00
	Water	\$ 15,000.00
	Natural Gas	\$ 20,000.00
Mon County Tipping Fees		
	Other Expenses	\$ 200,000.00
Social Security		
	Other Expenses	\$ 200,000.00
PERS		\$ 709,000.00
PFRS		\$ 1,944,174.00
PERS / ERI		\$ 24,571.00
DCRP		\$ 32,812.50
LOSAP - Fire		
	Other Expenses	\$ 60,000.00
LOSAP - 1st Aid		
	Other Expenses	\$ 10,000.00
Health Benefit Waiver		
	Other Expenses	\$ 30,000.00
Municipal Court		
	Salaries & Wages	\$ 30,000.00

TOTAL 2025 TEMPORARY APPROPRIATIONS	\$11,592,318.12
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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
Councilmember Escalante						
Mayor Talerico, Jr.						

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 February 12, 2025.

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

BLOCK	LOT	QUAL	NAME	AMOUNT CERTIFICATE	AMOUNT PREMIUM	CERTIFICATE NUMBER
1601	31	C0118	PRO CAP 8 FBO FIRSTRUST BANK	\$ 962.52	\$ 300	24-00014
4103	9		RTLTF-NJ II LLC	\$ 963.19	\$ 600	24-00037

	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 February 12, 2025.
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							

 Julie Martin, Borough Clerk

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

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Donations for the Celebration of the 105th Anniversary of the 19th Amendment are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Donations for the Celebration of the 105th Anniversary of the 19th Amendment in accordance with N.J.S.A. 40A:5-29.

2. The Clerk of the Borough of Eatontown, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President East						
Councilmember Jones						
Councilmember Araman						
Councilmember Lawson						
Councilmember Faust						
Councilmember Escalante						
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 February 12, 2025.

Julie Martin, RMC, Borough Clerk

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

1. Mayor Anthony Talerico, Jr. of the above-named body or board is hereby authorized to execute an agreement and any amendment(s) thereto with the State known as #1312-2-010 Wolcott Park Jake's Law Playground; and
2. The applicant agrees to provide its matching share to the Green Acres funding, if a match is required, in the amount of \$0;
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. This resolution shall take effect immediately.

	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 February 12, 2025. _____ Julie Martin, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							

RESOLUTION 58-2025

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

RESOLUTION AUTHORIZING THE BOROUGH CLERK TO ISSUE A CLASS 5 CANNABIS RETAILER LICENSE TO FRESH DISPENSARY EATONTOWN, LLC TO OPERATE A CLASS 5 CANNABIS RETAILER BUSINESS AT PLAZA 35, 315 HIGHWAY 35, BUILDING C, STORE #5 IN THE BOROUGH OF EATONTOWN

WHEREAS, on August 5, 2021, the Borough of Eatontown adopted Ordinance No. 19-2021 (the "Cannabis Ordinance") authorizing and limiting cannabis business establishments in the Borough including two (2) Class 1 Cannabis Cultivator businesses on Industrial Way West; and

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

WHEREAS, on July 26, 2023, the Borough Council adopted Ordinance No. 16-2023 amending Ordinance No. 19-2021 increasing the number of permitted Class 5 Cannabis Retailer facilities to four within the Borough and redefining the authorized locations for such facilities (Ordinances 19-2021 and Ordinance 16-2023 shall be collectively referred to as the "Cannabis Ordinance"); and

WHEREAS, Fresh Dispensary Eatontown, LLC ("Fresh Dispensary") filed a New Marijuana Business License Application with the Borough to operate a Class 5 Cannabis Retailer business located at the property bearing the address Plaza 35, 315 Highway 35, Building C, Store #5, Eatontown, New Jersey (the "Property"); and

WHEREAS, the Zoning Officer found that the proposed location of Fresh Dispensary's Class 5 Cannabis Retailer businesses located at the Property is consistent with the Borough's zoning requirements for such facilities; and

WHEREAS, the Borough Council adopted Resolution 165-2023 supporting the license application of Fresh Dispensary to operate a Class 5 Cannabis Retailer facility on the Property on July 26, 2023; and

WHEREAS, Fresh Dispensary applied to and obtained Minor Site Plan and Conditional Use Approval to operate a Class 5 Retailer Cannabis facility at the Property from the Planning Board of the Borough of Eatontown on March 4, 2024 with the Planning Board memorializing the approval through the adoption of a Resolution on March 24, 2024; and

WHEREAS, the Cannabis Regulatory Commission issued Fresh Dispensary a license to operate a Class 5 Cannabis Retailer License at the Property on December 9, 2024;

WHEREAS, the Zoning Officer issued a Zoning Permit to Fresh Dispensary permitting occupation of Store #5 on the Property to operate a Class 5 Cannabis Retailer facility in accordance with the requirements of the Planning Board approval and other applicable law; and

WHEREAS, Fresh Dispensary submitted to the Borough Clerk a lease evidencing the right to occupy and operate a Class 5 Cannabis Retailer facility at the Property as required by the Cannabis Ordinance; and

WHEREAS, Fresh Dispensary is requesting the Borough Council issue a Class 5 Cannabis Retailer Business license for the property located at Plaza 35, 315 Highway 35 North, Eatontown, New Jersey, Building C, Store #5 consisting of approximately 39000 square feet of upper level retail and a lower level of 1000 feet and it is appearing that Fresh Dispensary has met all of the requirements of the State of New Jersey and the Borough of Eatontown to operate a Class 5 Cannabis Retailer facility on the Property including the requirements of Section 200-7 of the Borough Code; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Eatontown in the County of Monmouth, State of New Jersey that it hereby authorizes the Borough Clerk to issue an annual cannabis license to Fresh Dispensary Eatontown, LLC to operate a Class 5 Cannabis Retailer business at the premises located at Plaza 35, 315 Highway 35 North, Building C Store #5,, Eatontown, New Jersey.

BE IT FURTHER RESOLVED THAT this license shall remain in effect for one year, subject to annual renewal, as set forth in the Borough's ordinances. If Fresh Dispensary is not operational within one year, the license shall lapse and be eligible for other Cannabis operators within the particular class of operation, unless Fresh Dispensary demonstrates good cause for not being operational within one year. At a minimum, in order for good cause to exist as it relates to the renewal of a cannabis license, the Cannabis Licensee shall provide at least three updates to the Borough Council, via the Borough Clerk, nine months prior, six months prior and three months prior to the license lapsing and/or renewing. The purpose of these updates is to update the Borough Council of any delays in bringing the operation into existence and how Fresh Dispensary s operated in good faith to mitigate against any delays preventing the Cannabis Licensee from becoming operational.

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

- a. Fresh Dispensary Eatontown, LLC
- b. Kathy Muscillo, Director of Planning and Zoning

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION I, Julie Martin, Borough Clerk of the Borough of Eatontown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey at the regular meeting held on February 12, 2025 _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

WHEREAS, the Fort Monmouth Economic Revitalization Authority (“FMERA”) and the Borough of Eatontown (the “Borough”) entered into a shared services agreement in the form of a Memorandum of Understanding (“MOU”) for the planning, survey and design work related to the project known as the Water Extension Phases IV project in and around the Fort Monmouth Main Post (the “Project”) on March 31, 2023; and

WHEREAS, FMERA posted in escrow with the Borough \$28,500 and the Borough Engineer, T&M Associates, performed the Engineering Work on behalf of FMERA in furtherance of the Project and it billed a total of \$22,474.00 thereby leaving a balance of \$6,026.00 in the escrow account (the "Escrow Balance") related to the Project.

BE IT FURTHER RESOLVED, a copy of this Resolution shall be provided to:

- | | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-------------------------|--------|--------|-----|-----|---------|--------|
| Council President East | | | | | | |
| Councilmember Jones | | | | | | |
| Councilmember Araman | | | | | | |
| Councilmember Lawson | | | | | | |
| Councilmember Faust | | | | | | |
| Councilmember Escalante | | | | | | |
| 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 February 12, 2025.

Julie Martin, RMC, Borough Clerk

RESOLUTION 60-2025

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING BOROUGH CLERK TO ISSUE FOUR SHOPPING MALL RETAIL CONSUMPTION
LIQUOR LICENSES**

WHEREAS, the Legislature adopted P.L. 2023, C.290 making changes to the Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 to 33:5-5 (the "Mall Liquor License Law") establishing Shopping Mall liquor licenses and authorizing municipalities which have reached the population cap limitation in N.J.S.A. 33:1-12.14 to issue up to four Shopping Mall retail consumption licenses in accordance with the criteria established in the statute; and

WHEREAS, the Borough of Eatontown is eligible to issue up to four Shopping Mall liquor licenses under the Mall Liquor License Law because it has at least one qualifying shopping mall constructed prior to August 1, 2024 with a minimum gross square footage of 1,500,000 square feet under common ownership or control with a standalone, publicly accessible enclosed walkway or hall area that connects retail and entertainment establishments, food and beverage establishments and with at least one Plenary Retail Consumption Licensee; and

WHEREAS, N.J.S.A. 33:1-19.3 – 19.6 authorizes the Borough to issue up to four Shopping Mall retail consumption licenses by public sale to the highest qualified bidder and to prescribe qualifications for prospective bidders including setting conditions of the sale including a minimum price subject to applicable law.

WHEREAS the Mall Liquor License Law establishes a minimum price of at least \$250,000 a municipality may set for a Shopping Mall Retail Consumption Licenses with half of the fee due upon issuance of the license, and the remaining amount due to the Borough within a year of issuance of the license; and

WHEREAS, the Borough Council adopted Resolution 170-24 authorizing the Borough Clerk to conduct a public sale through the issuance of a bid package to the highest qualified bidder for up to four Shopping Mall retail consumption licenses with a minimum price of \$250,000 per license issued in connection with food and beverage establishments located in a shopping mall pursuant to N.J.S.A. 33:1-12.55(b) and

WHEREAS, there is a qualifying shopping mall in Eatontown under the Mall Liquor License Law on the properties designated as Block 2201, Lots 1.01, 1.02, 3, 4 and 5 on the tax map of the Borough of Eatontown known as the Monmouth Mall Property; and

WHEREAS, the Borough advertised a Notice and Invitation to Bidders for Shopping Mall Retail Consumption Liquor Licenses for two consecutive weeks and received four bids related to the Monmouth Mall Property each in the amount of \$250,000.00 as follows:

1. Eatontown Liquor License 1, LLC, c/o Kushner Companies, 767 Fifth Avenue, 50th Floor, New York, NY 10153
2. Eatontown Liquor License 2, LLC, c/o Kushner Companies, 767 Fifth Avenue, 50th Floor, New York, NY 10153
3. Eatontown Liquor License 3, LLC, c/o Kushner Companies, 767 Fifth Avenue, 50th Floor, New York, NY 10153
4. Eatontown Liquor License 4, LLC, c/o Kushner Companies, 767 Fifth Avenue, 50th Floor, New York, NY 10153

WHEREAS, each bid included a completed a Division of Alcoholic Beverage Control ("NJABC") Retail Liquor License Application and the required ten percent deposit in the amount of \$25,000 per license for a total of \$100,000 and the required NJABC application fee in the amount of \$200 for each license; and

WHEREAS, the Borough Council believes it is in the best interest of its residents and taxpayers to award four Shopping Mall Retail Consumption Liquor Licenses in conformance with Mall Liquor License Law in order to support the revitalization of shopping malls as envisioned by the New Jersey Legislature for payment to the Borough in the amount of \$250,000 per bid received.

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 authorizes the award four Shopping Mall Retail Consumption Liquor Licenses in accordance with the bids received to Eatontown Liquor License, 1, LLC, Eatontown Liquor License, 3, LLC, Eatontown Liquor License, 3, LLC, and Eatontown Liquor License, 4, LLC for the premises known as the Monmouth Mall Property in the amount of \$250,000.00 for each license.

BE IT FURTHER RESOLVED that the award of the four Shopping Mall Retail Consumption liquor licenses is subject to the receipt of satisfactory background checks and all necessary and required approvals of the New Jersey Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED the Borough Clerk is hereby directed to submit to the NJABC the applications submitted by the successful bidders and the NJABC application fees.

BE IT FURTHER RESOLVED that upon NJABC approval of the issuance of the four Shopping Mall Retail Consumption Liquor Licenses and the payment of the balance of the bid owed to the Borough (\$225,000 per license), the Borough Clerk is authorized to issue a Shopping Mall Retail Consumption Liquor Licenses to Eatontown Liquor License 1, LLC, Eatontown Liquor License 2, LLC, Eatontown Liquor License 3, LLC, and Eatontown Liquor License 4, LLC.

	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 February 12, 2025. _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Jones							
Councilmember Araman							
Councilmember Lawson							
Councilmember Faust							
Councilmember Escalante							
Mayor Talerico							