

**Regular Meeting  
Borough of Eatontown Governing Body  
Wednesday, January 26, 2022**

**NOTICE** - In light of the health risks associated with the global pandemic the January 26, 2022 Council Meeting will be held via Zoom Video Conferencing ONLY. There will be no in person participation. In order to virtually attend the meeting, members of the public must dial 1-929-205-6099 or 1-253-215-8782 and use access code/meeting ID 844 5690 6136 or can join via video at <https://zoom.us/j/84456906136> or by downloading the Zoom App. Please follow prompts. Out of respect for the need to run an orderly meeting, we ask that all participants keep their phone on mute. We appreciate your understanding and patience during this challenging and dynamic time. 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.

Mayor Talerico opened the Regular Meeting at 7:47 pm, noting the Borough's compliance with the Open Public Meetings Act

**1. ROLL CALL**

**PRESENT:** Mayor Anthony Talerico, Jr., Council President Kevin L. Gonzalez,  
Councilmembers Mark Regan, Jr., Maria Escalante, Danielle M. Jones, David Gindi, Everett D. Lucas  
**ALSO PRESENT:** Attorney Bayer, Interim Administrator Lucia, Borough Clerk Martin  
The Flag Salute was held during workshop.

**2. APPROVAL OF MINUTES**

**A. Workshop/Regular Meeting – 01/12/2022**

Motion to approve the minutes of 1/12/22 by C/Gindi; seconded by C/Escalante  
Voice Vote: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

**3. COMMUNICATIONS**

**A.** NJ, DCA Review of Resolution 208-2021, Area in Need of Redevelopment  
Motion to accept communication item A by C/Jones; seconded by C/Escalante  
Voice Vote: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

**4. MAYOR'S REPORT - Mayor Talerico**

Mayor Talerico attended the FMERA meeting; he provided details of approvals made. The FMERA Ad-Hoc Committee met. Mayor Talerico spoke of issues with the Borough Code that will be brought to Council for discussion.

**5. REPORTS OF COMMITTEES**

**A. POLICE, PUBLIC LIGHTS & PARKING - Council President Gonzalez**

Council President Gonzalez reported the Shade Tree Commission elected the chair members. Mr. Bob Wolf was thanked for his years of service as Chair. C/Gonzalez spoke about the collaboration for the wording for the Samuel Mingo Jack Johnson marker. The dedication will be on June 18 at 11:00 am.

**B. EMERGENCY SERVICES - Councilmember Regan, Jr.**

Councilmember Regan recognized the loss of Louie Montano. C/Regan shared total calls for December 2021 for the Fire Department.

**C. PARKS & RECREATION - Councilmember Escalante**

Councilmember Escalante spoke of Mr. Montano. She reported on upcoming registration deadlines for recreation. The Historical talk scheduled for February 6 has been postponed.

**D. FINANCE & ORDINANCE - Councilmember Jones**

Councilmember Jones reported the Finance & Ordinance Committee met. There will be a tour of the Eatontown dispensary on February 4. The next Planning Board meeting is scheduled for Monday, February 7 at 7:00 p.m. via Zoom. Meetings will be held remotely until further notice. The next Traffic Advisory Committee meeting is scheduled for Thursday, February 10 at 7:00 p.m. via Zoom; meeting information is found on the Committee's webpage. The Committee elected their chairmembers. All Eatontown residents are welcome to attend and/or join the Committee. Sign up for Swift 911™ for

traffic/construction updates and to receive reverse 911 calls from the Borough. The Drug and Alcohol Alliance will hold quarterly meetings going forward, the next meeting is Wednesday, February 9 at 11:30 a.m. via Zoom. The Alliance runs the Community Service Alliance (CSA), January's project is the MLK Day of Service donation drive, in which student members are collecting personal hygiene items for the Eatontown Food Co-op/Pantry. February's service project will be making Valentine's Day cards for Eatontown's senior residents. The Alliance is looking for funding for their Summer 2022 L.E.A.D. program; they need funding and/or donations to continue to hold their summer program for Eatontown students. Questions should be sent to Dawn Ryan, Coordinator, or the Borough Administrator. January's Youth Committee service project for MLK Day of Service is collecting non-perishable food items for the Eatontown Food Co-op/Pantry. February's service project is to make Valentine's Day cards for Eatontown's senior residents. Questions/ideas/suggestions, please contact Janice Grasso, Director of Recreation. Community Center Adults Programs celebrated January's birthdays. Events and the fitness schedule are available on the website. Please contact [adultprograms@eatontownnj.com](mailto:adultprograms@eatontownnj.com) or call 732.389.7666 with questions. Current openings in the Borough's preschool program will be available to applicants on a first come, first-serve basis. Registration for the 2022 – 2023 school year will open in February. Please complete applications and submit to the Community Center ASAP – forms are available on the website. "Best Buddies" is NOT a drop-off program; all children 18 years and younger must be accompanied by an adult for the duration of the program. Please contact [comctr@eatontownnj.com](mailto:comctr@eatontownnj.com) or call 732.389.7647 with questions. NJ Social Justice Remembrance Coalition will host its next coalition meeting on Thursday, January 27 at 7:00 p.m. via Zoom. If you are interested in attending the meeting, please email Min. Kerwin Webb. February is Black History Month. Black History Month is one opportunity in the calendar year to celebrate the historical achievements of African Americans as a central player in American history. "We must never forget that Black History is American History. The achievements of African Americans have contributed our nation's greatness." (Yvette Clark, Congresswoman from the 9th District of New York) • Tuesday, February 1st is Lunar New Year. 2022 is the Year of the (Water) Tiger. Wishing everyone the fullness of the vigor and vitality of the tiger. Rutgers Cooperative Extension – Family & Community Health Science (FCHS) Department hosts their "Live Well – Stay Healthy Wellness Webinars" on the first Tuesday each month at 3:00 p.m. February's webinar is "Beating the Winter Blues"! It will be held on Tuesday, February 1 at 3:00 p.m. via Zoom. The Borough's Youth Committee and Drug/Alcohol Alliance will be hosting a virtual celebration for Black History Month on Saturday, February 19 at 1:00 p.m., in collaboration with the Phi Upsilon Chapter of Omega Psi Phi Fraternity, Inc. All Eatontown residents of all ages are welcome to learn the importance and legacy of Black History Month. Flyer and registration link to be posted on the Borough's website and Facebook page.

#### **E. PUBLIC WORKS & INSURANCE - Councilmember Gindi**

Councilmember Gindi reported DPW is aware of some missed garbage pickups in the Borough and will reach out to the contractor to determine if they missed the pickup or came earlier than expected. Residents are strongly encouraged to put out garbage the evening before, after 6:00pm and no later than 6:00am day of pick up to ensure pick up. In December 15.3 tons of Bulk was collected to be disposed, and 4.35 tons of Metal was collected to be recycled. March bulk pick up dates are March 13 for the East Side; and March 20 for the West Side – March 20. Please put out bulk items that Sunday to ensure pick up is not missed for the month. As a reminder the bulk pick up happens the week of your assigned date so while we ask for your bulk to be put out on Sunday, the team might not get to you until later that week. DPW is still collecting Christmas trees with your normal brush pick up. At this time there is no set schedule so please place out trees at your convenience. Please download the Recycle coach app. C/Gindi commended Director Keith Ferrugia, Emily Watts and everyone at DPW involved in the creation and mailing of the new DPW booklet. All residents should have received their booklet by now, there are a few copies of the booklet available at the DPW building located at 250 Pinebrook Ave and a few copies on the second floor of Borough Hall on a table with the Borough calendar. Please email DPW at [dpw@eatontownnj.com](mailto:dpw@eatontownnj.com) if you didn't receive the booklet or if your street is incorrect or missing.

#### **PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Lucas**

Councilmember Lucas reported no change.

#### **6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia**

Interim Administrator Lucia clarified the fitness equipment discussed at the last meeting was delivered and is being held for installation until warmer weather.

The timeline for Cannabis Applications was detailed. Attorney Bayer further provided information on the steps of the process for applicants and Borough entities. Council agreed with the process.

**7. OLD BUSINESS**

There was no old business before Council.

**8. PUBLIC COMMENT ON AGENDA ITEMS ONLY**

The meeting was open to the public on agenda items.

C/Lucas thanked Mayor Talerico and Interim Administrator Lucia for their time.

There were no further comments from the public.

**9. BILLS & CLAIMS AND BI-WEEKLY PAYROLL**

Motion to approve the bills, claims and bi-weekly payroll by C/Jones; seconded by C/Gonzalez

C/Gindi shared concerns about the amount of overtime and potential issues with staffing and staff burnout. Interim Administrator Lucia noted there is always a concern for burnout, noting there is a need for more people in the Police Department. C/Gindi asked for details of the process, which was discussed. C/Jones asked if this matter would fall under the purview of the Finance and Ordinance Committee; Interim Administrator Lucia noted the support of the entire Council would be needed.

Voice Vote: AYE - C/Gonzalez, C/Regan, C/Escalante\*, C/Jones, C/Gindi, C/Lucas

\*Abstained from item IMP001

**10. NEW BUSINESS****A. CONSENT AGENDA RESOLUTIONS**

*(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 33-2022** - Auth. Appointments to Certain Boards/Committees [Sewer Authority]
- 2) **Resolution 34-2022** - Auth. Tax Sale Certificate Redemption (Blk 301, Lot 44)
- 3) **Resolution 35-2022** - Granting Real Estate Property Tax Exemption to Disabled Veteran (Blk 301, Lot 36)
- 4) **Resolution 36-2022** - Auth. Appointment of Alternate Prosecutors
- 5) **Resolution 37-2022** - Auth. Wording of Equal Justice Initiative Marker at Site of Mingo Jack Memorial in Wampum Park
- 6) **Resolution 38-2022** - Auth. Execution of Contracts for 2022 Professional Services
- 7) **Resolution 39-2022** - Developer's Agreement - DCH Investments (Blk 2902, Lots 5.02 & 5.03)
- 8) **Resolution 40-2022** - Auth. Purchase of Computer Upgrades, Targeted Technologies, LLC (\$42,313)
- 9) **Resolution 41-2022** - Auth. Engineer to Perform Professional Engineering Services for Building Demolition & Soil Erosion Permitting in Connection with the Nicodemus Park Parcel at Fort Monmouth
- 10) **Resolution 43-2022** - Auth. Housing Rehabilitation Program Administrator to Proceed with Rehabilitation of Property Located at 18 Eaton Place and the Funding for Such Rehabilitation

Resolution 43-2022 was added to the Consent Agenda Resolutions.

Attorney Bayer explained the purpose of the resolution and further detailed how the rehabilitation program works.

The meeting was open to the public on Resolution 43-2022.

There were no comments from the public.

Motion to approve Consent Items 1-10 (Resolutions 33-41 and 43) as a group by C/Gonzalez; seconded by C/Gindi

Roll Call: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

**RESOLUTION 33-2022****APPOINTING MEMBERS TO CERTAIN BOARDS**

**BE IT RESOLVED** that the following Borough Committee appointment for the Borough of Eatontown, as made by the Mayor, is hereby confirmed:

**SEWER AUTHORITY**

MEMBER: Herman W. Redd; TERM: 2/1/2022 – 1/31/2027

**RESOLUTION 34-2022****AUTHORIZING TAX SALE CERTIFICATE REDEMPTION**

**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.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Eatontown that the below listed Tax Sale Certificates be cancelled and endorsed as fully satisfied

BLOCK	LOT	Qual.	NAME	AMOUNT CERTIFICATE	AMOUNT PREMIUM
301	44		WSFS AS CUST LVTLOPS/FIRSTURST	\$580.06	\$1300.00

**RESOLUTION 35-2022****GRANTING REAL ESTATE PROPERTY TAX EXEMPTION TO DISABLED VETERAN**

**WHEREAS**, NJSA 54:3-3.30 et seq. provides that a disabled veteran is exempt from residential property taxes; and

**WHEREAS**, James Wilson Boggess, Jr. of 30 Rose Court in the Borough of Eatontown is a disabled veteran and has applied for relief under the aforementioned statute.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Eatontown that the requested exemption from real estate property taxes in the Borough of Eatontown is hereby granted as follows:

On property known as 30 Rose Court, Block 301, Lot 36 on the tax map of the Borough of Eatontown belonging to James Wilson Boggess, Jr, be and the same is hereby exempt from residential property taxes commencing on Jan. 13, 2022; and

**BE IT FURTHER RESOLVED** that said exemption shall continue for as long as Mr. Boggess remains completely disabled or owns his premises.

**RESOLUTION 36-2022****APPOINTING ALTERNATE PROSECUTORS FOR MUNICIPAL COURT**

**WHEREAS**, the Borough of Eatontown via Resolution 05-2022 appointed the firm of Cleary Giacobbe Alfieri as the Municipal Prosecutor for 2022, term expiring December 31, 2022; and

**WHEREAS**, there is a need to appoint Alternate Municipal Prosecutors in the event that the Attorneys of Cleary Giacobbe Alfieri are unavailable or has a conflict of interest; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Eatontown, County of Monmouth, State of New Jersey, hereby appoints the below named individuals as Alternate Municipal Prosecutors for Eatontown Borough Court for the 2022 Calendar year to be paid as the same rate as the firm of Cleary Giacobbe Alfieri:

James Carton, Esq. ; Mike Lynch Esq.; John T. Lane, Jr., Esq.; Susan DeSimone, Esq.; Ron Sage, Esq.

**RESOLUTION 37-2022****AUTHORIZING WORDING OF AN EQUAL JUSTICE INITIATIVE MARKER AT THE SITE OF THE MINGO JACK MEMORIAL IN WAMPUM MEMORIAL PARK**

**WHEREAS**, on March 5, 1886, African American Eatontown resident Samuel "Mingo Jack" Johnson was lynched in the Borough of Eatontown by an angry mob after being accused of raping a white woman; and

**WHEREAS**, Samuel "Mingo Jack" Johnson did not receive a trial for the accusations before him; and

**WHEREAS**, in 2012, a group of concerned citizens from Eatontown and the surrounding community formed The Mingo Jack Remembrance Committee to not only draw attention to the lynching and to the injustice of Mr. Johnson not receiving a trial, but to encourage a broader discussion of racial justice by placing a memorial marker and educating the public of the event; and

**WHEREAS**, the location of the original marker was selected jointly by the Mingo Jack Remembrance Committee and the Borough of Eatontown because it was not only close to the jail cell where the lynching took place, but also because the location of the memorial would be a prominent one as Wampum Park was developed in the future; and

**WHEREAS**, the New Jersey Social Justice Remembrance Coalition ("Coalition"), working with the Alabama-based Equal Justice Initiative ("EJI"), requested to add a standardized marker at the EJI's expense which will discuss the history of lynching in the United States and the lynching of Samuel "Mingo Jack" Johnson; and

**WHEREAS**, the Borough Council adopted Resolution 51-2021 Authorizing the Placement of an Equal Justice Initiative Marker at the Mingo Jack Memorial Site in Wampum Park subject to an agreement on the wording with the Coalition and subject to an agreement on the location and physical installation approved by the Borough;

**WHEREAS**, the Borough Council has reached an agreement on the wording of the Equal Justice Initiative Marker with the Coalition and the Borough Council believes it is in the best interest of the Borough and the community at large to move forward towards finalizing the project.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Eatontown hereby approves the final wording of the standardized marker at the Mingo Jack Memorial Site in a form appended hereto subject to the location and physical installation of the marker being approved by the Borough.

**Historical Marker Wording**

*Samuel "Mingo Jack" Johnson lived during an era when African Americans were burdened with a presumption of guilt. On March 5, 1886, a white mob in Eatontown lynched Mr. Johnson, a 66-year-old black man known as "Mingo Jack." Earlier that day, a 25-year-old white woman reported an assault by a black assailant who asked if she knew Mingo Jack. The constable, accompanied by the victim's father, arrested Mr. Johnson at his home, locked him up, then told locals that he would not be surprised if Mingo Jack was lynched before morning. The mere mention of Mr. Johnson's nickname was enough to arouse a mob to seek immediate vengeance before any investigation. The constable later testified that he ignored Mr. Johnson's worry about the mob yelling for his lynching. Shortly before midnight, the mob broke into the jail, brutally beat Mr. Johnson to death, then hung his body over the jail cell door. Several white neighbors and a terrified black couple said they heard several shots, screams of someone in mortal agony, and cries of "Murder!" Like many African Americans, free or enslaved, Mr. Johnson was murdered by white mob violence. Although six white people were identified as suspects in the lynching, during the Coroner's Inquest at Eatontown the jury treated the allegations as a farce. Residents claimed they knew Mr. Johnson was not the real perpetrator. In the end, no one was ever convicted of the crime of murdering Samuel Johnson.*

**RESOLUTION 38-2022**

**AUTHORIZING CONTRACTS FOR PROFESSIONAL SERVICES IN THE BOROUGH OF EATONTOWN**

**WHEREAS**, the Borough of Eatontown is in need of qualified professionals for the year 2022; and  
**WHEREAS**, the below listed appointments were made effective January 1, 2022, after selection through the "Fair and Open" process established by N.J.S.A. 19:44A-20.5 et seq. and Borough Ordinance 35-2006; and  
**WHEREAS**, the contracts for services submitted by the below listed professionals were reviewed and approved by Andrew Bayer, Borough Attorney and William P. Lucia, III, Interim Administrator of the Borough of Eatontown.

**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, 2022 and ending December 31, 2022, 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; and

**BE IT FURTHER RESOLVED** that based on the amount of funds expended in the prior year for these services that the total 2022 appropriation for these contracts will be in the amount as listed, subject to unforeseen decreases or increases in professional fees and/or other matters:

<u>Appointed Position</u>	<u>Firm</u>	<u>Amount Expended 2021</u>
Borough Attorney	Andrew Bayer of Pashman Stein Walder Hayden	\$ 155,007.48
Bond Counsel	Archer & Greiner	\$ 6,048.00
Labor Attorney	Cleary Giacobbe Alfieri	\$ 4,635.00
Auditor	Robert Oliwa of Oliwa & Company	\$ 17,300.00
Borough Engineer	T & M Associates	\$ 141,122.13
Engineer, Special Projects	Chapman Environmental	\$ 0.00
Health Insurance Broker	Brown & Brown Benefit Advisors	\$ 18,000.00
Prosecutor	Cleary Giacobbe Alfieri	\$ 36,000.00

**RESOLUTION 39-2022**

**AUTHORIZE DEVELOPER'S AGREEMENT WITH DCH INVESTMENTS, BLOCK 2902, LOTS 5.02 & 5.03**

**WHEREAS**, DCH Investments, Inc. (the "Developer") is the developer of the premises designated as Block 2902, Lots 5.02 & 5.03 on the official tax map of the Borough of Eatontown (the "Borough") and located at 200 New Jersey State Highway 36 (the "Premises"); and

**WHEREAS**, the Developer applied to the Planning Board of the Borough of Eatontown (the "Board") for Preliminary and Final Site Plan Approval with Bulk Variances to expand the existing Honda Automobile Dealership to create additional service bays and to add an additional parking spaces for inventory due to the loss of parking from the service bay expansion (the "Project"); and

**WHEREAS**, the Planning Board granted Preliminary and Final Site Plan Approval with Bulk Variances by Resolution dated October 4, 2021 (the "Resolution"); and

**WHEREAS**, the Developer has agreed to construct the Project in accordance with the terms set forth in the approved Resolution, and the Planning Board approval, amongst other requirements, was subject to and conditioned upon the execution of a Developer's Agreement between the Borough and the Developer (the "Developer's Agreement"); and **WHEREAS**, the Borough Council of the Borough of Eatontown believes it is in the best interests of its residents and taxpayers to enter into the Developer's Agreement with the Developer to ensure construction of the Project in accordance with the approved plans and specifications and the terms and conditions required by the Planning Board **NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby approves the Developer's Agreement with DCH Investments, Inc. and the Mayor is authorized to execute the Developer's Agreement in a form approved by the Borough Attorney.

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

1. DCH Investments, Inc.;
2. Kathy Muscillo, Zoning Officer

#### **RESOLUTION 40-2022**

#### **AUTHORIZING PURCHASE OF COMPUTER UPDATES HARDWARE, SOFTWARE, NETWORK SERVICES – BOROUGH / BOROUGH POLICE DEPARTMENT**

**WHEREAS**, the Borough of Eatontown has a need of Computer Upgrades (hardware, software and network services) for the Borough and the Borough Police Department; and

**WHEREAS**, quotes were received from

Targeted Technologies, LLC \$42,313.00; Keypress Software Development \$43,150.00

**WHEREAS**, the Borough Administrator and Purchasing Agent, have determined that Targeted Technologies can meet the needs of the Borough of Eatontown for these services for the Borough and the Borough Police Department; and

**NOW THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Eatontown hereby authorizes the purchase of the computer upgrades from Targeted Technologies, Toms River, NJ in the amount of \$42,313.00

**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 \$42,313.00 (Purchase Order No. 22-00251).

#### **RESOLUTION 41-2022**

#### **RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PERFORM PROFESSIONAL ENGINEERING SERVICES FOR BUILDING DEMOLITION AND SOIL EROSION PERMITTING IN CONNECTION WITH THE NICODEMUS PARK PARCEL AT FORT MONMOUTH**

**WHEREAS**, the Borough is under contract to purchase the Nicodemus Park Parcel at Fort Monmouth (the "Property") from the Fort Monmouth Economic Revitalization Authority ("FMERA") and upon closing, it will need engineering services in connection with the demolition of the existing buildings on the Property; and

**WHEREAS**, the Borough Engineer's office, T&M Associates, submitted a proposal to the Borough dated January 25, 2022 in connection with preparing bid specifications for the demolition of the existing buildings on the site and related soil erosion permitting work in an amount not to exceed \$25,000; and

**WHEREAS**, the Borough Council of the Borough of Eatontown believes it is in the best interests of its residents to perform the engineering services noted in T&M's proposal so that the Property maybe converted to a public park after the Borough's purchase of the Property.

**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 T&M Associates to perform the engineering services outlined in its proposal to the Borough dated January 25, 2022 in connection with the Borough's development of a park on the Nicodemus Park Parcel on Fort Monmouth in an amount not to exceed \$25,000.00

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer hereby certifies that there are available funds in the amount of \$25,000.00 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 Amoda, CFO of the Borough of Eatontown have ascertained that there are sufficient uncommitted funds not to exceed \$25,000.00 (Purchase Order No. 21-01757).

**RESOLUTION 43-2022****AUTHORIZING THE HOUSING REHABILITATION PROGRAM ADMINISTRATOR TO PROCEED WITH THE REHABILITATION OF THE PROPERTY LOCATED AT 18 EATON PLACE AND THE FUNDING FOR SUCH REHABILITATION**

**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 to resolve the Superior Court Litigation, and the Court entered an order approving the Settlement Agreement and immunizing the Borough from builder's remedy litigation through July 1, 2025; and

**WHEREAS**, the Borough adopted a Rehabilitation Program known as the Eatontown Home Improvement Program as a condition of compliance in obtaining court approval of its court approved Settlement Agreement and appointed Community Grants Planning & Housing ("CGP&H") as the Borough's Rehabilitation Program Administrator

**WHEREAS**, CGP&H qualified a household for certificate of occupancy standard home improvements located 18 Eaton Place (the "Residence") and received bids on behalf of the homeowner for such improvements with the low bidder being Four-Star Developers in the amount of \$26,085.00; and

**WHEREAS**, CGP&H is recommending that the Borough authorize the improvements of the Residence and the funding of such home improvement work at the Residence from the Borough's Affordable Housing Trust Fund; and

**WHEREAS**, the Borough Council believes it is in the best interest to authorize CGP&H to proceed with the contract award to rehabilitate the Residence to remain in compliance with its affordable housing program.

**NOW THEREFORE BE IT RESOLVED** that the Borough Council hereby authorizes Community Grants Planning and Housing to implement the rehabilitation of 18 Eaton Place and the Chief Financial Officer is authorized to expend monies from the Affordable Housing Trust Fund for such purposes in an amount not to exceed \$26,085.00; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the following:

1. Brittany Sanchez, Community Grants Planning & Housing; 2. Dena Amodea, Chief Financial Officer

**B. CONSENT AGENDA MOTIONS**

1) Acceptance of Planning/Zoning Report, December 2021

2) Acceptance of 2021 Annual Report of the Eatontown Historical Committee

Motion to accept Consent Agenda Motions 1-2 by C/Jones; seconded by C/Gonzalez

Roll Call: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

**11. REMARKS OF COUNCIL AND CITIZENS**

Mayor Talerico spoke of the passing of Mr. Louie Montano.

C/Gindi complimented Ms. Morgan for her work on the Borough calendar; it has been suggested to move to a 13-month calendar. C/Gindi provided information from the Complete Streets meeting. C/Gindi shared an idea to make a Borough employee available to the public to share more about what the Department does.

C/Jones spoke about donations being sought to the Drug and Alcohol Alliance for the summer L.E.A.D. program. C/Jones thanked those involved in working on the Samuel Johnson marker.

The meeting was open to the public.

Ms. Sondra Thompson, White Street, thanked Council for their vote on Resolution 37-2022.

Ms. Sara Breslow, Lake Drive, requested the Borough make a better effort at posting the links for Committee meetings to the public. Ms. Breslow asked about the recreation equipment. Mayor Talerico explained. Discussion continued.

Mr. Frank Scatuorchio, Monmouth Road, referenced the overtime issue. Discussion followed.

Mr. Laura Bagwell, Elizabeth Parkway, spoke about the outstanding Martin Luther King, Jr. program.

Mr. Al Baginsky, Irving Place, asked questions about the FMERA meeting and property as well as a potential Splash Park. Mayor Talerico addressed the questions. C/Gindi explained the Council is attempting to make Eatontown a destination as opposed to a pass through town.

There being no further comments, the meeting was closed to the public.

**12. CLOSED SESSSION**

**A. Resolution 42-2022**

- 1) Personnel/Contractual – AFSME
- 2) Personnel – Committee Appointments

Mayor Talerico noted the Council would not act on the items.

Attorney Bayer read the resolution into the record.

**RESOLUTION 42-2022**

**AUTHORIZING EXECUTIVE SESSION UNDER THE OPEN PUBLIC MEETINGS ACT FOR THE MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN**

**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

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Eatontown to discuss in session not open to the public certain matters that are required by law to be confidential, more specifically: 1) Personnel/Contractual – AFSME; 2) Personnel – Committee Appointments

**WHEREAS**, it is anticipated that the minutes from the deliberations conducted in closed session may be disclosed to the public upon the determination that the public interest will no longer be served by such confidentiality.

**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 January 26, 2022.

Motion to enter into closed session by C/Gonzalez; seconded C/Jones

Voice Vote: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

Council entered Closed Session at 8:57 pm

Council returned from Closed Session at 9:16 pm

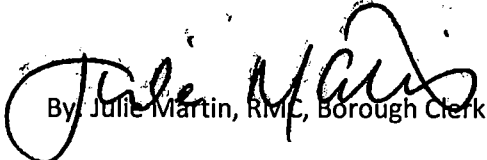
Borough Clerk Martin took roll:

Present - Mayor Talerico, C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas  
Interim Administrator Lucia and Attorney Bayer

**12. ADJOURNMENT – 9:16 pm**

Motion to adjourn by C/Jones; seconded by C/Gindi

Voice Vote: AYE - C/Gonzalez, C/Regan, C/Escalante, C/Jones, C/Gindi, C/Lucas

  
By Julie Martin, RMC, Borough Clerk



P.O. Type: All  
Range: First to Last  
Format: Condensed

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8X8IN005	8X8 INC	21-02911	12/29/21	BORO TELECOMMUNICATION	Open	13,178.62	0.00		
ACTI0005	ACTION UNIFORM CO, LLC	21-02272	10/05/21	2021 Uniform Orders	Open	4,018.00	0.00		B
AMERI001	AMERIFLEX BUSINESS SOLUTIONS	22-00108	01/11/22	FSA/CONRA FEES JANUARY 2022	Open	115.00	0.00		
AMERP01	AMERICAN PLANNING ASSOC-NJC	01-02858	12/21/20	2020 NEW JERSEY PLANNING	Open	150.00	0.00		
ANT002	GENE J. ANTHONY, ESQ.	21-02849	12/13/21	REFUND-350TH ANNIVERSARY BALL	Open	500.00	0.00		
		22-00128	01/12/22	DECEMBER 2021 SPECIAL COUNSEL	Open	5,575.50	0.00		
						6,075.50			
AOC001	ALLIED OIL LLC.	21-02866	12/16/21	SUPER RFG 93 GAS	Open	6,297.05	0.00		
RH001	ADAMS, REHMANN HEGGAN ASSOC INC	21-01060	05/07/21	PRELIMINARY WORK ON GREENWAY	Open	7,475.00	0.00		B
ARTIS005	ARTIS SENIOR LIVING	21-01613	07/15/21	RELEASE ESCROW FUNDS	Open	29.11	0.00		
ASB001	ASBURY PARK PRESS, INC.	22-00181	01/19/22		Open	143.04	0.00		
ASFI001	ATLANTIC SECURITY & FIRE, INC.	21-02835	12/13/21		Open	84.00	0.00		
ATTA001	ATLANTIC TACTICAL	21-01745	08/05/21	Belts for new officers	Open	495.00	0.00		
		21-01922	08/25/21	Def Tech Training Kit	Open	1,027.43	0.00		
		21-02782	12/03/21	Infared Flashlights	Open	1,127.96	0.00		
						2,650.39			
ATTM002	AT&T MOBILITY-- 287306454448	22-00241	01/25/22	BORO CELL PHONE ACCOUNT	Open	484.25	0.00		
ATTM003	AT&T MOBILE 287306454309	22-00242	01/25/22	POLICE/BORO CELL PHONE ACCT	Open	1,542.99	0.00		
AUTO001	AUTO PARTS CENTER	21-02799	12/08/21	OPEN FOR 2021	Open	35.96	0.00		B
AVAKI001	LEON AVAKIAN, INC	21-02893	12/21/21	EATON CREST APT ESCROW#1495	Open	2,193.75	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BRUN001	MATT BRUNO	22-00099	01/11/22	EYEGLASS REIMBURSMENT	Open	79.48	0.00		
BURK003	WILLIAM BURKE	21-02408	10/20/21	SANTA FOR TREE LIGHTING	Open	125.00	0.00		
CAG001	CLEARY GIACOBBE ALFIERI & JACO	22-00173	01/18/22	LEGAL SERVICES RENDERED	Open	225.00	0.00		
CAV002	CAVANAUGH'S TERMITE & PEST SER	21-01811	08/12/21		Open	68.00	0.00		B
COMC004	COMCAST	22-00101	01/11/22	December Business Internet	Open	192.97	0.00		
DELAG01	DE LAGE LANDEN FINANCIAL INC	22-00160	01/18/22	COPIER LEASE CONTRACT 2022	Open	146.85	0.00		
		22-00161	01/18/22	BORO COPIER LEASE ACCOUNT	Open	146.85	0.00		
		22-00163	01/18/22	CONSTRUCTION COPIER LEASE	Open	478.18	0.00		
						771.88			
EAT004	EATONTOWN MEDICAL ASSOCIATES	21-02770	12/01/21	PRE-EMPLOYMENT PHYSICAL	Open	470.00	0.00		
EATON040	EATONTOWN ART BARRACKS LLC	21-02897	12/21/21	RELEASE ESCROW FUNDS #1421	Open	389.86	0.00		
EDSON01	DREW EDSON	21-02890	12/21/21	REIMBURSEMENT FOR PEST. LICENS	Open	82.10	0.00		
EDW001	EDWARDS TIRE CO. INC.	21-01108	05/14/21	OPEN FOR 2021	Open	77.80	0.00		B
FIGCUS01	FIG CUST FIGNJ19LLC & SEC PTY	21-02867	12/16/21	LIEN REDEMPTION CERT #21-00008	Open	2,592.70	0.00		
FINGE005	FINGERS RADIATOR HOSPITAL INC	21-01601	07/15/21	OPEN FOR 2021	Open	300.00	0.00		B
		21-02505	10/28/21	OPEN FOR 2021	Open	750.00	0.00		B
						1,050.00			
FMERA001	FMERA	22-00167	01/18/22	STREET LIGHT RTE 537-FORT	Open	382.20	0.00		
FOO001	SAKER SHOPRITES, INC.	21-02268	10/05/21	Lunch Supplies Dec 2021	Open	109.37	0.00		
FSS002	FIRE & SAFETY SERVICES, LTD	21-02904	12/22/21	FIRE- EMERGENCY REPAIRS 11-91	Open	195.19	0.00		
GENAC001	BOROUGH OF EATONTOWN GENERAL A	22-00100	01/11/22	POLICE O/S DETAIL 1/21/2022	Open	5,212.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GENTL001	GENTILINI CHEVROLET LLC	21-00128	01/12/21	2021 Chevy Tahoe PPV 4x4 9c1	Open	45,461.81	0.00		
GLO001	GLOBE PETROLEUM, INC.	21-00008	01/04/21		Open	541.59	0.00		B
GPANJ001	GPANJ INC	22-00067	01/07/22	Membership Dues	Open	200.00	0.00		
GSHP001	GARDEN STATE HIGHWAY PRODUCTS,	21-01809	08/11/21	Traffic Supplies	Open	3,547.66	0.00		
GUARD001	GUARDIAN TRACKING LLC	21-02632	11/09/21	2021-2022 Annual Subscription	Open	2,110.00	0.00		
IMA003	MARCO TECHNOLOGIES, LLC	22-00164	01/18/22	YEARLY CONTRACT DPW/SENIOR CTR	Open	1,375.92	0.00		
IMP001	IMPRINT SHOP LLC	21-02480	10/26/21	Uniform attire	Open	517.00	0.00		
		21-02482	10/26/21	Hi Vis Safety Jacket and Vest	Open	720.00	0.00		
						1,237.00			
IT001	INTERSTATE BATTERIES, INC	21-02772	12/02/21	OPEN FOR 2021	Open	2,900.05	0.00		B
JERS002	HUNTER JERSEY PETERBILT LP	21-02507	10/28/21	OPEN FOR 2021	Open	1,201.24	0.00		B
JFWL001	JOSEPH FAZZIO-HOWELL LLC	21-00912	04/14/21	OPEN FOR 2021	Open	621.98	0.00		B
JGC001	John Guire Supply LLC	21-00620	03/08/21	SMR25S HYDRAULIC TANK	Open	397.23	0.00		
KBS001	K.B.D. SUPPLY LLC	21-00007	01/04/21		Open	247.00	0.00		B
KELLY006	KELLY MANNINO	21-02880	12/20/21	WINTER BASKETBALL REFUND	Open	55.00	0.00		
KEPWE005	KEPWEL SPRING WATER CO, INC	21-00975	04/26/21		Open	110.00	0.00		B
KEYPO005	KEYPORT TRUCK & AUTO PAINT, INC	21-02300	10/06/21	SANDBLAST BODY & FRAME	Open	3,895.00	0.00		
LAS002	LASER RENEW	21-02921	01/04/22	REPLENISH PRINTER CARTRIDGES	Open	339.80	0.00		
LAW002	LAWMEN MUNICIPAL EMERG SVCS	21-02273	10/05/21	2021 Body Armor	Open	13,065.16	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
LAW002	LAWMEN-MUNICIPAL EMERG SVCS	Continued				
21-02797	12/08/21 Flashlights	Open	5,406.00	0.00		
			18,471.16			
LECK001	LECKSTEIN & LECKSTEIN, LLC					
21-02894	12/21/21 EAST COAST ESCROW # 1495	Open	250.00	0.00		
22-00015	01/05/22 18 Willow Escrow#1481	Open	200.00	0.00		
			450.00			
LOEFF001	LOEFFEL'S WASTE OIL COMPANY					
21-02348	10/13/21 OPEN FOR 2021	Open	180.00	0.00		B
LUCI001	WILLIAM LUCIA					
22-00080	01/10/22 REIMBURSEMENT FOR ZOOM VIDEO	Open	213.14	0.00		
MAR001	REPUBLIC SERVICES					
22-00076	01/10/22 RESI RECYCLING JAN 2022	Open	16,105.70	0.00		
MCAMC017	MUN CLERK'S ASSOC MON COUNTY					
22-00066	01/07/22 Membership Dues	Open	150.00	0.00		
MEGIL001	FRED MEGILL					
22-00119	01/12/22 2022 MEDICARE REIMBURSEMENT	Open	680.40	0.00		
MICHA010	MICHAEL HREHA					
22-00139	01/13/22 FP PHONE BILL REIMBUSEMENT	Open	90.00	0.00		
MIDAT001	MID ATLANTIC TRUCK CENTRE, INC					
21-02506	10/28/21 OPEN FOR 2021	Open	76.27	0.00		B
MON002	MONMOUTH BUILDING CENTER					
21-02038	09/10/21 OPEN FOR 2021	Open	188.22	0.00		B
NCM001	NEW JERSEY CONFERENCE OF MAYOR					
22-00085	01/10/22 2022 MEMBERSHIP DUES	Open	475.00	0.00		
NJAM001	NJ ADVANCE MEDIA					
22-00063	01/07/22 Legal Notices	Open	63.55	0.00		
NJCI001	NJCRIMINALINTERDICTION LLC					
21-02398	10/20/21 Training Class	Open	398.00	0.00		
NJFE001	NEW JERSEY FIRE EQUIPMENT CO.					
21-01369	06/14/21 FIRE DEPT SERVICE SCUBA BOTTLE	Open	84.00	0.00		
21-02341	10/12/21 FIRE DEPT-SCBA MASK	Open	367.20	0.00		
21-02813	12/10/21 EMERGENCY REPAIRS SCOTT PAK	Open	576.95	0.00		
			1,028.15			
NJLE001	NJ LEAGUE OF MUNICIPALITIES					
22-00068	01/07/22 Membership Dues	Open	1,050.00	0.00		
NJRA017	NEW JERSEY REGISTRARS ASSOC					
22-00069	01/07/22 Membership Dues	Open	75.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
OCEAN001	TWP OF OCEAN								
		21-01426	06/22/21	911 SHARED SERVICE	Open	26,000.00	0.00		B
PASHSTEI	PASHMAN STEIN WALDER HAYDEN								
		22-00145	01/14/22	DECEMBER 2021-GENERAL	Open	7,507.50	0.00		
		22-00147	01/18/22	DECEMBER 2021-TAX APPEALS	Open	676.50	0.00		
		22-00148	01/18/22	DECEMBER 2021-RETAINER	Open	1,458.33	0.00		
		22-00162	01/18/22	DEVELOPERS AGREEMENT FEE	Open	650.00	0.00		
						10,292.33			
PAU001	BRETT J. PAULUS								
		22-00196	01/21/22	TUITION REIMBURSEMENT	Open	4,335.96	0.00		
PETRO02	PETRO KING SERVICE								
		21-02847	12/13/21	ANNUAL AIR RESOURCE PERMIT	Open	1,350.00	0.00		
PETRO002	PETRO CHOICE								
		21-02355	10/13/21	MED PLUS FS 5w20 SN GF-6 (DRUM	Open	6,409.79	0.00		
PSS001	POPULAR SUBSCRIPTION SERVICES								
		21-02807	12/10/21	MAGAZINE SUBSCRIPTION RENEWAL	Open	1,676.36	0.00		
QUAUT001	QUALITY AUTO GLASS, INC.								
		21-00599	03/04/21	OPEN FOR 2021	Open	403.04	0.00		B
RICOH005	RICOH USA, INC.								
		22-00165	01/18/22	FINANCE COPIER LEASE	Open	333.50	0.00		
RUF001	RUFFINO'S								
		21-02310	10/07/21	FIRE DEPT FOOD VOUCHER	Open	156.00	0.00		B
		21-02664	11/10/21	AFTERCARE DECEMBER CELEBRATION	Open	366.00	0.00		
						522.00			
SCH001	T&M ASSOCIATES								
		22-00014	01/05/22	18 willow Escrow #1481	Open	268.50	0.00		
		22-00179	01/19/22	FIDELITY ESCROW #1379	Open	28,480.90	0.00		
						28,749.40			
SEACST01	SEA COAST CHEVROLET-OLDSMOBILE								
		21-01282	06/02/21	OPEN FOR 2021	Open	840.04	0.00		B
SEC002	THYSSEN KRUPP ELEVATOR								
		22-00016	01/06/22		Open	613.10	0.00		
SSW001	S&S WORLDWIDE								
		21-02906	12/27/21	MULTICOLOR BEACH BALLS	Open	274.04	0.00		
STAP003	STAPLES ADVANTAGE								
		21-02900	12/21/21	PUBLIC WORKS OFFICE SUPPLIES	Open	130.89	0.00		
		21-02916	01/04/22	FINANCE OFFICE SUPPLIES-EOY	Open	491.66	0.00		
		21-02920	01/04/22	FINANCE OFFICE SUPPLIES	Open	127.65	0.00		
						750.20			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
STL001	STATE TOXICOLOGY LABORATORY								
		21-02159	09/22/21	2021 Random Officer Testing	Open	225.00	0.00		
STORR001	STORR TRACTOR COMPANY								
		21-02033	09/10/21	CASE INTERNATIONAL L575 FRONT	Open	5,181.50	0.00		
TARGE005	TARGETED TECHNOLOGIES LLC								
		21-02860	12/14/21	Computer Monitors PD	Open	1,945.00	0.00		
		22-00121	01/12/22	Computer Adapters and Cables	Open	139.95	0.00		
		22-00168	01/18/22	POLICE MSP AGREEMENT	Open	1,795.50	0.00		
		22-00169	01/18/22	BORO MSP AGREEMENT	Open	5,243.13	0.00		
		22-00174	01/18/22	FINANCE COMPUTER SERVICES	Open	60.00	0.00		
						9,183.58			
TAXC001	MONMOUTH COUNTY TREASURER								
		22-00111	01/12/22	COUNTY TAX LEVY FEB 2022	Open	1,500,322.51	0.00		
TAXH001	MONMOUTH COUNTY TREASURER								
		22-00113	01/12/22	HEALTH TAX LEVY FEVRUARY 2022	Open	30,718.27	0.00		
TAXL001	MONMOUTH COUNTY TREASURER								
		22-00112	01/12/22	LIBRARY TAX LEVU FEB 2022	Open	112,660.67	0.00		
TAXO001	MONMOUTH COUNTY TREASURER								
		22-00114	01/12/22	OPEN SPACE TAX FEBRUARY 2022	Open	180,439.01	0.00		
TEAM003	TEAM LIFE								
		21-02895	12/21/21	Adult AED Electrodes	Open	295.00	0.00		
USB001	US BANK								
		22-00138	01/13/22	2018 DEBT SERVICE BONDS	Open	342,999.93	0.00		
Total Purchase Orders: 108    Total P.O. Line Items: 0    Total List Amount: 2,425,007.31    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:	1-01	110,095.50	0.00	110,095.50	0.00	0.00	110,095.50
CURRENT FUND:	2-01	2,198,593.08	0.00	2,198,593.08	55.00	0.00	2,198,648.08
GENERAL CAPITAL F	C-04	64,046.43	0.00	64,046.43	0.00	0.00	64,046.43
GRANT FUND	G-02	15,704.08	0.00	15,704.08	0.00	0.00	15,704.08
	T-15	7,312.00	0.00	7,312.00	0.00	0.00	7,312.00
	T-17	<u>29,201.22</u>	<u>0.00</u>	<u>29,201.22</u>	<u>0.00</u>	<u>0.00</u>	<u>29,201.22</u>
	Year Total:	36,513.22	0.00	36,513.22	0.00	0.00	36,513.22
Total of All Funds:		<u>2,424,952.31</u>	<u>0.00</u>	<u>2,424,952.31</u>	<u>55.00</u>	<u>0.00</u>	<u>2,425,007.31</u>