

Mayor  
**ANTHONY TALERICO, JR.**

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



Interim Administrator  
**WILLIAM P. LUCIA III**

Borough Clerk  
**JULIE MARTIN**

Borough Attorney  
**ANDREW BAYER**

Borough Engineer  
**EDWARD HERRMAN**

**BOROUGH OF EATONTOWN**  
47 Broad Street  
Eatontown, New Jersey 07724

## **AGENDA**

**Mayor and Council**  
**Wednesday, September 13, 2023**

*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 - Recognizing Crossing Guard, Susan Schmardel
3. Proclamation - Recognizing Crossing Guard, Linda Kowtkow
4. Community Leadership Forms, Request for Volunteers (C/Jones)
5. Borough Committee Membership (C/Jones)

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

1. Roll Call
2. **APPROVAL OF MINUTES** (vv)
  - A. Workshop/Regular Meeting/Closed Session - 8/23/2023
3. **COMMUNICATIONS**
  - A. Partner Engineering - Response Action Outcome for 241-245 Highway 35
  - B. JCP&L - Notice of Public Hearing
  - C. Ocean Township PB - Notice of Public Hearing on Proposed new Master Plan (9/18/23)
  - D. Notice of Public Hearing - Eatontown Planning Board (Pinebrook Road)
4. **MAYOR'S REPORT** - Mayor Talerico
5. **REPORTS OF COMMITTEES**
  - A. PARKS & RECREATION - Council President East
  - B. EMERGENCY SERVICES - Councilmember Regan, Jr.
  - C. FINANCE & ORDINANCE - Councilmember Jones
  - D. PUBLIC WORKS & INSURANCE - Councilmember Gindi
  - E. POLICE, PUBLIC LIGHTS & PARKING – Councilmember Araman
  - F. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Severinsen
6. **ADMINISTRATOR'S REPORT** - Interim Administrator Lucia

**7. OLD BUSINESS (rc)**

**A. ORDINANCE ADOPTION (rc)**

- 1) **Ordinance 25-2023** - An Ordinance Amending Chapter 89, Land Use, Article 2 Definitions, Section 89-4 Definitions and Word Usage of the code of the Borough of Eatontown, County of Monmouth, State of New Jersey Excluding Surface Water of Swimming Pools from the Definition of Impervious Surface - **Public Hearing/Adoption**
- 2) **Ordinance 26-2023** - An Ordinance amending Chapter 272, Skateboards, Skates, and Roller Blades, Article 1 Purpose, Article 2 Definitions, Article 3, Prohibited Acts and Article 4, Violations and Penalties, Adding Language Require All Riders to Wear Helmets When Riding an Electric Bicycle in the Borough of Eatontown - **Public Hearing/Adoption**

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

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

**10. NEW BUSINESS**

**A. 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 188-2023** - Auth. Refunds of Overpaid Property Taxes
- 2) **Resolution 189-2023** - Auth. Release of Escrow Funds (Blk 1001, Lot 20)
- 3) **Resolution 190-2023** - Auth. Release of Escrow Funds (Block 2201, Lots 1.01, 1.02, 2, 3, 4, 5 & Block 2202, Lot 1)
- 4) **Resolution 191-2023** - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (VCS Workforce Software)
- 5) **Resolution 192-2023** - Approving Chapter 159, Coronavirus Local Fiscal Recovery Fund (Downtown Greenway Project)
- 6) **Resolution 193-2023** - Approving Chapter 159, Opioid Settlement Grant
- 7) **Resolution 194-2023** - Auth. Refunds of Overpaid Property Taxes
- 8) **Resolution 195-2023** - Auth. Mandatory Conceptual Review, Gurbisz Park (T&M)
- 9) **Resolution 196-2023** - Auth. Consulting Services, Existing Concrete Driveway Aprons/Pads, Firehouse (T&M)

**B. CONSENT AGENDA MOTIONS (vv)**

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

**11. REMARKS OF COUNCIL AND CITIZENS**

**12. CLOSED SESSION (vv)**

**A. Resolution 197-2023**

1. Personnel - Committee Appointments
2. Contract Negotiations - Academy Way
3. Contract Negotiations - Architect

**12. ADJOURNMENT (vv)**

***The next meeting of the Governing Body is  
Wednesday, September 27, 2023 @ 7:00 pm***

**ORDINANCE 25-2023**

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

**AN ORDINANCE AMENDING CHAPTER 89, LAND USE, ARTICLE 2 DEFINITIONS, SECTION 89-4  
DEFINITIONS AND WORD USAGE OF THE CODE OF THE BOROUGH OF EATONTOWN, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY EXCLUDING SURFACE WATER OF SWIMMING POOLS FROM THE  
DEFINITION OF IMPERVIOUS SURFACE**

**WHEREAS**, the current definition of "Impervious Coverage" in Section 89-4 of the Borough Code includes the surface area of swimming pools; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to exclude from the definition of Impervious Coverage the surface area of swimming pools so as to not overburden residents and unnecessarily require them to apply to the Borough's Zoning Board of Adjustment for relief to construct a pool or other amenities on their properties.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Eatontown, County of Monmouth, and State of New Jersey, that Chapter 89, Article 2, Section 89-4 of the Borough Code is hereby amended as follows:

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

**IMPERVIOUS COVERAGE**

A surface area that has been compacted or covered with a layer of material so that it is highly resistant to infiltration of water. In addition to buildings or structures, impervious coverage shall also include the surface area containing asphalt, concrete, gravel, broken-ended stone, stone dust, slag, crushed concrete, aggregate, pavers, and brick. ~~The surface area of swimming pools,~~ sheds or other accessory buildings or structures as defined in this chapter shall also be included in the impervious surface coverage of a lot.

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

DATE INTRODUCED: August 23, 2023

DATE ADOPTED:

APPROVED:

ATTEST:

\_\_\_\_\_  
ANTHONY TALERICO, JR., MAYOR

Date:

\_\_\_\_\_  
JULIE MARTIN, MUNICIPAL CLERK

Date:

ORDINANCE 26-2023

BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 272, SKATEBOARDS, SKATES, AND ROLLER BLADES, ARTICLE 1 PURPOSE, ARTICLE 2 DEFINITIONS, ARTICLE 3, PROHIBITED ACTS, AND ARTICLE 4, VIOLATIONS AND PENALTIES, ADDING LANGUAGE REQUIRING ALL RIDERS TO WEAR HELMETS WHEN RIDING AN ELECTRIC BICYCLE IN THE BOROUGH OF EATONTOWN

WHEREAS, New Jersey Statute 39:4-10.1 requires bicycle operators and passengers under age 17 required to wear helmets; and

WHEREAS, there has been a rise in ridership of low-speed electric bicycles as a method of travel and recreation in the Borough; and

WHEREAS, low-speed electric bicycles are capable of reaching high speeds and are dangerous to ride without helmets; and

WHEREAS, the Borough Code is presently silent as to helmet requirements for low-speed electric bicycle riders; and

WHEREAS, the Borough has an interest in protecting low-speed electric bicycle riders by requiring helmets for all low-speed electric bicycle riders.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, hereby amends the Borough Code as follows:

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

Chapter 272 Skateboards, Skates, ~~and~~ Roller Blades, and Low-Speed Electric Bicycles

272-1 Purpose and Intent

The purpose and intent of this chapter is to establish regulations and guidelines for the operation and use of roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices within the Borough of Eatontown in order to ensure the welfare of all persons using said devices, motorists and pedestrians.

272-2 Definitions.

As used in this chapter, the following terms shall have the meaning indicated:

LOW-SPEED ELECTRIC BICYCLE

A two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to

propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. See N.J.S.A. 39:1-1.

#### ROLLER SKATE OR ROLLER BLADES

A skate or shoe having four or more or less small wheels instead of a runner.

#### SKATEBOARD

A platform or other board which is mounted on wheels or a board with roller-skate wheels or other similar wheels affixed to the underside, having no mechanism or other device with which to steer or control the direction or movement thereof while being used or operated or ridden.

...

#### 272-3 Prohibited acts; users to obey traffic devices.

The following rules and regulations shall apply to all roller blades, inline skates, skateboards, low-speed electric bicycles, or other similar devices operated and used by any person within the boundaries of the Borough of Eatontown.

- A. No person shall operate or use roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices in a reckless or careless manner that endangers or is likely to endanger the safety or welfare of other persons or property.
- B. No person shall operate or use roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices at a speed faster than is reasonable or proper, taking into account the presence of traffic and/or pedestrians in the area.
- C. Every person operating or using roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices shall obey all traffic signals, signs and devices in the same manner and to the same extent as would be required if said person was operating a motor vehicle.
- D. No person operating or using roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices shall attach the same or himself to any vehicle upon a roadway and no operator of any vehicle shall knowingly allow any person operating or using roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices to attach the same or himself to the vehicle.
- E. No person shall use, operate or ride roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other devices of similar nature in Wampum Memorial Park
- F. No person shall ride or sit as a passenger on a low-speed electric bicycle unless such person is wearing a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute (ANSI Z90.4 bicycle helmet standard) or the Snell Memorial Foundation's 1990 Standard for Protective Headgear for Use in Bicycling.

#### 272-4 Violations and Penalties

Any person violating the provisions of this chapter shall be subject to the following penalties:

- A. The first offense. Any adult shall be subject to a fine not to exceed \$250. Any minor who violates this chapter on a first offense shall be reprimanded, in writing, by the Eatontown Police Department addressed to the parents or guardians of said offender stating the nature of the violation and a warning that a repetition of the violation or any other violation must be prevented or the device would be impounded for a period of time not less than seven days nor more than 60 days, and during that period of time, the offender cannot ride his or her device or anyone else's device on any public streets or sidewalks.
- B. The second offense. Upon a second or subsequent offense the parent or guardian of a minor offender shall be subject to a fine not to exceed \$250 and/or the Police Department shall confiscate the roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices pending a hearing in which case the offender's device may be impounded for a period of time not less than seven days nor more than 60 days for a second offense or confiscated and destroyed for a third or subsequent offense.
- C. Parental guidance. If for some reason the law enforcement officer cannot determine the name and address of the parent of any minor who violates the provisions of this chapter, then the roller blades, inline skates, skates, skateboards or other similar devices utilized shall be automatically confiscated and the offender will be summoned to appear at Municipal Hall with his or her parent or guardian whereby a summons shall be issued for the appropriate offense. If not a second or greater offense, the roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices shall be returned to the parent or guardian. Should the parent or guardian not appear within 30 days of the confiscation of the roller blades, inline skates, skates, skateboards, low-speed electric bicycles, or other similar devices, then such devices shall be forfeited and destroyed by the Borough of Eatontown.

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

DATE INTRODUCED: August 23, 2023

DATE ADOPTED:

APPROVED:

ATTEST:

\_\_\_\_\_  
ANTHONY TALERICO, JR., MAYOR

Date:

\_\_\_\_\_  
JULIE MARTIN, MUNICIPAL CLERK

Date:

**RESOLUTION 188-2023**

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

**AUTHORIZING REFUNDS OF OVERPAID PROPERTY TAXES**

**WHEREAS**, the Tax Collector has forwarded to the Borough of Eatontown, a list of taxes which are overpaid, and has recommended that the same be refunded; and

**WHEREAS**, State Statute makes provisions for the Borough of Eatontown to make adjustments with respect to overpaid taxes.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Eatontown that the following taxes are hereby authorized to be refunded/apply based upon the recommendation of the tax collector:

<b>BLOCK</b>	<b>LOT</b>	<b>NAME</b>	<b>AMOUNT</b>
2002	47	Salvato, Peter & Lorraine	\$2,091.07
2602	8	Morley, Pamela & Peter	\$2,409.92
1601	59.01	Murakata, Linda Ann	\$2,680.74

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>CERTIFICATION</b> 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 September 13, 2023.
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Severinsen							
Mayor Talerico							

\_\_\_\_\_  
Julie Martin, RMC, Borough Clerk

**RESOLUTION 189-2023**

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

**AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the applicant, by letter dated August 9, 2023, has requested the release of the escrow funds for Lube it All, 29 Highway 35; and

**WHEREAS**, the Zoning Officer in an e-mail dated August 9, 2023 has approved the release of the below noted Escrow Funds; and

**WHEREAS**, the Borough Engineer in an e-mail dated August 23, 2023 has approved the release of the below noted Escrow Funds:

**\$4,491.22 (plus any applicable interest) Escrow File No. 1532**

**\$750.12 (plus any applicable interest) Escrow File No. 1553**

Caradam LLC/Lube It All

29 Highway 35

Eatontown, NJ 07724

For Block 1001, Lot 20

**NOW, THEREFORE, BUT IT RESOLVED** that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the above noted Escrow funds.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the applicant, the Zoning Officer and the Borough Chief Financial Officer.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  <div style="text-align: right;"> <hr/>                         Julie Martin, RMC, Borough Clerk                     </div>
Council President East							
Councilmember Regan, Jr							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico, Jr.							



**RESOLUTION 190-2023**

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

**AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the applicant has requested the release of the escrow funds for Monmouth Medical Pavilion at The Heights received by email on August 23, 2023; and

**WHEREAS**, the Zoning Officer in an e-mail dated September 6, 2023 has approved the release of the below noted Escrow Funds; and

**\$3,660.04 (plus any applicable interest) Escrow File No. 1597**

Eatontown Investors

661 University Blvd., Suite 200

Jupiter, Florida 33458

For Block 2201, Lots 1.01, 1.02, 2, 3, 4, 5 & Block 2202, Lot 1

**NOW, THEREFORE, BUT IT RESOLVED** that the Mayor and Council of the Borough of Eatontown do hereby authorize the release and return of the above noted Escrow funds.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the applicant, the Zoning Officer and the Borough Chief Financial Officer.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  _____ Julie Martin, RMC, Borough Clerk
Council President East							
Councilmember Regan, Jr							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico, Jr.							

**RESOLUTION 191-2023**

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

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY  
FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)**

**WHEREAS**, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Eatontown has received notice of an award of \$11,172 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$ 11,172 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

**Miscellaneous Revenues:**

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:

Public and Private Revenues off-set with  
Appropriations:

VCS Workforce software  
\$11,172

**BE IT FURTHER RESOLVED** that a like sum of \$11,172 be and the same is hereby appropriated under the caption of:

**General Appropriations:**

Operations-Excluded from "CAPS"  
Public and Private Programs Offset by Revenues:  
VCS Workforce software

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  <div style="text-align: right;">Julie Martin, RMC, Borough Clerk</div>
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Severinsen							
Mayor Talerico							

**RESOLUTION 192-2023**

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

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY  
FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND (LFRF)**

**WHEREAS**, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Eatontown has received notice of an award of \$41,907 from State of New Jersey for Coronavirus Local Fiscal Recovery Fund and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$41,907 received from the Coronavirus Local Fiscal Recovery Fund as revenue from:

**Miscellaneous Revenues:**

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:

Public and Private Revenues off-set with  
Appropriations:

Downtown Greenway Project  
\$41,907

**BE IT FURTHER RESOLVED** that a like sum of \$41,907 be and the same is hereby appropriated under the caption of:

**General Appropriations:**

Operations-Excluded from "CAPS"  
Public and Private Programs Offset by Revenues:  
Downtown Greenway Project

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  <hr/> Julie Martin, RMC, Borough Clerk
Council President Gonzalez							
Councilmember Regan, Jr.							
Councilmember Escalante							
Councilmember Jones							
Councilmember Gindi							
Councilmember Severinsen							
Mayor Talerico							

**RESOLUTION 193-2023**

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

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

**WHEREAS**, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Eatontown has received notice of an award of \$9,488.91 from the State of New Jersey and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Eatontown hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2023 in the sum of \$9,488.91 to be received from grants as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:

Public and Private Revenues off-set with  
Appropriations:

Opioid Settlement Grant \$9,488.91

**BE IT FURTHER RESOLVED** that a like sum of \$9,488.91  
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"  
Public and Private Programs Offset by Revenues:  
Opioid Settlement Grant

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Eatontown forward two copies of this resolution to the Director of Local Government Services.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  _____ Julie Martin, Borough Clerk
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

**RESOLUTION 194-2023**

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

**AUTHORIZING REFUNDS OF OVERPAID PROPERTY TAXES**

**WHEREAS**, the Tax Collector has forwarded to the Borough of Eatontown, a list of taxes which are overpaid, and has recommended that the same be refunded; and

**WHEREAS**, State Statute makes provisions for the Borough of Eatontown to make adjustments with respect to overpaid taxes.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Eatontown that the following taxes are hereby authorized to be refunded/apply based upon the recommendation of the tax collector:

<b>BLOCK</b>	<b>LOT</b>	<b>NAME</b>	<b>AMOUNT</b>
1304	33	LPP Eatontown LLC	\$ 3,245.30
2002	1	Brightview Eatontown LLC	\$ 4.60
2002	2	Brightview Eatontown LLC	\$ 11.50
2501	5	Edwards, Lawrence & Georgina	\$ 872.89
401	19	Lakeview Townhomes	\$ 5,540.40
3502	5	IW Partners LLC	\$ 89,110.87

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>CERTIFICATION</b> 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 September 13, 2023.  <div style="text-align: right;"> <hr/>                         Julie Martin, Borough Clerk                     </div>
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							

**RESOLUTION 197-2023**

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

**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 – Committee Appointments
- 2) Contract Negotiations – Academy Way
- 3) Contract Negotiations - Architect

**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 September 14, 2023.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	<b>CERTIFICATION</b> 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 September 13, 2023.  <div style="text-align: right;"> <hr/>                         Julie Martin, Borough Clerk                     </div>
Council President East							
Councilmember Regan, Jr.							
Councilmember Jones							
Councilmember Gindi							
Councilmember Araman							
Councilmember Severinsen							
Mayor Talerico							