

Regular Meeting
Borough of Eatontown Governing Body
Wednesday, March 23, 2022

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 8:06 pm, noting the Borough's compliance with the Open Public Meetings Act. He further explicitly explained the public comment portions of the meeting.

1. ROLL CALL

PRESENT: Mayor Anthony Talerico, Jr., Council President Kevin L. Gonzalez,
Councilmembers Maria Escalante, Danielle M. Jones, David Gindi, Everett D. Lucas

ABSENT: Councilmember Mark Regan, Jr.

ALSO PRESENT: Attorney Bayer, Interim Administrator Lucia, Borough Clerk Martin

The Flag Salute was held during workshop.

Mayor Talerico noted Resolution 87-2022 would be added to the agenda.

Attorney Bayer read Resolution 87-2022 into the record by title: *Supporting the Location & Operation of Class 5 Retail Cannabis Facility Operated by Sunset Holdings 1, LLC.*

2. APPROVAL OF MINUTES

A. Workshop/Regular Meeting/Closed Session – 03/09/2022

C/Jones pointed out the workshop meeting minutes had not posted for Council Review.

The 3/9/2022 Workshop minutes would be held for consideration at the upcoming meeting.

Motion to approve the Regular Minutes and Closed Session Minutes of 3/9/22 by C/Gindi; seconded by C/Gonzalez

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

ABSENT - C/Regan

3. COMMUNICATIONS

A. NJ American Water - Hearing for Approval of Increased Tariff Rates & Charges for Water & Wastewater Svc.

Motion to accept communications by C/Jones; seconded by C/Gonzalez

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

ABSENT - C/Regan

4. MAYOR'S REPORT - Mayor Talerico

Mayor Talerico met with Ms. Laura Bagwell to coordinate the Sustainable Jersey application. He attended the Literacy Month event SPCA, as well as the ribbon cutting for the Anne Vogel Family Care and Wellness Center at the Monmouth Mall. Mayor Talerico attended the Planning Board meeting where approval was granted for expansion of the synagogue. Mayor Talerico shared information from Fort Monmouth regarding the leadership of FMERA. Mayor Talerico has reached out to various environmental companies regarding testing of Wampum Lake. The Borough secured a \$300,000 grant from the DOT for Phase II of the Downtown Greenway.

5. REPORTS OF COMMITTEES

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

Council President Gonzalez reported the Shade Tree Commission meeting was cancelled due to lack of quorum.

B. EMERGENCY SERVICES - Councilmember Regan, Jr.

Councilmember Regan was absent.

C. PARKS & RECREATION - Councilmember Escalante

Councilmember Escalante shared information about Museum events being held April 3 at the Community Center. The Annual Egg Hunt is Saturday, April 9 at 12:00 pm, pre-registration is required. The Library meeting was moved to Monday, March 28.

D. FINANCE & ORDINANCE - Councilmember Jones

Councilmember Jones reported the Planning Board met on Monday; the next meeting is April 4 in person. The Community Center had the first in person meeting on March 14; the next meeting is May 9 at the Community Center. The Youth Committee will resume in person meetings beginning April 6 at 6:30 pm in the Community Center. Traffic Advisory will meet on April 14 via zoom; remote meetings will continue until further notice. If unable to attend the meeting, email concerns to Councilwoman Jones. Residents are reminded to sign up for the free SWIFT 911 app for traffic, construction and emergency alerts. If interested in serving on the Eatontown Drug Alliance, submit a citizen leadership form; the Alliance is still looking for donations for the S.P.E.A.K 2022 Summer Program. The next alliance meeting is May 11 via Zoom, if unable to attend the meeting, email concerns to Councilwoman Jones. C/Jones shared announcements regarding the next Social Justice Remembrance Coalition meeting which will be tomorrow via zoom and the Docket App for vaccination results.

E. PUBLIC WORKS & INSURANCE - Councilmember Gindi

Councilmember Gindi reported bulk trash is being picked up on the west side of the Borough and should continue through the week. April bulk pick up dates are as follows: East Side, week of April 10 and West Side, week of April 17. Please put out bulk items that Sunday to ensure pick up is not missed for the month. Items that are acceptable are: indoor furniture, electronics, metal, bulky plastics, mattresses, outdoor furniture, and rugs. All items should be kept in separate piles with other like items. Corrugated cardboard and paper should not be put out with bulk, these items should be put out with your regularly scheduled recycling pick up. Residents are strongly encouraged to put out garbage the evening before pick up after 6:00 pm to ensure pick up is not missed, but no later than 6:00am the morning of pick up. The plastic film collection has moved to the recycling yard located at 131 Lewis Street. Gently used plastic toys are being collected at the DPW Office located at 250 Pinebrook Road. DPW is continuing pothole repair throughout the Borough. Mulch and compost deliveries will start of April 6. If anyone is looking for DPW Booklet, please stop by the DPW office to pick one up. There will be a Borough Shredding event on April 23 at 9:00 am; and a Borough Clean up on April 24 at noon.

F. PUBLIC BUILDINGS & TENANTS RIGHTS - Councilmember Lucas

Councilmember Lucas public building and tenants rights did not have a meeting. C/Lucas has been in touch with members of Beautify Eatontown to share the flyer and information for the April 24 clean up.

6. ADMINISTRATOR'S REPORT - Interim Administrator Lucia

Interim Administrator Lucia is working with the CFO and Auditor to prepare the budget for introduction, information is awaited from the County, further information will follow. The new website is scheduled to launch tomorrow, Interim Administrator Lucia noted it will be a process and items will need to be tweaked. Please contact Interim Administrator Lucia with any issues or corrections needed. C/Gindi commented on the recent email migration.

7. OLD BUSINESS

There was no old business before Council.

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

There were no comments from the public on agenda items.

9. BILLS & CLAIMS AND BI-WEEKLY PAYROLL

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

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

ABSENT - C/Regan

Mayor Talerico requested a motion for the addition of Resolution 87-2022, Supporting the Location & Operation of Class 5 Retail Cannabis Facility Operated by Sunset Holdings 1, LLC

Motion to approve the addition of Resolution 87-2022 as Item 5 on the Consent Agenda Resolutions by C/Gindi; seconded by C/Escalante

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

ABSENT - C/Regan

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 83-2022** - Auth. Refund of Overpaid Property Taxes
- 2) **Resolution 84-2022** - Appointments to Certain Boards, Committees
- 3) **Resolution 85-2022** - Adopting 2021 List for Eatontown Fire Dept. Enrollment in LOSAP
- 4) **Resolution 86-2022** - Cancelling Grant Fund Budget Appropriation and Revenue
- 5) **Resolution 87-2022** - Supporting the Location & Operation of Class 5 Retail Cannabis Facility Operated by Sunset Holdings 1, LLC

Motion to approve Consent Items 1-5 (Resolutions 83-87) as a group by C/Gindi; seconded by C/Escalante

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

RESOLUTION 83-2022

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 based upon the recommendation of the tax collector:

BLOCK	LOT	NAME	AMOUNT
301	36	JAMES WILSON BOGGESS, JR	\$1331.80

RESOLUTION 84 -2022

APPOINTING MEMBERS TO CERTAIN BOARDS AND COMMITTEES

BE IT RESOLVED that the following Borough Committee appointments for the Borough of Eatontown, as made by the Mayor, are hereby confirmed:

COMMUNITY GARDEN ADVISORY COMMITTEE

- CHAIRPERSON Phillip Nuttall
- TERM: 3/23/22 – 12/31/2022
- MEMBER, GARDENER Jessica Buck
- TERM: 3/23/2022 – 12/31/2022 (unexpired)
- MEMBER, GARDENER Michelle Swieder
- TERM: 3/23/2022 – 12/31/2023

RECREATION ADVISORY COMMITTEE

- MEMBER Jessica Ragucci
- TERM (unexpired): 3/23/2022 – 12/31/22 (unexpired)

RESOLUTION 85-2022

ADOPTING 2021 VOLUNTEER LIST FOR EATONTOWN FIRE DEPARTMENT ENROLLMENT IN LOSAP

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

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

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

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

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

FIRE DEPARTMENT LOSAP QUALIFIERS

Alcott, D.	Lewis, T.	Roth, B.	Trask, R.	Bennett, D.
Ryan, J.	Brand, K.	MacDonald, Jr., B.	Sanders, Sr., J.	Vital, B.
Mego, W.	Shea, T.	West, H.	Dunn, A.	Miller, J.
Woloshin, M.	Hicks, E.	Morris, Jr., M.	Strasser, G.	Johnson, M.
Suffill, H.	Myskowski, J.	Sneath, K.	Crochet, K.	Linder, R.

RESOLUTION 86-2022

CANCELLING GRANT FUND BUDGET APPROPRIATION AND REVENUE

WHEREAS, the following Grant Fund Budget Appropriation & Revenue balances remain unexpended and unencumbered:

WHEREAS, per 2020 Audit it is necessary to formally cancel said balances

WHEREAS, the Chief Financial Officer is requesting that these unexpended balances that are no longer required be cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Eatontown that said balances be hereby canceled;

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:

Recycle Tonnage	0.06
Municipal Alliance	3,988.58

General Appropriations:

Operations – Excluded from “CAPS”

Public and Private Programs Offset by Revenues:

Municipal Alcohol Education/Rehabilitation	4,353.01
Rec Individuals with Disabilities	845.89
Res. Alcohol Education	4,613.08
DDEF	4,366.30
Recycle Tonnage	89,914.69
Safe & Secure	1.18

RESOLUTION 87-2022

SUPPORTING THE LOCATION AND OPERATION OF CLASS 5 RETAIL CANNABIS DISPENSARY OPERATED BY OPERATED BY SUNRISE HOLDINGS 1, LLC

WHEREAS, on August 5, 2021, the Borough of Eatontown adopted Ordinance No. 19-2021 (the “Ordinance”) authorizing and limiting cannabis business establishments in the Borough including three (3) Class 5 Cannabis Retailer Licenses in delineated areas throughout the Borough; 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, Sunrise Holdings 1 LCC (“Sunrise Holdings”) filed a New Marijuana Business License Application with the Borough to operate a Class 5 Retail Cannabis Dispensary located at Michael’s Plaza, 178 Rt. 35, Eatontown; and

WHEREAS, the Zoning Officer found that the proposed location of Sunrise Holdings Class 5 Retail Cannabis Dispensary located at Michael’s Plaza is consistent with the Borough’s zoning requirements for a such a facility; and

WHEREAS, the Borough Administration and the Borough Council reviewed Sunrise Holdings’ New Marijuana Business application and found it meets the criteria to obtain a Class 5 Retail Cannabis Dispensary license from the Borough and it therefore believes it is in the best interest of the Borough to provide a Resolution of Support to Sun.

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 issues this Resolution of Support for the application of Sunrise Holdings 1 LLC to operate a Class 5 Retail Cannabis Dispensary at the premises identified in its application located at 178 Rt. 35, Michael’s Plaza, Eatontown, New Jersey; and

BE IT FURTHER RESOLVED as follows:

1. Sunrise Holdings 1 LLC is registered to do business in the State of New Jersey.
2. The Borough of Eatontown has authorized up to three Class 5 Retail Cannabis Retail licenses through the adoption of Ordinance 19-2021 and the issuance of a license to Sunrise Holdings 1 LLC does not exceed the limitation for Class 5 Retail Cannabis establishments.
3. A copy of this Resolution shall be forwarded to the following:
 - a. Sunrise Holdings 1 LLC
 - b. Kathy Muscillo, Director of Planning and Zoning

Mayor Talerico recognized Mr. Phil Nutall, of the Community Garden Committee and the other volunteers appointed this evening.

11. REMARKS OF COUNCIL AND CITIZENS

Councilmember Gindi noted there has been a spike in car thefts, which are now leading to home invasions. C/Gindi and Chief Lucia have been working with residents who have taken things into their own hands by hiring private security to patrol their neighborhoods. C/Gindi noted the issues are not the fault of the Police Department who are often hamstrung. C/Gindi requested Chief Lucia consider adding at least four new officers in the coming years. C/Gindi further expressed concerns and shared information that has been provided to residents regarding locking their doors. C/Gonzalez reported there is a plan to hire additional officers; there will be a meeting in the near future.

C/Jones thanked those in attendance. She noted there is a lot going on in this world, and requested people continue to be kind and compassionate, especially with what is going on in Ukraine. She further noted we have Supreme Court nomination hearings for Ketanji Brown Jackson, who C/Jones is hoping to see as the first woman of color that is appointed to the Supreme Court, which will be the first time in our American History. She shared the C.R.O.W.N. Act, which permits natural hairstyles in the workplace, has passed the House and needs to go to the Senate. C/Jones wants everyone to be aware that even though there is a lot going on, we can disagree, it does not mean we need to disrespect or be discouraging to one and another. We can agree to disagree and we can do it with civility, and respect, and kindness. C/Jones wants to encourage that. She further understands there is a lot going, and it has been a challenging few weeks, but we can all work together and find common solutions, like what C/Gindi was sharing about what has been going on in our neighborhoods. C/Jones is confident Council will do what is best for the town. C/Jones would like to see that further spread throughout the County, State and Country and maybe even the world.

The meeting was open to the public.

Mr. Frank Scatuorchio, Monmouth Road, asked what is the approximate annual cost of a patrolman's salary, health and welfare. Chief Lucia explained to walk in the door with benefits and pension is about \$75,000. C/Gindi noted he would like to see four officers added over the next three years. Four officers are eligible to retire in the next three years. Mr. Scatuorchio noted the Borough's responsibilities are Police, Fire, First Aid and Trash Collection – most of the rest is lipstick so anyway to push the hiring any quicker would not be a bad thing.

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

12. ADJOURNMENT – 8:38 pm

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

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

By: Julie Martin, RMC, Borough Clerk