

**** AGENDA ****

July 25, 2007

7:30 P.M.

**Regular Meeting of the Mayor and Council of the Borough of Englishtown,
15 Main Street, Englishtown, New Jersey 07726.**

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Committee Reports
5. Correspondence
6. Open Public Portion/Limited to Agenda Items Only
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
7. Presentation: Presentation of 2006 Audit by Eugene Farrell of Hutchins, Farrell, Meyer & Allison, P.A.
8. Old Business
 - A. Ordinance No. 2007-10 – Public Hearing & Adoption
Amending Code Book Chapter 2.50, Entitled “Schedule of Fees”
9. New Business
 - A. Ordinance No. 2007-11 – First Reading & Introduction
Amending Chapter 2.126, Entitled “Water”
 - B. Ordinance No. 2007-12 – First Reading & Introduction
Amending Chapter 2.106, Entitled “Sewer”
 - C. Ordinance No. 2007-13 – First Reading & Introduction
Amending Chapter 2.55, Entitled “Animal Control Regulations”

- D. Resolution No. 2007-129
Appointing Peter S. Cooke, Jr. to Position of Sergeant, E.P.D.

Oath of Office – Sergeant Peter S. Cooke, Jr.
 - E. Resolution No. 2007-130
2006 Audit of the Borough of Englishtown -
Division of Local Government
 - F. Resolution No. 2007-131
Opposition to the Sale of State Assets
 - G. Resolution No. 2007-132
Authorizing the use of N.I.M.S.
(National Incident Management System)
 - H. Resolution No. 2007-133
Authorization of Purchases Over \$800
Water Dept. – bulk water purchase for month of June
 - I. Resolution No. 2007-134
Authorizing Approval of Department Requisitions
 - J. Resolution No. 2007-135
Authorizing Payment of Borough Bills
- 10. Discussion Item: Proposed Moratorium Ordinance
 - 11. Discussion Item: Proposed Ordinance Amending Chapter 2.121,
Entitled “Vehicles and Traffic”
 - 12. Tax Collectors Report – Month of June 2007
 - 13. Public Portion
Limited to Five (5) Minutes per citizen to be determined at Borough
Council’s discretion. Any and all situations regarding Borough Personnel,
when names are implied or mentioned, are to be brought to the full
attention of the Council through an appointment and subsequent disclosure
through the Personnel Committee.
 - 14. Executive Session
 - 15. Adjournment

The meeting was called to order by Mayor Reynolds at 7:35 P.M.

Roll Call: Present: C/Soden, C/Carr, C/Robilotti, C/Cooke,
Absent: *C/Simon, C/Leonardis

Also present were Peter Gorbatak, Acting Municipal Clerk, Laurie Finger, Borough Administrator and Stuart J. Moskowitz, Borough Attorney.

Mayor Reynolds stated pursuant to N.J.S.A. 10 4-6 notification of this meeting has been (1) Published in the Asbury Park Press and the News Transcript the Official Newspapers of the Borough, (2) Posted to the Public at Borough Hall, (3) Copy has been filed with the Municipal Clerk, (4) Copy of this agenda and the Sunshine Statement has been filed with the Mayor and Council. Thus this meeting tonight is deemed in compliance with the Open Public Meetings Act.

There was a moment of silence and salute to the flag.

*Councilman Simon arrives at 7:39 P.M.

Committee Reports

C/Cooke

- We received a lot more applications for October 6th Fall Festival. We could use more help. If anyone wants to volunteer or knows someone who would like to volunteer his or her time please let us know.

C/Robilotti

- Personnel Policy Meeting was today, we are coming along very well.
- Contacted Teen Group; they will be using the Manalapan Senior Center for their meetings and thanked us for our quick follow up.

C/Soden

- Planning & Zoning Board meeting was last night.
- Water & Sewer Department had two shut offs; both were vacant properties. We purchased 75,000 gallons of water.

C/Carr

- Spoke with Donna Drews from Municipal Land Use Center; they are putting their team together from the American Institute of Architects. They should be starting with their first public meeting in October. I will provide information, as the date is set.
- Pat Wojnas, Court Administrator is on vacation from August 25th through September 4th.
- Police Activity Report – 377 total calls; motor vehicles 133, routine calls 198. Copy of report is available.

- Received letter from Chief Niziolek recommending promotion of Corporal Peter Cooke to fill the vacancy of Sargeant which is on our agenda for tonight.

C/Simon

- Pet Licenses are due by July 30th.

Correspondence

Peter Gorbatuk, Acting Municipal Clerk

- Received affidavit of tax bill mailing from Janice Garcia, Tax Collector.
- Received memo from Trevor Martinson; he has been elected as PBA representative for the rest of the year.
- Received letter from Asif R. Khan from 56 Tracy Station Rd., Manalapan requesting water connection from the Borough of Englishtown; would like consensus from Council.

Mayor Reynolds and Council states no. Tracy Station Road is in Manalapan.

Public Portion – Agenda Items

Mayor Reynolds opens the floor to the public for discussion limited to agenda items only.

There being no questions or comments, a motion to close the public portion was offered by C/Soden and seconded by C/Robilotti. Passed unanimously.

Presentation

Mayor Reynolds opens the floor to Mr. Eugene Farrell, Auditor of Hutchins, Farrell, Meyer & Allison, P.A. for Presentation of 2006 Audit.

Mr. Eugene Farrell, Auditor gives a brief summary of the 2006 Audit findings.

- Vitality of Borough
- Efficiency
- Material Weaknesses
- Surplus
- Utilities
- Cap issues

Presentation by Mr. Eugene Farrell continues, followed by questions and comments from Mayor, Council and the public.

Mayor Reynolds thanks Eugene Farrell for his presentation and for coming to tonight's meeting.

Old Business

**BOROUGH OF ENGLISHTOWN PUBLIC HEARING & ADOPTION
ORDINANCE NO. 2007-10**

**An Ordinance Of The Borough Of Englishtown Amending/Supplementing
Chapter 2.50 of the Borough Code Book
“Schedule of Fees”**

Be It Ordained by the Governing Body of the Borough of Englishtown that the following sections be amended/supplemented as follows:

Chapter 2.50, Schedule of Fees

Section 2.50.02 – Recreation Fees

Annual Fall Festival

Add: Pony Rides	\$3.00
Face Painting	\$3.00

This ordinance shall take effect upon final passage and publication according to law.

Public Hearing

Mayor Reynolds opened the floor to the public for questions or comments on the above titled ordinance.

There being no questions or comments, a motion to close the public hearing was offered by C/Robilotti and seconded by C/Simon. Passed unanimously.

Adoption

A motion to adopt Ordinance No. 2007-10, above titled, was offered by C/Robilotti and Seconded by C/Soden. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Soden

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke,
 Nays: None
 Abstain: None
 Absent: C/Leonardis

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2007-11**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2.126 (WATER) OF THE
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

Be It Ordained by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.126 be amended and supplemented as follows:

1. Section 2.126.07 (Installation fees), Subsection A of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

A. Taps. [Amended 3/14/85, Ord. 85-4; 2/25/87, Ord. 87-02]

(1) For all taps on installations from the main to the curb stop made by the Water Department, the owner shall be charged the following amounts, to be paid to the Water Department at the time of the issuance of the permit:

(2) \$2,536.00 (two thousand, five hundred and thirty-six dollars) per
E.D.U.

2. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

3. This Ordinance shall take effect following final adoption and publication pursuant thereto.

A motion to introduce the above titled Ordinance was offered by C/Simon and seconded by C/Soden. Passed on the following roll call:

Offered By: C/Simon

Seconded By: C/Soden

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke,
 Nays: None
 Abstain: None
 Absent: C/Leonardis

Peter Gorbatuk, Acting Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2007-11 is scheduled for the August 8, 2007 Council Meeting, 7:30 p.m. at Borough Hall.

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2007-12**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2.106 (SEWERS) OF THE
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

Be It Ordained by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.106 be amended and supplemented as follows:

1. Article I – Installation and Use, Section 2.106.2 (Connection of Future Structures), Subsection B of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

B. The owner of every residential house, building and/or structure hereafter constructed, modified or improved in the Borough of Englishtown, which may be occupied or used by human beings, shall, if connection with the sewer system of the Borough of Englishtown is made on or after August 8, 2007, be charged a connection fee of \$893.00 (eight hundred ninety-three) dollars

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall take effect upon final adoption and publication pursuant to law.

A motion to introduce the above titled Ordinance was offered by C/Simon and seconded by C/Robilotti. Passed on the following roll call:

Offered By: C/Simon

Seconded By: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke,

 Nays: None

 Abstain: None

 Absent: C/Leonardis

Peter Gorbatuk, Acting Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2007 –12 is scheduled for the August 8, 2007 Council Meeting, 7:30 p.m. at Borough Hall.

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2007-13**

**ORDINANCE AMENDING
CHAPTER 2.55, ENTITLED "ANIMAL CONTROL REGULATIONS"
OF THE CODE OF THE BOROUGH OF ENGLISHTOWN**

WHEREAS, the Borough Council of the Borough of Englishtown has determined that there are occasions where pet waste on non-public property serves as a threat to the health and safety of residents of the Borough of Englishtown; and

WHEREAS, the Borough is desirous of protecting the safety and welfare of the community by controlling situations of offensive pet waste;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Englishtown that Chapter 2.55 of the Code of the Borough of Englishtown is hereby amended as follows:

I. The following shall be added to Section 2.55.13.03:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on property owned or possessed by that person if such waste is located within ten feet of another property or public access way, such as a sidewalk.

All pet owners and keepers are required to dispose of any animal waste deposited on property owned or possessed by that person regardless of the location within that property in a timely fashion so as to insure that it does not create an unsanitary condition as to odors affecting other properties. Should an odor condition prevail from that waste for a period of more than 48 hours, it shall be presumed that the waste was not removed in a timely fashion.

BE IT FURTHER ORDAINED THAT this Ordinance shall take effect upon passage and publication in accordance with applicable law.

A motion to introduce the above titled Ordinance was offered by C/Simon and seconded by C/Robilotti. Passed on the following roll call:

Offered By: C/Simon

Seconded By: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke,
 Nays: None
 Abstain: None
 Absent: Leonardis

Peter Gorbatuk, Acting Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2007-13 is scheduled for the August 8, 2007 Council Meeting, 7:30 p.m. at Borough Hall.

**Borough of Englishtown
Resolution No. 2007-129**

**RESOLUTION APPOINTING PETER S. COOKE, JR. TO THE POSITION OF
SERGEANT IN THE POLICE DEPARTMENT OF THE BOROUGH OF ENGLISHTOWN**

WHEREAS, the Borough Council of Englishtown, having previously created a second position within the Police Department for the rank of Sergeant; and

WHEREAS, the Borough has determined that it is in the best interests of the Police Department and the Borough to promote an individual to that position from within the current ranks of Police Department personnel; and

WHEREAS, the Borough has conducted a review of existing personnel in conjunction with the Chief of Police of the Police Department of the Borough of Englishtown and has determined that the most qualified person for this position is current officer Peter S. Cooke, Jr.; and

WHEREAS, the Borough is desirous of appointing Peter S. Cooke, Jr. to the position of Sergeant effective July 25, 2007, with a one year probationary period, in accordance with Borough and Police Department policy and has determined that this appointment is consistent with the Contract with the Police Benevolent Association Local 166.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Englishtown that Peter S. Cooke Jr. is hereby promoted to the position of Sergeant in the Police Department of the Borough of Englishtown to be paid in accordance with the Contract between the Borough of Englishtown and the Police Benevolent Association Local 166 at a base salary of \$59,624.00 per annum.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be distributed to the Chief of Police, the Borough Administrator and Sergeant Cooke.

Offered By: C/Carr

Seconded By: C/Simon

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Ribilotti

Nays: None

Abstain: C/Cooke

Absent: C/Leonardis

Oath of Allegiance

Mayor Reynolds administers the oath of Office to Officer Peter S. Cooke, Jr.

**Borough of Englishtown
Resolution No. 2007-130**

**2006 Audit of the Borough of Englishtown
Division of Local Government**

Whereas, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

Whereas, the Annual Report of Audit for the year 2006 has been filed by a Registered Municipal Accountant with the Acting Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

Whereas, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

Whereas, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

Whereas, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

Whereas, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

Whereas, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of the New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

Whereas, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a

misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

Now Therefore Be It Resolved, that the governing body of the Borough of Englishtown, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Offered By: C/Carr

Seconded By: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-131**

Opposition to the Sale of State Assets

Whereas, a great number of residents use New Jersey's toll roads to commute to work on a daily basis and many businesses rely on these major transportation arteries to receive and deliver goods and services and

Whereas, New Jersey's high cost of living and even higher property taxes have placed such a financial strain on taxpayers and business owners that the state is fast becoming an unaffordable place for them to live and work, and

Whereas, Governor Jon S. Corzine and key legislative leaders are pushing a plan to sell New Jersey assets, starting most likely with the toll revenues generated by the New Jersey Turnpike, Garden State Parkway and Atlantic City Expressway, and

Whereas, language was included in the FY 2008 state budget authorizing the Corzine Administration to spend whatever amount of money it deems necessary to prepare for the lease or monetization of state assets, and

Whereas, the Corzine Administration has publicly stated that specific details of the asset sale until not be disclosed to the public until after the November legislative elections, but it has confirmed the revenue it would produce is needed to balance a projected multi-billion-dollar hole in the FY 2009 state budget, and

Whereas, the Corzine Administration and key legislative leaders are examining the possibility of creating a new public agency that would sell billions of dollars of bonds to private investors backed by future toll road revenue, and

Whereas, administration and legislative officials have confirmed annual toll increases, over several decades, will be necessary to make the bonds attractive to private investors, and

Whereas, in the past six years, state debt has more than doubled, from \$15 billion to \$37 billion, and the asset sale would instantly add billions of dollars to the debt load and intensify the pressure to raise taxes, and

Whereas, experience has shown that whenever tolls are increased, more trucks choose to use state and local roadways to save the expensive, and

Whereas, increased truck traffic will accelerate the deterioration of state and local roadways, result in more traffic congestion and create a safety hazard to motorists and pedestrians alike, now therefore be it

Now Therefore Be It Resolved, that the Borough of Englishtown opposes any plan to sell, lease or monetize state assets, particularly state toll roads and the revenue they produce, because it will make New Jersey more unaffordable for residents and business owners, jeopardize the fiscal integrity of the state, and make our roads less safe.

Be It Further Resolved, a certified copy of this resolution shall be sent to Governor Jon S. Corzine, Assembly Speaker Joseph Roberts, Senate President Richard J. Codey, Senate Minority Leader Leonard Lance, Assembly Minority Leader Alex DeCroce and all state legislators representing our legislative district.

Offered By: C/Soden

Seconded By: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-132**

**Authorizing the use of N.I.M.S.
(National Incident Management System)**

Whereas, in Homeland Security Presidential Directive (HSPD) 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

Whereas, the 9-11 Commission recommended adoption of a standardized incident Command System; and

Whereas, it is necessary that all Federal, State, and Local emergency management agencies and other public safety agencies coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

Whereas, to facilitate the most efficient and effective incident management it is critical that Federal, State, and Local organizations utilize standard terminology, standardized organizational structures, uniform personnel qualifications standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

Whereas, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability to utilize State and Federal funding to enhance County and Local agency readiness, maintain first responder safety, and streamline incident management processes; and

Whereas, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County, and Local Municipalities, including all public safety and emergency response organizations training programs; and

Whereas, over fifty Federal grant programs mandate that NIMS be adopted as a prerequisite for obtaining these grants;

Now Therefore, Be It Resolved, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the National Incident Management System (NIMS) be utilized for all incident management in the Borough of Englishtown;

Be It Further Resolved, that a certified copy of this resolution shall be distributed to the Officer of Emergency Management and Chief of Police.

Offered By: C/Robilotti

Seconded By: C/Carr

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-133**

Authorization of Purchases or Services Over \$800

Whereas, the Borough of Englishtown Council requires that purchases and services over \$800.00 or more be pre-approved by the Governing Body except in the case of imminent emergency situation; and

Whereas, the following itemized request(s) were submitted to the Chief Financial Officer by the respective Committee Chairperson(s) for Council approval; and

Whereas, the Chief Financial Officer certifies that appropriate funds are available for the following:

Water Dept – Purchase of Bulk Water for the month of June \$5,059.43
Services From:

Gordon's Corner Water Co.
P.O. Box 145
Marlboro, N.J. 07746

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the above request(s) is approved for the purchase or order.

Offered By: C/Soden

Seconded By: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke
 Nays: None
 Abstain: None
 Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-134**

**Resolution of the Borough of Englishtown,
County of Monmouth, State of New Jersey
Authorizing the Approval of Department Requisitions**

Whereas, the Mayor and Council have carefully examined all requisitions presented to the Borough for the processing into purchase orders; and

Whereas, after due consideration of the said requisitions, the Mayor and Council have approved processing of same.

Now, Therefore, Be it Resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, as follows:

1. The said approved requisitions amounting to the sum of \$13,982.99 are hereby authorized to be processed into purchase orders on July 25, 2007.
2. The Borough Clerk be and is hereby directed to list on the page in the Minutes Book following the minutes of this meeting all of the said requisitions hereby authorized to be processed into purchase orders.

Offered by: C/Robilotti

Seconded by: C/Carr

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-135**

**Resolution of the Borough of Englishtown,
County of Monmouth, State of New Jersey
Authorizing the Payment of Borough Bills**

Whereas, the Mayor and Council have carefully examined all vouchers presented to the Borough for the payment of claims; and

Whereas, after due consideration of the said vouchers, the Mayor and Council have approved payment of same.

Now, therefore, be it resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, as follows:

1. The said approved vouchers amounting to the sum of \$418,337.65 are hereby authorized to be paid on July 25, 2007.

3. The Borough Clerk is hereby directed to list on the page in the Minutes Book following the minutes of this meeting all of the said vouchers hereby authorized to be paid.

Offered by: C/Robilotti

Seconded by: C/Simon

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

Discussion Item - Proposed Moratorium Ordinance

Mayor Reynolds explains that we want to have a moratorium ordinance for five (5) years especially on roads that have been paved recently and asks if there are any exceptions to the rule or if there is a minimum or maximum you can put a moratorium on.

Stuart Moskowitz, Borough Attorney states there is a provision for emergent matters. Also if someone should come before Council and ask for an exception and Council feels there is a valid reason that is in Ordinance also.

C/Simon

- Recommends before street is started to notify residents on that street at least six months in advance if possible.

Mayor Reynolds asks if they need to be notified by certified mail?

Stuart Moskowitz, Borough Attorney

- No, but the Borough should notify residents.

C/Simon

- It is in the best interest of everyone that the Ordinance states that residents be notified via certified mail.

Discussion continues between Mayor Reynolds, Council, Stuart Moskowitz, Borough Attorney.

Mayor Reynolds states the First Reading & Introduction on proposed Ordinance will be on the August 8th Agenda.

**Discussion Item – Proposed Ordinance Amending Chapter 2.121
Entitled “Vehicles and Traffic”**

Mayor Reynolds thanks Chief Niziolek for coming to the meeting this evening to clarify last meetings discussion on which side of the street parking and opens the floor for comments and questions.

Discussion continues between Mayor, Council, Laurie Finger, and Chief Niziolek.

C/Carr

- Is it possible to get a map of the streets?

Mayor Reynolds asks Laurie Finger, Borough Administrator to check with Tom Herits, Borough Engineer if we have a street map.

Mayor Reynolds thanks Chief Niziolek for coming this evening and states when we have further information we will have you back.

Tax Collectors Report

Month of June, 2007

Taxes, 2008	\$0.00
Taxes, 2007	\$33,408.23
Taxes, 2006	2,497.07
Third Party Redemption	\$52,384.51
<u>Interest</u>	<u>698.30</u>
Total Net	\$88,993.18

Public Portion

Mayor Reynolds opens the floor to the public for discussion on anything they wish to bring to the attention to the governing body.

Mr. Burrows, 38 Tennent

- Would like to know what the two yellow lines on Irving Place mean?
- Spoke to Mayor and Council at the last council meeting regarding broken remote control for water meter; still haven't heard from anyone.

Mayor Reynolds states we are looking into parking situation and that someone from our Water and Sewer Department will be out there tomorrow afternoon.

Mr. Burrows

- Concerned with littering of newspapers in certain areas of the Borough.
- Questions the duties of the Water & Sewer summer help.

Discussion between Mr. Burrows, Mayor and Council continues regarding newspaper littering.

There being no further questions or comments, a motion to close the public portion was offered by C/Soden and seconded by C/Robilotti. Passed unanimously.

Executive Session

Mayor Reynolds stated pursuant to N.J.S.A. 10 4-12B be it resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey as follows whereas N.J.S.A. 10 4-12B of the Open Public Meetings Act of the State of New Jersey permits exclusion of the public from those portions of the meetings in which matters authorized to be discussed in Executive Session under the cited statute will be reviewed and discussed; and

Whereas, the Governing Body concludes that the public must be excluded from the discussion of the following matters of litigation, personnel; and

Therefore, be it resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, as follows, 1) Hereby authorizes Executive Session for the purpose of discussing above matters with N.J.S.A. 10 4-12B, 2) Anticipated at this time that the matters to be discussed in Executive Session will be discussed in Public not earlier than the next regular meeting of the Governing Body, 3) It is anticipated that the Executive Session last not longer than one-half hour, 4) There exists the possibility that action may be taken upon conclusion of the Executive Session when the meeting returns to open.

Offered By: C/Soden

Seconded By: C/Simon

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Absent: C/Leonardis

Abstain: None

The time being 8:38 P.M.

There being no further business in Executive Session, a motion to return to open session was offered by C/Carr, seconded by C/Cooke. Passed unanimously.

The time being 9:07 P.M.

At this time the following Resolutions were added.

**Borough of Englishtown
Resolution No. 2007-136**

**RESOLUTION AUTHORIZING THE NEW JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS TO COMMENCE CODE INSPECTION WITHIN THE BOROUGH OF ENGLISHTOWN
ON OR ABOUT AUGUST 13, 2007**

WHEREAS, the Borough Council of Englishtown, having passed an ordinance on May 9, 2007 authorizing the State Department of Community Affairs to assume the responsibilities for Code Inspection within the Borough;

WHEREAS, the Department of Community Affairs having advised the Borough that they accept the responsibility and are prepared to commence August 13, 2007;

NOW THEREFORE BE IT RESOLVED by the Borough Council of Englishtown that all construction code inspection related to construction consistent with the Uniform Construction Code as enacted into law by the State of New Jersey is hereby transferred by the Borough to the Division of Codes and Standards, Office of Local Code Enforcement of the New Jersey Department of Community Affairs effective August 13, 2007.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be distributed to the Borough Administrator, the Borough Attorney, the Borough Engineer, the Director of Code Enforcement and the Supervisor of the Central Regional Office of the Division of Codes and Standards, Office of Local Code Enforcement, of the New Jersey Department of Community Affairs.

Offered by: C/Soden

Seconded by: C/Robilotti

Roll Call: Ayes: C/Soden, C/Simon, C/Carr, C/Robilotti, C/Cooke

Nays: None

Abstain: None

Absent: C/Leonardis

**Borough of Englishtown
Resolution No. 2007-137**

Designation of Salary Amendment - Police Chief

Whereas, the Mayor and Council of the Borough of Englishtown adopted an Ordinance entitled "An Ordinance Establishing Limits for Salaries of the Employees on the Borough of Englishtown, County of Monmouth, State of New Jersey"; and

Whereas, said salaries provide certain ranges for the positions set forth; and

Whereas, the Mayor and Council of the Borough of Englishtown adopted Resolution #2007-121 on July 11, 2007 that fixed the 2007 annual salaries for said positions; and

Whereas, it is the recommendation of the Police Commissioner that the Police Chief be given the same annual percentage increase that was awarded in the PBA Local No. 166 contract for 2007,

Now, Therefore, Be It Resolved that it is the determination of the Mayor and Council of the Borough of Englishtown that the annual salary of Police Chief John Niziolek be as follows:

Position	Pay Schedule	Salary
Chief of Police	Per Annum - Payable Bi-Weekly Effective and Retro to January 1, 2007	\$71,326.05 Base Pay 855.91 Longevity <u>4,511.37 Holiday Pay</u> \$76,693.33 Total

Be It Further Resolved, that a copy of this Resolution shall be distributed to Chief Niziolek and the Borough Chief Financial Officer.

Offered By: C/Carr

Seconded By: C/Robilotti

Roll Call Ayes: C/Soden, C/Carr, C/Robilotti, C/Cooke

Nays: None

Absent: C/Leonardis

Abstain: C/Simon

Adjournment

There being no further business a motion to adjourn was offered by C/Soden, seconded by C/Robilotti. Passed unanimously.

The time being 9:09 P.M.

September 10, 2007
Approved by Governing Body

Acting Municipal Clerk