

**** AGENDA ****

June 13, 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. Approval of Minutes – May 9, 2007 & May 23, 2007
5. Committee Reports
6. Correspondence
7. 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.
8. Old Business
 - A. Ordinance No. 2007-07
Authorizing an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-53 for the Preparation and Execution of a Complete Program of Revaluation of Real Property for the Use of the Local Assessor
9. New Business
 - A. Ordinance No. 2007-08 – First Reading & Introduction
Amending Chapter 1.33, Entitled "Police Department"
 - B. Resolution No. 2007-103
Transfer of Retail Consumption Liquor License
 - C. Resolution No. 2007-104
Authorizing Renewal of 2007- 2008 Alcoholic Beverage Licenses

- D. Resolution No. 2007-105
Authorizing a Temporary Delay, If Warranted, in the Mailing of Third Quarter Tax Bills, 2007 Final/2008 Preliminary Bills
 - E. Resolution No. 2007-106
Authorizing the Execution of A Grant Application for D.E.D.R. Funds for Manalapan/Englishtown Community Alliance
 - F. Resolution No. 2007-107
Resolution to Amend Approved Budget in Accordance with the Provisions of 40A:4-9
 - G. Resolution No. 2007-108
Authorizing Purchases Over \$800
Police Dept. – Ammunition
 - H. Resolution No. 2007-109
Authorizing Approval of Department Requisitions
 - I. Resolution No. 2007-110
Authorizing Payment of Borough Bills
 - J. Resolution No. 2007-111
Appointment of Rabies Clinic Workers
- 10. Tax Collector's Report – May 2007
 - 11. Discussion Item: Proposed Littering Ordinance
 - 12. 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.
 - 13. Executive Session
 - 14. Adjournment

The meeting was called to order by Mayor Reynolds at 7:31 P.M.

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

Also present were Peter Gorbatuk, Acting Municipal Clerk, Laurie Finger, Borough Administrator and Stuart J. Moskovitz, 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.

Approval of Minutes –

C/Robilotti

- On the May 23, 2007 minutes, Page 5 it states C/Leonardis attended Quick Check opening ceremony it was C/Robilotti who attended.

There being no further corrections, deletions or additions, a motion to approve the Minutes of May 9, 2007 and May 23, 2007 was offered by C/Simon and seconded by C/Soden. Passed on the following roll call:

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

Committee Reports

C/Leonardis

- Committee reports were emailed to council and copies are available for the public.
- There was a complaint filed against an Englishtown resident in regard to the height of their grass. There was no action taken by property owner so the Department of Public Works did have to go over and cut the lawn; The Borough will bill them for this service.

C/Cooke

- Would like to change policy regarding gift, or donation when a spouse, parent or child of one of our employees passes on.

Mayor Reynolds states in the past this was looked at as public money that is to be used for the taxpayers to operate the municipality. If Council chooses to change this policy we will have to write a resolution. Let Laurie Finger, Borough Administrator know how much we want to put in fund and where to earmark fund.

At this time a motion to change policy was requested by C/Cooke and seconded by C/Robilotti.

C/Robilotti

- Would like to discuss the Planning Board secretary position during Executive Session.
- Would like to thank Englishtown resident Ron Ragucci for volunteering his time to show employees how to update Borough website.
- Police Activity Report - total motor vehicle stops were 208, total calls 600. We received a grant for an extra officer for DWI Checkpoint, which will be in effect Saturday.

C/Soden

- Nothing at this time

C/Simon

- Nothing at this time.

Correspondence

Peter Gorbatuk, Acting Municipal Clerk

- At the last Open Public Session resident Richard Kozlowski voiced concern with the number of pets at 12 Park Avenue. Ed Miller, Code Enforcement Officer, checked this out and in his opinion there was nothing out of the ordinary.

Mayor Reynolds asks if the Health Department was out there?

Laurie Finger, Borough Administrator

- Mr. Kozlowski had mentioned that the Health Department was out there and they didn't find any health issues or problems.

C/Soden

- Would like something in writing from Health Department stating there are no health issues or problems at 12 Park Avenue.

Peter Gorbatuk, Acting Municipal Clerk

- Received correspondence from Brandon Yuhas, from Boy Scout Troop 454 thanking Mayor Reynolds and Council for listening to him and answering his questions regarding sidewalks on Lasatta Avenue and potholes around town and requesting any correspondence regarding potholes and sidewalk.
- Spoke with Rick Guffanti, Public Works Department and he stated the potholes are in the process of being repaired within the next 2-3 weeks.

Mayor Reynolds requests Peter Gorbatuk, Acting Municipal Clerk send Mr. Yuhas a letter commending him on taking pride in his hometown.

Peter Gorbatuk, Acting Municipal Clerk

- Correspondence received from the State of New Jersey Department of Community Affairs regarding the expiration of Englishtown Borough's 2008 Center Designation.

Mayor Reynolds requests a copy of this letter is sent to C/Carr and also is followed up so that we do not lose this designation.

- We have been contacted twice regarding canning at Quick Check. Our Codebook does not state canning it states solicitation; do we need to update this Code?

Mayor Reynolds requests copy of Ordinance so that Council can look at it and see if we need to update.

- Rabies clinic is scheduled for Thursday, June 14th in the garage from 6:00pm – 7:30pm.

C/Cooke

- There were a few concerns that C/Carr had that I would like to mention. One of her concerns is access to permits? The other concern is the paving on Irving Street; does anyone have any information on that?

Discussion continues between Mayor and Council regarding access to permits.

Stuart Moskowitz, Borough Attorney

- Spoke with Tom Herits, Maser Consulting today. Some of the base failed and they were out there yesterday to see what had to be replaced. Weather permitted they are expected to be there no later than Monday to complete all their work.

Mayor Reynolds asks if they need more time for settling after repairs have been done?

Stuart Moskowitz, Borough Attorney

- From an Engineering standpoint I don't think you need any time for settling.

Mayor Reynolds asks Stuart Moskowitz to give Tom Herits a call tomorrow to ask him about patch replacements and issues regarding storm drains being reset.

C/Soden

- There are two manholes that I asked the engineer to completely rebuild. Also the manholes need to be lowered at the corner of Irving Place and Hamilton Street.

Stuart Moskowitz, Borough Attorney

- Did the engineer indicate that they were going to repair that?

C/Soden

- Yes he did.

Mayor Reynolds states he left a message with Tom Herits regarding where Irving ties into 522, can you follow up on the manhole there?

C/Soden

- Can you ask Mr. Herits if he can put in writing everything that is going to be done and send a copy to Mr. Moskowitz?

Public Portion – Agenda Items

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

Kathleen Heath, Victory Drive

- Regarding People's liquor license that was transferred from Three Corners; he is not in compliance with resolution regarding employee parking. Can someone remind him of his agreement?

Mayor Reynolds request Stuart Moskowitz, Borough Attorney send a letter to Peoples Restaurant.

C/Leonardis

- If we pass this renewal tonight what can be done if they do not adhere to their agreement?

Stuart Moskowitz, Borough Attorney

- We can advise them in writing that we have the right to suspend their license. We need to make it clear in the Renewal and Resolution that the license is under the same terms and conditions as when license was granted. If they do not comply with agreement they will be subject to suspension.

C/Leonardis

- Are they required to have a license for live entertainment?

Stuart Moskowitz, Borough Attorney

- As long as entertainment is not sexually oriented and you did not restrict live entertainment when license was granted it is not required.

Mayor Reynolds states we will amend Resolution.

Peter Cooke, Englishtown Police Officer

- Why hasn't the contractor contacted the Sergeant yet regarding closing the street for Seaview project.

Stuart Moskowitz, Borough Attorney

- The contractor will go around on Friday and mark out what needs to be done, establish a schedule and then contact the Sergeant.

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

Old Business

**BOROUGH OF ENGLISHTOWN PUBLIC HEARING & ADOPTION
ORDINANCE NO. 2007-07**

**AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION IN
ACCORDANCE WITH N.J.S.A. 40A:4-53 FOR THE PREPARATION AND
EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL
PROPERTY FOR THE USE OF THE LOCAL ASSESSOR.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Englishtown, in the County of Monmouth and State of New Jersey:

Section 1. Pursuant to N.J.S.A. 40A:4-53 (ch 48, P.L. 1956, as amended by ch. 144, P.L. 1965 and ch.38, P.L. 1969), the sum of \$70,000 is hereby appropriated for the preparation and execution of a complete program of revaluation of real property for the use of the local assessor, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55

Section 2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55)

Section 3. This Ordinance shall take effect immediately upon its passage and publication according to law.

**** Please note: Ordinance No. 2007-07 Public Hearing and Adoption scheduled for the June 13, 2007 Council Meeting is not required due to prior Ordinance No. 2007-01, which was adopted on January 24, 2007.**

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2007-08**

**AN ORDINANCE OF THE BOROUGH OF ENGLISHTOWN AMENDING
CHAPTER 1.33, ENTITLED "POLICE DEPARTMENT"**

WHEREAS, the governing body of the Borough of Englishtown has determined that it is required to establish the procedures and charges for the utilization of Borough Police Department members for private security; and

WHEREAS, the contract with the PBA requires that the charges for police department member services is to be set forth by ordinance; and:

WHEREAS, certain terminology within the existing ordinance is internally inconsistent and needs to be corrected, and certain portions of the ordinance are inconsistent with the Council's intent and similarly need to be corrected:

I. NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Englishtown that **Chapter 1.33, entitled "POLICE DEPARTMENT"** of the Code of the Borough of Englishtown is hereby amended as follows:

A. Section 1.33.12, Salaries and compensation shall be amended by changing the phrase "special policemen" in the title of Section B and in each of the first three sentences to "special officers."

B. Section 1.33.14, entitled Leaves of absence generally, shall be amended as follows:

Leaves of absence, without pay, may be granted at the discretion of the Police Chief and the Police Commissioner.

C. Section 1.33.16, entitled Vacations and holidays shall be replaced in its entirety by the following:

Vacations will be granted pursuant to the language set forth in the Contract between the Borough and the bargaining agent for the Police Department members.

Holidays shall be as set forth in said Contract.

D. Section 1.33.37, entitled Special Duty Assignments shall be amended as follows:

Paragraph 5 shall substitute the following for the sentence "The charges for such services shall be set forth annually in a resolution adopted by the governing body":

The charges for such services shall be \$60.00 per hour, including a rate of \$50.00 per hour for the officer, and \$10.00 administrative fee to be retained by the Borough. Commencing January 1, 2008, the charges for such services shall be \$65.00 per hour, including a rate of \$55.00 per hour for the officer, and \$10.00 administrative fee to be retained by the Borough.

II. BE IT FURTHER ORDAINED THAT:

A. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.

B. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

- C. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Offered By: C/Robilotti

Seconded By: C/Leonardis

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

Peter Gorbatuk, Acting Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2007-08 is scheduled for the June 27, 2007 Council Meeting, 7:30 p.m. at Borough Hall.

**Borough of Englishtown
Resolution No. 2007-103**

Transfer of Retail Consumption Liquor License

Whereas, Project Expeditors, Inc., has applied for a person to person transfer of a retail consumption liquor license from Pop Pop Enterprises, Inc.:

Whereas, the Borough of Englishtown approved this license transfer on April 11, 2007, by resolution, contingent on the final approval by the Chief of Police of the Borough of Englishtown; and

Whereas, Chief Niziolek completed his review and, on May 22, 2007, issued a report finding no reason to impede the sale or transfer of the license;

Whereas, the attorney for Project Expeditors, Inc. has indicated that the New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Control requires a resolution without qualifications; and

Whereas, the Borough no longer has any reason not to fully approve the transfer unconditionally:

Now therefore, be it resolved by the Englishtown Borough Council that the person to person transfer of a retail consumption liquor license from Pop Pop Enterprises, Inc. to Project Expeditors Inc., is approved unequivocally in accordance with law.

Be it further resolved, that a certified copy of this Resolution shall be provided by the Acting Borough Clerk to the Borough Administrator, the Police Chief, the Applicant, and the Borough Attorney.

Offered By: C/Leonardis

Seconded By: C/Simon

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-104**

**Authorizing Renewal of Alcoholic Beverage
Licenses For The Borough Of Englishtown
For 2007-2008**

Be It Resolved, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that

1. The applications having been found in order, all required certifications having been given and all required fees having been paid, it hereby authorizes the Municipal Clerk to issue the following alcoholic beverage licenses for the term of July 1, 2007 through June 30, 2008 provided that all renewals are consistent with prior licensing requisites:

Licensee	License Number
Pop Pop Enterprises Inc. T/A Pop Pop Dugans	1312-33-003-010
John F. Carroll Columbian Club	1312-31-005-001
Gajanand Corporation Englishtown Liquors & Convenience	1312-44-004-006
CER, Inc People's Restaurant	1312-33-002-005

Mayor Reynolds states the above Resolution 2007-04 has the following amendment:

Stuart Moskovitz, Borough Attorney

- Amendment to Resolution 2007-104 to read; renewals to be consistent with any conditions set in the prior granting of the licenses.

Offered By: C/Robilotti

Seconded By: C/Simon

C/Simon

- Will all four liquor license holders receive amendment with each individual stipulation?

Stuart Moskowitz, Borough Attorney

- Yes, I will need each individual's stipulation.

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

Nays: None

Abstain: C/Leonardis

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-105**

**Authorizing A Temporary Delay, If Warranted
In the Mailing of Third Quarter Tax Bills
2007 Final/2007 Preliminary Bills**

Whereas, N.J.S.A. 54:4-64 requires final tax bills to be mailed on or before June 14, 2007; and

Whereas, due to the delay of the Statement of State Aid figures (S.O.S.A.) that appears on property tax bills, it may be necessary to extend the due date and grace period for the third quarter tax bills (only).

Now Therefore Be It Resolved by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, as follows:

1. That a temporary delay, if warranted, is authorized for the delay of the mailing of third quarter tax bills due to the delay in S.O.S.A. figures.
2. That authorization is hereby granted, if warranted, to extend the due date for the third quarter tax bills (only).

3. That certified copies of this resolution shall be forwarded to the Borough of Englishtown Tax Collector and Matthew Clark, Administrator of the Monmouth County Board of Taxation.

Offered By: C/Robilotti

Seconded By: C/Simon

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-106**

**Authorizing the Execution of a Grant Application
For D.E.D.R. Funds For Manalapan/Englishtown Community Alliance**

Whereas, the Borough of Englishtown has joined with the Township of Manalapan for the operation of a Municipal Alliance for the Alcohol Drug Abuse Prevention Program; and

Whereas, the Borough of Englishtown desires to continue this Program.

Now Therefore Be It Resolved by the Governing Body of the Borough of Englishtown that it hereby authorizes the Township of Manalapan to execute an application for D.E.D.R. 2008 Grant funding to be submitted to Monmouth County Division of Alcohol and Drug Abuse Services; and

Be It Further Resolved that a copy of this Resolution, certified to be a true copy by the Municipal Clerk, be sent to the Manalapan/Englishtown Community Alliance Coordinator.

Offered By: C/Simon

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-107**

**Resolution of the Borough of Englishtown
County of Monmouth, State of New Jersey
To Amend Approved Budget
In Accordance with the Provisions of 40A:4-9**

Whereas, the local municipal budget for 2007 was approved on April 25, 2007;
and

Whereas, the public hearing on said budget has been held as advertised; and

Whereas, the governing body desires to amend said approved budget;

Now Therefore Be It Resolved, by the governing body of the Borough of Englishtown, County of Monmouth, State of New Jersey, that the following amendments to the approved budget of 2007 be made:

CURRENT FUND

<u>REVENUES</u>	<u>FROM</u>	<u>TO</u>
1. Surplus Anticipated	\$ 595,000.00	\$ 525,000.00
Total Surplus Anticipated	595,000.00	525,000.00
3. Miscellaneous Revenues – Section F: Clean Communities Program	0.00	4,000.00
Total Miscellaneous Revenues – Section F	23,109.77	27,109.77
Total Miscellaneous Revenues	568,818.76	572,818.76
5. Subtotal General Revenues	1,216,818.76	1,150,818.76
7. Total General Revenues	<u>\$ 2,016,055.14</u>	<u>\$ 1,950,055.14</u>

APPROPRIATIONS

(A) Operations Excluded from “CAPS” Revaluation of Real Property	70,000.00	00.00
Total Other Operations – Excluded from “CAPS”	202,845.00	132,845.00
Public and Private Programs Offset by Revenues:		

Clean Communities Program	0.00	4,000.00
Total Public and Private Programs Offset by Revenue	23,754.77	27,754.77
Total Operations – Excluded from ‘CAPS’	265,999.77	199,999.77
Detail:		
Other Expenses	232,644.77	166,644.77
(H-2) Total General Appropriations for Municipal Purposed Excluded from ‘CAPS’	383,099.77	317,099.77
(O) Total General Appropriations Excluded From ‘CAPS’	383,099.77	317,099.77
(L) Subtotal General Appropriations	1,839,671.77	1,773,671.77
9. Total General Appropriations	\$ <u>2,016,055.14</u>	\$ <u>1,950,055.14</u>

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in the Asbury Park Press in the issue of 6/21/07, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on 6/27/07 at 7:30 pm.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2007 Local Municipal Budget as amended.

Offered By: C/Simon

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-108**

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:

Police Dept. Ammunition - \$2,016.00

Services From:

Eagle Point Gun Shop
TJ Morris & Son
1707 Third Street
Thorofare, N.J. 08086

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/Robilotti

Seconded By: C/Simon

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

**Borough of Englishtown
Resolution No. 2007-109**

**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 \$6,372.57 are hereby authorized to be processed into purchase orders on June 13, 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/Simon

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-110**

**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 \$346,711.82 are hereby authorized to be paid on June 13, 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/Soden

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Carr

**Borough of Englishtown
Resolution No. 2007-111**

Appointment of Rabies Clinic Workers

Whereas, there is a need within the Borough of Englishtown for the position of Rabies Clinic Worker; and

Whereas, it is the wishes of the Governing Body to fill said position.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey as follows:

1. Borough Employees, Christine Robbins, Louisa Gustafson, and Celia Hecht are hereby appointed as Rabies Clinic Workers for the Rabies Clinic to be held June 14, 2007.
2. Each Rabies Clinic Worker will be paid \$50.00 for said clinic.
3. They shall be under the direction of the Municipal Clerk.

Be It Further Resolved that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Christine Robbins, Louisa Gustafson and Celia Hecht.

Offered by: C/Soden

Seconded by: C/Simon

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

Nays: None

Abstain: None

Absent: C/Carr

Tax Collectors Report

Month of May, 2007

Taxes, 2008	\$0.00
Taxes, 2007	\$569,961.54
Taxes, 2006	6,991.47
Interest on Taxes	1,106.64
<u>Duplicate Bill Fee</u>	<u>130.00</u>
Total Net	\$578,189.65

Discussion Item – Proposed Littering Ordinance

C/Leonardis

- Have no problem with proposed Ordinance.
- We should notify offenders.

Mayor Reynolds asks that we notify newspapers about new Ordinance and put Ordinance on the agenda as First Reading for the June 27th Council meeting.

C/Leonardis

- Asks Stuart Moskowitz, Borough Attorney if someone subscribes to a paper and then moves without notifying them what do we do?

Stuart Moskowitz, Borough Attorney

- It wouldn't be fair to fine them if they were not notified. Someone will have to notify them.

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.

Richard Kozlowksi, 14 Park Avenue

- Does not know what the Code Enforcer was looking at but is sick of the smell and so are his neighbors. Does not know what else to do.

Mayor Reynolds states that this is why we requested the County Health Department put their report in writing stating that there is no problem. We can then request them to come back and recheck the property. When they do come back we will have one of our employees go with them to make sure they check every area on the property.

C/Soden

- The municipality can send a letter to the County Health Department letting them know that this is detrimental to their health and welfare and the surrounding properties.

Peter Gorbatuk, Acting Municipal Clerk

- Code Enforcer did not have a complaint in writing to actually go on the property and investigate but he did walk by and did not see anything out of the ordinary.

Bruce Kozlowski, 11 Park Avenue

- 2-3 years back the Board of Health in Freehold came and gave them 30 days to clean up. They cleaned it up and the problem came back.
- Informs Council that this is a rental property and owner lives Upstate New York.

Stuart Moskowitz, Borough Attorney

- If there is accumulation of feces in the backyard and it slopes into the lake then there is a health hazard and this should be put into the complaint.

Mayor Reynolds asks that we pull up the tax record to see who owns the property so that we can send them a certified letter notifying them of complaint and also asks Mr. Kozlowski to come back and make a complaint in writing specifying where the smell is, when it smells, where the animals are; every detail you can.

Catherine Heath, Victory Drive

- Is the town aware that this is a rental property?
- Are all the animals licensed?

Pete, 27 Tennant Avenue

- Concerned with new Litter Ordinance that the News Transcript may cut Englishtown out and not deliver at all.

Stuart Moskowitz, Borough Attorney

- Highly doubt that the News Transcript will drop their subscription in Englishtown. They depend on advertising and will do what they can to get people to subscribe.

Mayor Reynolds states we will wait and see what their response is after they are notified.

Al Boroughs, 38 Tennant Ave

- Anyone who does not want the paper delivered to them can call and have delivery stopped.
- The paper carrier has to go back and pick up the paper if it was dropped at a residence that requested not to have paper delivered.
- If the carrier sees two papers from previous weeks the carriers are not to deliver anymore papers.

C/Simon

- There are two things wrong; number one it is their responsibility to make sure that the people they deliver to want the paper and number two if we have a man cleaning up the paper from the week before you are never going to see two papers on the property.

Mayor Reynolds states we will inform the newspapers what we are doing and let them internally take care of the problem.

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.

Mayor Reynolds states at this time that C/Carr is in attendance.

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 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/Robilotti

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

The time being 8:42 P.M.

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

The time being 9:27 P.M.

At this time the following Resolutions are added:

**Borough of Englishtown
Resolution No. 2007-112**

Sunshine Committee

Whereas, the Council of the Borough of Englishtown, having determined that it wishes to recognize the losses to employees of people close to them; and

Whereas, the Council has determined that they wish the expense of this recognition of loss not to be borne by the taxpayers.

Now therefore, be it resolved by the Englishtown Borough Council that the Council members will provide, out of their personal funds, acknowledgment of bereavement for loss of parents, spouse and children of employees under the direction of the recreation committee chair.

Offered By: C/Carr

Seconded By: C/Leonardis

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

**Borough of Englishtown
Resolution No. 2007-113**

Police Chief Stipend

Whereas, Chief John Niziolek has taken several courses to obtain his Masters in Public Administration; and

Whereas, it has been a practice by the Borough of Englishtown to reward a stipend of \$2,000.00 after successfully obtaining the required certification by State Statute to hold and perform said position:

Now therefore, be it resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth that Chief John Niziolek is hereby awarded a \$2,000.00 stipend to his base salary for successfully completing and obtaining a Masters Degree in Public Administration.

Be it further resolved that a certified copy of this Resolution be forwarded to CFO Laurie Finger and Acting Municipal Clerk Peter Gorbaturk.

Offered By: C/Carr

Seconded By: C/Robilotti

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

**Borough of Englishtown
Resolution No. 2007-114**

Appointment of Planning Board Secretary

Whereas, there is a need to fill the position of Planning Board Secretary due to the recent resignation of Heather Dettra on April 25, 2007; and

Whereas, said position was posted in Borough Hall on the municipal bulletin board and advertised in the local newspaper in accordance with Borough policy; and

Whereas, Celia Hecht, current Water/Sewer Clerk of the Borough of Englishtown had applied and interviewed for the position of Planning Board Secretary; and

Whereas, it is the recommendation of the Borough Administrator, Personnel Committee Chairperson, and the Planning Board Chairperson to appoint Celia Hecht of Manalapan, New Jersey as the Planning Board Secretary.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Celia Hecht be appointed Planning Board Secretary as follows:

1. Position of Planning Board Secretary shall be worked in conjunction with position of Water/Sewer Clerk. Hours will be Monday – Friday, 8am – 4pm and the attendance of all Planning Board meetings, held the fourth Tuesday of each month.
2. Salary shall be \$2500.00 per annum, paid bi-weekly, per the salary ordinance.
3. Shall be under the direction of the Planning Board Chairperson.
4. Appointment shall be effective June 13, 2007

Be it further resolved that a certified true copy of this resolution be forwarded to Celia Hecht, the Planning Board Chairperson, Planning Board Attorney and the Borough Administrator.

Offered By: C/Carr

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: None

Adjournment

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

The time being 9:34 P.M.

July 11, 2007

Approved by Governing Body

Acting Municipal Clerk