

April 25, 2011

6:30 P.M.

Work Session 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. Discussion Items:
 - Snow Removal Procedure amendments
 - Property Acquisition Update: Block: 25, Lot: 20, 17 Main Street
 - Dedication Plaque
 - Work Request Form
 - NJLM Resolution Re: Energy Tax & CMPTRA Distribution
 - Governor Christie's Budget Reforms for FY 2012 Budget
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:32 P.M.

Roll Call: Present: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Absent: C/Rucker

Also present were Peter Gorbatuk, Municipal Clerk, Laurie Finger, Borough Administrator and Joseph Youssouf, Borough Attorney.

Discussion Items:

Snow Removal Procedure Amendments

- Further discussion to be held at May 25th Workshop Meeting.

Property Acquisition Update – 17 Main Street

- Attorney Youssouf investigating appraisers and cost. To be discussed further at May 25th meeting.

Dedication Plaque

- Municipal Clerk Peter Gorbatuk to work together with Police Dept and Stamford Square. Will report specifics once gathered. Dedication to take place sometime in Spring 2012.

Work Request Form

- Presented by C/Wojyn a "Borough of Englishtown Internal Work Request Form" to be completed by any Borough elected official involving Borough employees to create realistic time and budget estimates. Also presents a Borough of Englishtown "Internet Site Request Form" to post information on the Englishtown Borough web site.

NJLM Resolution

- After discussion it is agreed to place Resolution No. 2011-101 on tonight's agenda

Governor Christie's Budget Reforms for FY2012 Budget

- Mayor and Council agree to authorize Mayor to sign in support of Governor Christie's Budget Reforms for FY 2012 Budget. Resolution to be added to tonight's agenda.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Carr. Passed unanimously. The time being 6:55 P.M.

**** AGENDA ****

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. Presentation: Manalapan-Englishtown Regional School District Budget
5. Proclamation: Recognizing May as "National Police Month"
6. Approval of Minutes – March 23, 2011
7. Committee Reports
8. Correspondence
9. Borough Administrator/CFO Report
10. Public Hearing: 2011 Municipal Budget
11. 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.
12. Old Business:
 - A. Ordinance No. 2011-03 – Public Hearing & Adoption
Ordinance To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

13. New Business:
 - A. Ordinance No. 2011-04 – First Reading & Introduction
Ordinance Amending & Supplementing Borough Code Chapter 2.50 Entitled “Schedule of Fees”
 - B. Resolution No. 2011-090 (pending State approval)
Adoption of the 2011 Municipal Budget
 - C. Resolution No. 2011-091
Authorizing Services Over \$800
Street Party Rides/Carnival Games
 - D. Resolution No. 2011-092
Authorizing Services Over \$800
Repair of Curb Box at 12 LaSatta Avenue
 - E. Resolution No. 2011-093
Authorizing Services Over \$800
Repair of Water Leak at 15 West Dey Street
 - F. Resolution No. 2011-094
Authorizing Redemption of Tax Sale Certificate & Refund of Premium Paid at Tax Sale – Block 13, Lot 18
 - G. Resolution No. 2011-095
Authorizing Redemption of Tax Sale Certificate & Refund of Premium Paid at Tax Sale – Block 26.01, Lot 11
 - H. Resolution No. 2011-096
Authorizing Revisions to Personnel Policy
 - I. Resolution No. 2011-097
Authorizing Awarding of Bid and Authorizing Mayor to Sign Contract for New Interconnection Meter Pit
 - J. Resolution No. 2011-098
Appointing Authorized Contacts for JIF EPL Helpline
 - K. Resolution No. 2011-099
Authorizing Approval of Department Requisitions
 - L. Resolution No. 2011-100
Authorizing Payment of Borough Bills
14. Tax Collector’s Report – March 2011

15. **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.
16. **Executive Session**
17. **Adjournment**

The meeting was called to order by Mayor Reynolds at 7:05 P.M.

Roll Call: Present: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Wojyn
Absent: None

Also present were Peter Gorbatuk, Municipal Clerk, Laurie Finger, Borough Administrator and Joseph Youssouf, 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.

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/Robilotti

Seconded By: C/Wojyn

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

The time being 7:05 P.M.

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

The time being 8:00 P.M.

Presentation - Manalapan-Englishtown Regional School District Budget presented by Business Administrator Veronica Wolf and Superintendent Dr. John Marciante.

Proclamations

Mayor Reynolds reads aloud proclamation, proclaiming May as “National Police Month”

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the Minutes of March 23, 2011 was offered by C/Robilotti and seconded by C/Carr. Passed on the following roll call:

Roll Call: Ayes: C/Carr, C/Cooke, C/Robilotti, C/Wojyn
Nays: None
Abstain: C/Krawiec
Absent: C/Rucker

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- Water report – 52 Delinquent doorknockers were put out today with a shut off date of May 4, 2011.
- On April 13th attended the Monmouth County Police Summit sponsored by GEM (Government Efficiency Movement). It was to present efficiency strategies, and to maximize local police departments.
- Reads letter of commendation received about DPW Supervisor Rick Guffanti.

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke reports:

- Ordinance 2011-04 is on tonight’s agenda for Introduction. The fees need to be increased due to the increase of expenses for events. A special meeting will be held on May 9th at 6:30 PM for the Public Hearing and Adoption.

Administration, Finance & Personnel

Councilman Wojyn reports:

- Informs Mayor and Council of a letter from Community Forestry. Bill Brash the approved consulting forester thanks B/A Finger, Clerk Peter Gorbatuk, and DPW Supervisor Rick Guffanti for their professionalism in completing the Community Forestry Project in Sanford Park. He will advise when funds become available for the planting of new trees. Rick Guffanti and myself will be obtaining the necessary CEU's for the tree grant.
- Still pursuing information for boat rentals on Weamaconk Lake.

Public Safety

Councilwoman Robilotti reports:

- Cpl. MacInnes has finished required training of special drug courses by the State Police.
- The Easter Bunny regrets he did not have a chance to see all the children this year.

Legislative, Insurance & Licenses

Councilwoman Carr reports:

- Asks if Mr. Narozanick's daughter, Mrs. Vineyard can volunteer in any capacity for the Borough? Perhaps as a Police Matron. B/A Laurie Finger and Attorney Youssouf will look into this.

Public Buildings & Grounds

Councilman Rucker is absent this evening; nothing is reported.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- School Board Election will be held on April 27th. Polls are open from 3 – 9 P.M.
- Daniel Fiorica, the resident who requested to film in Sanford Park on May 7th, is willing to sign a hold harmless agreement along with our park usage application. The film will be rated PG and any rain date will not interfere with future events being held by the Borough.

Borough Administrator/CFO Report

Laurie Finger has nothing to report this evening.

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/Robilotti and seconded by C/Carr. Passed unanimously.

Old Business

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2011-03**

PUBLIC HEARING & ADOPTION

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Englishtown in the County of Monmouth find it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determine that a 3.5% increase in the budget for said year, amounting to \$54,415.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Englishtown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Englishtown shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$54,415.00 and that the CY 2011 municipal budget for the Borough of Englishtown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

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/Wojyn. Passed unanimously.

Adoption

A motion to adopt Ordinance No. 2011-03, above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: C/Carr
Abstain: None
Absent: C/Rucker

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2011-04**

**AN ORDINANCE AMENDING AND SUPPLEMENTING BOROUGH CODE
CHAPTER 2.50 ENTITLED "SCHEDULE OF FEES"**

A motion to introduce the above ordinance by title only was offered by C/Robilotti and seconded by C/Carr passed on the following roll call:

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2011-04 will be held at a special meeting on May 9, 2011 at 6:30 p.m.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-090**

ADOPTION OF 2011 MUNICIPAL BUDGET

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,021,507.97 to be raised for municipal purposes.

Summary of Revenues

1. General Revenues

Surplus Anticipated	\$ 303,000.00
Miscellaneous Revenues Anticipated	549,147.38
Receipts From Delinquent Taxes	0.00

2. Amount To Be Raised By Taxation

For Municipal Purposes	<u>1,021,507.97</u>
Total Revenues	\$1,873,655.35

Summary Of Appropriations

5. General Appropriations:

Within "Caps"	
Operations Including Contingent	\$1,369,255.00
Deferred Charges & Statutory	
Expenditures - Municipal	195,005.00

Excluded From "Caps"	
Operations - Total Operations Excluded	
From "Caps"	\$ 88,706.16
Capital Improvements	30,500.00
Municipal Debt Service	50,800.00
Deferred Charges - Municipal	39,000.00
Reserve For Uncollected Taxes	<u>100,389.19</u>
Total Appropriations	\$1,873,655.35

Offered By: C/Robilotti

Seconded By: C/Krawiec

C/Carr voices her opposition to the 2011 budget increase.

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
 Nays: C/Carr
 Absent: C/Rucker
 Abstain: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-091**

AUTHORIZATION OF 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:

Annual Street Party Rides/Carnival Games - \$2500.00

Services From:

New Jersey Partyworks
1819 Route 35
South Amboy, N.J. 08879

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/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-092**

AUTHORIZATION OF 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:

Repair of Curb Box at 12 LaSatta Ave. - \$1,010.00

Services From:

Brenner Drainage & Excavating, Inc.
205 Dey Grove Road
Monroe Twp., N.J. 08831

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/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-093**

AUTHORIZATION OF 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:

Repair of Water Leak at 15 West Dey Street - \$1,376.00

Services From:

Brenner Drainage & Excavating, Inc.
205 Dey Grove Road
Monroe Twp., N.J. 08831

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/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-094**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE
& REFUND OF PREMIUM PAID AT TAX SALE**

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to FNA Jersey Lien Services, LLC 575 Route 70 2nd Floor P.O. Box 1030 Brick, N.J. 08723:

Tax Sale Certificate No. 10-00009
Block 13, Lot 18
20 Tennent Avenue
in the amount of \$1,660.56

WHEREAS, FNA Jersey Lien Services, LLC also paid \$200.00 as a premium to obtain Tax Sale Certificate; and

WHEREAS, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$1,860.56.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$1,860.56 to FNA Jersey Lien Services, LLC 575 Route 70 2nd Floor P.O. Box 1030 Brick, N.J. 08723.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to the Borough's Tax Collector and Chief Financial Officer.

Offered by: C/Robilotti

Seconded by: C/Cooke

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-095**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE
& REFUND OF PREMIUM PAID AT TAX SALE**

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to FNA Jersey Lien Services, LLC 575 Route 70 2nd Floor P.O. Box 1030 Brick, N.J. 08723:

Tax Sale Certificate No. 10-00013
Block 26.01, Lot 11
26 Heritage Drive
in the amount of \$7,587.56

WHEREAS, FNA Jersey Lien Services, LLC also paid \$5,000.00 as a premium to obtain Tax Sale Certificate; and

WHEREAS, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$12,587.58.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$12,587.56 to FNA Jersey Lien Services, LLC 575 Route 70 2nd Floor P.O. Box 1030 Brick, N.J. 08723.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to the Borough's Tax Collector and Chief Financial Officer.

Offered by: C/Robilotti

Seconded by: C/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-096**

**RESOLUTION AUTHORIZING REVISIONS
TO PERSONNEL POLICY**

WHEREAS, a Policy Manual for the Borough of Englishtown employees is in place; and

WHEREAS, the Administration, Finance and Personnel Committee has reviewed said policy and recommended changes be made to the existing Policy, repealing the current Email, Voice Mail and Internet Policy on page 37 and replacing it with the revised Borough of Englishtown, New Jersey Internet Access, Email, Voice Mail and Media Policy submitted by the above committee and approved by the governing body.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Englishtown, that the Personnel Policy dated December 15, 2008 is hereby amended by the attached Internet Access, Email, Voice Mail and Media Policy Pages attached hereto dated April 2011 to be effective immediately following the adoption of this resolution.

Offered by: C/Robilotti

Seconded by: C/Cooke

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-097**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING AWARDING OF BID AND AUTHORIZING MAYOR TO SIGN
CONTRACT FOR NEW INTERCONNECTION METER PIT**

WHEREAS, the Borough of Englishtown has settled a Builder's Remedy Lawsuit with Elon Associates (Elon); and

WHEREAS, as a result of the settlement, Elon has commenced the construction of 134 rental units on Lasatta Avenue, commonly known as Stamford Square; and

WHEREAS, also part of the settlement, an order to provide Stamford Square with potable water, the Borough entered into an agreement with Gordon's Corner Water Company (GCWC) to purchase 50,000 gallons per day to supply the above referenced project with potable water; and

WHEREAS, starting July 1st, the Borough will be paying GCWC for 50,000 gallons per day; and

WHEREAS, GCWC water will enter the Borough through an interconnection located on Tennent Avenue, across from McDonald Way; and

WHEREAS, the existing interconnection has been used as an emergency water supply for the Borough on numerous occasions; and

WHEREAS, the said existing interconnection only consists of valves and a water meter; and

WHEREAS, the Borough will now have to introduce 50,000 per day of GCWC water into their system through the said interconnection, while also still pumping approximately 200,000 gallons per day from their water treatment plant (WTP) into their system; and

WHEREAS, to accomplish the above, the existing interconnection requires improvements which will make it intelligent enough to accept all the 50,000 gallons per day from GCWC, and utilize the water from the WTP, without overflowing the tanks; and

WHEREAS, the said improvements include, but are not limited to, piping, valves, control valve, water meter with remote readout, ability to send radio signals to the WTP, sump pump; and

WHEREAS, the existing interconnection pit is not large enough to accommodate the required improvements; and

WHEREAS, the Borough advertised and receive bids for the removal of the existing interconnection meter pit and installation of a new pit with the lowest responsible bidder being F & P Contractors Inc., of South Amboy in the amount of \$59,209.00 the total amount of the bid for the Interconnection Water Meter Pit

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, that the Borough Engineer recommends the award of the contract to F & P Contractors Inc., South Amboy, NJ

BE IT FUTHERE RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth that the Borough Attorney has reviewed all the bids and the proposed contract and find the award and contract in order along with the Financial Officer certification of the availability of funds for this project.

Offered by: C/Robilotti
Seconded by: C/Krawiec

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: C/Carr
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-098**

**APPOINTING AUTHORIZED CONTACTS FOR THE J.I.F.
EMPLOYMENT PRACTICES LIABILITY (EPL) HELPLINE**

WHEREAS, New Jersey Municipal Excess Liability JIF will be providing unlimited access to a web portal software/toll free telephone service for managers to gain access and control and mitigate claims that arise from employment related issues; and

WHEREAS, there must be appointed authorized employee contacts who will be allowed to have access to this service.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth State of New Jersey that Business Administrator Laurie Finger and Municipal Clerk Peter Gorbatuk are hereby authorized to access and use when needed the Municipal Excess Liability - EPL Help Line.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the NJ Municipal Excess Liability JIF and the appointees.

Offered by: C/Robilotti

Seconded by: C/Carr

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-099**

**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 \$10,067.38 are hereby authorized to be processed into purchase orders on April 25, 2011.

2. 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 requisitions hereby authorized to be processed into purchase orders.

Offered by: C/Robilotti

Seconded by: C/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-100**

**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 \$656,831.60 are hereby authorized to be paid on April 25, 2011.
2. 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/Carr

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

At this time Mayor Reynolds adds the following Resolutions to tonight's agenda:

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-101**

**RESOLUTION TO END STATE DIVERSION OF MUNICIPAL REVENUES
AND DEMAND COMPLIANCE WITH STATE LAWS**

WHEREAS, there are two main formula-driven general municipal property tax relief programs currently on the books in our Garden State; and

WHEREAS, though often referred to as "State Aid" programs, these are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected locally; and

WHEREAS, the first is the Energy Tax Receipts Property Tax Relief program - the direct descendant of the Public Utility Gross Receipts and Franchise Tax, which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980s, at the request and for the convenience of the tax paying utilities, the State became the collection agent for this assessment, and the law that effected this change promised that the proceeds would be distributed back to the municipalities, which provide services to utility facilities and from whence come utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately and annually diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major reform of utility taxes in the mid-nineties, which validated and, supposedly, capped the State's annual portion of the tax proceeds; and

WHEREAS, that law also included a 'poison pill,' which required the State to annually increase the municipal distribution of Energy Tax proceeds and to cap its skim; and it, further, provided that failure to honor that pledge would result in the forfeiture of the State's authority to collect the tax; and

WHEREAS, around the same time, for its own convenience, the State decided to consolidate a number of previously discrete municipal property tax relief programs; and

WHEREAS, while some may see 'no rhyme or reason' to the distribution of Consolidated Municipal Property Tax Receipts Aid (CMPTRA), each of its component parts was distributed according to state established formulas, and many of those parts were, like Energy Taxes, the lineal descendants of taxes that had once been assessed and collected at the municipal level; and

WHEREAS, among its many components, CMPTRA includes the Financial Business Tax, the Business Personal Property Tax Replacement, the Railroad Class II Property Tax, the Insurance Franchise Tax, the Corporation Business Tax on Banking Corporations and State PILOT payments, that had been under-funded for many years, prior to being folded into CMPTRA; and

WHEREAS, these are, or were, all municipal revenue replacement programs - not, properly speaking, State aid, in that they were not meant to make things better for municipal property taxpayers; they were only intended to keep things from getting worse; and

WHEREAS, in the late-nineties, a law was passed that required both the Energy Tax and CMPTRA distributions to be annually increased by the rate of inflation; and

WHEREAS, that law posed a special problem for future State budget makers, but, as those budget makers viewed the matter, the problem was not how to comply with the requirement; the problem was how to avoid compliance without invoking the Energy Tax 'poison pill,' and

WHEREAS, State policy makers found a way to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, which was done by annually reducing the CPMTRA distribution by the same amount that it increased the Energy Tax distribution; and

WHEREAS, thereafter, the State strayed even farther from original legislative intent, when, in 2008 (SFY 2009), CMPTRA was reduced by about \$62 million more than the Energy Tax was increased, and in 2009 (SFY 2010), the net loss equaled about \$32 million; and

WHEREAS, the State's Fiscal Year 2011 budget, in which the total distribution of CMPTRA and ETR was reduced by approximately 17 percent, or \$272 million from \$1.565 billion to \$1.293 billion, honoring neither the letter nor the spirit of applicable State laws.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, that we demand an immediate end to the State's reliance on the municipal property tax relief revenues to balance its budget and address other priorities; and

BE IT FURTHER RESOLVED, that we call on the Governor to introduce and the Legislature to adopt an FY 2012 State Budget that provides for the full statutory distribution of Energy Tax and CMPTRA revenue replacement funding, and to continue to honor the letter and spirit of the applicable State statutes, in all years, thereafter; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of State of New Jersey.

Offered by: C/Robilotti

Seconded by: C/Krawiec

Roll Call: Ayes: C/Carr, C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-102**

**AUTHORIZING MAYOR TO SIGN IN FAVOR OF
GOVERNOR CHRISTIE'S PENSION AND BENEFIT REFORM**

WHEREAS, correspondence dated March 17, 2011 was received from Governor Chris Christie requesting the Mayor to show his support in the proposed pension and benefit reform for the FY2012 budget; and

WHEREAS, after discussion with the Borough council, all were in favor of the Mayor signing in support of the plan to reform our broken system of pension and benefits.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that Mayor Reynolds is authorized to sign showing support of Governor Christie's FY2012 Pension and Benefits reform.

Offered by: C/Carr

Seconded by: C/Robilotti

Roll Call: Ayes: C/Carr, C/Krawiec, C/Robilotti, C/Wojyn
Nays: None
Abstain: C/Cooke
Absent: C/Rucker

Tax Collector's Report

March 2011

2011 Taxes	\$27,114.17
Interest	366.88
Duplicate Bill Fee	5.00
Outside Lien Redemption	<u>9,497.31</u>
Net Receipts	\$36,983.36

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.

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

Adjournment

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

The time being 8:47 P.M.

May 25, 2011
Approved by Governing Body

Municipal Clerk