

August 24, 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:
 - Application Fees – C/Robilotti
 - News and Public Information Proposal – C/Wojyn
 - Public Announcement Request Form – C/Wojyn
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:30 P.M.

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

Also present were Christine Robbins, Deputy Municipal Clerk, Laurie Finger, Borough Administrator and Joseph Youssouf, Borough Attorney.

Discussion Items:

Application Fees:

- C/Robilotti requests a \$25.00 application fee be charged for position openings in the Police Department.
- Cost for psych evaluations is \$425.00 and cost for physical is \$286.00. Feels this would help offset those costs and would encourage only serious applicants to apply.
- BA Finger requests if fee ordinance is going to be amended would like to incorporate fee for RFP bid specs.
- Per Mayor Reynolds, look into all fees to be incorporated into ordinance and further discussion to take place at September 26th workshop.
- Attorney Youssouf advises council to not charge application fee; could be unintentionally discriminatory for minorities.

News & Public Information Proposal:

- C/Wojyn proposes the following:
 - A press release be issued to all news outlets clearly indicating the names of the committee chairs who can provide information re: their specific area of responsibility.
 - Create a means for the public and news media to send inquiries to the respective committees via a form that would be a direct link from the home page.
- Council in favor. C/Wojyn to work with Christine Robbins to create a press release and to incorporate form onto the website.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Krawiec. Passed unanimously. The time being 6:42 P.M.

Mayor Reynolds calls a brief recess.

**** 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. Approval of Minutes – July 27, 2011 & Special Meeting August 10, 2011
5. Committee Reports
6. Correspondence
7. Borough Administrator/CFO Report
8. 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.
9. Old Business:
 - A. Ordinance No. 2011-05 – Public Hearing & Adoption
Amending & Supplementing Chapter 2.106 Entitled “Sewers”
 - B. Ordinance No. 2011-06 – Public Hearing & Adoption
Amending & Supplementing Chapter 2.126 Entitled “Water”
 - C. Ordinance No. 2011-07 – Public Hearing & Adoption
Authorizing the Acquisition of Certain Real Property Known and Identified as Lot 20, Block 17 as Shown on the Tax Map of the Borough of Englishtown and Commonly Known and Identified as 17 Main Street
 - D. Bond Ordinance No. 2011-08 – Public Hearing & Adoption
Providing Various 2011 Capital Improvements, by and in the Borough of Englishtown Appropriating \$568,100 Therefor and Authorizing the Issuance of \$514,625 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

10. New Business:
 - A. Resolution No. 2011-137
Authorizing Snow Plowing Procedure Manual
 - B. Resolution No. 2011-138
Authorization of Services Over \$800
Engineer to Complete (4) 2012 DOT Grant Applications
 - C. Resolution No. 2011-139
Authorization of Services Over \$800
Tax Clerk – Principals of Municipal Tax II Course
 - D. Resolution No. 2011-140
Authorizing Approval of Department Requisitions
 - E. Resolution No. 2011-141
Authorizing Payment of Borough Bills
11. 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.
12. Executive Session
13. Adjournment

The meeting was called to order by Mayor Reynolds at 6:55 P.M.

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

Also present were Christine Robbins, Deputy Municipal Clerk, Laurie Finger, Borough Administrator and Joseph Youssouf, Borough Administrator.

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/Carr requested a correction be made to the “Live Where You Work Program” discussion. Change to read as follows: “After further investigation, *council* found this program is not applicable *for* Englishtown.”

There being no further corrections, deletions or additions, a motion to approve the Minutes of July 27, 2011 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: None
 Abstain: C/Carr
 Absent: C/Rucker

There being no corrections, deletions or additions, a motion to approve the Minutes of Special Meeting August 10, 2011 was offered by C/Robilotti and seconded by C/Krawiec. 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

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- One water account was shut off for non-payment.
- Meter Pit to be delivered and installed next week.
- Chlorine monitor has been installed and is working.

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke reports:

- September 11th Ten Year Anniversary Memorial Service will be held on 9/11 at 7:00 p.m. outside Borough Hall. In case of rain it will be held inside Borough Hall.

Administration, Finance & Personnel

Councilman Wojyn reports:

- Borough received notification of award of Clean Energy Grant in the amount of \$44,703.95 for a HVAC Unit in the Municipal Building and new lighting and heating units in DPW garage and Water Plant.
- B/A Finger closed out Business Stimulus Fund Tree Grant and received a reimbursement check in the amount of \$7,000.00 for the removal of trees in Sanford Park.
- Walgreen’s construction project to begin early September.
- Solar panels RFP will be advertised in September 1st APP and Star Ledger. Proposals to be received October 20, 2011.
- Addresses C/Carr’s allegation that she was not properly informed of the August 10, 2011 special meeting. States, “Allegation could not be corroborated and was incorrect in its entirety. It was concluded that all borough personnel met and

exceeded state laws regarding meeting notification to the public and borough council members.”

- Addresses C/Carr’s inaccurate posts found on Manalapan Patch regarding Nostalgia Oak Warehouse.

Public Safety

Councilwoman Robilotti reports:

- Reads aloud May, June and July Police Activity report. Available for public viewing in the Clerk’s office.

Legislative, Insurance & Licenses

Councilwoman Carr reports:

- Thanks the Police Department for their quick response when she called re: the earthquake.
- Received Local Finance Notice re: Pension and Health Benefit Reform, Chapter 78 – lengthy document, if anyone would like to view please advise.
- Approached by owner of Hartigan’s Grille asking if he can post that additional parking is available in the municipal lot. Council agrees. Clerk to send letter to Hartigan’s giving permission.

Public Buildings & Grounds - Councilman Rucker is absent; nothing is reported at this time.

Correspondence

Christine Robbins, Deputy Municipal Clerk reports:

- Panhandle Region Plan received from the Monmouth County Planning Board. Is available for public viewing in the Clerk’s Office. Public Hearing will be held on September 19, 2011 at 2pm in the MCPB Conference Room, Hall of Records Annex Bldg in Freehold.
- Monmouth County Board of Health will hold its annual Influenza Vaccination Clinic on Tues. September 27th from 2 – 3 pm in Borough Hall. Cost is \$25.00 and Medicare and most insurance are accepted.
- Reminder that next council meeting will be held on Monday, September 26th.

Borough Administrator/CFO Report

Laurie Finger has no additional report this evening. Covered in C/Wojyn’s report.

Public Portion – Agenda Items

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

Paula Kuchinski, Hamilton Street resident – inquiry on water & sewer ordinances.

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

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2011-05**

PUBLIC HEARING & ADOPTION

**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 September 26, 2011, be charged a connection fee of \$967.00 (nine hundred sixty-seven) 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.

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

Adoption

A motion to adopt Ordinance No. 2011-05 above titled, was offered by C/Krawiec and seconded by C/Carr. Passed on the following roll call:

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2011-06**

PUBLIC HEARING & ADOPTION

**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.

(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:

\$2,937.00 (two thousand, nine hundred and thirty-seven 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.

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/Carr. Passed unanimously.

Adoption

A motion to adopt Ordinance No. 2011-06 above titled, was offered by C/Robilotti and seconded by C/Carr. Passed on the following roll call:

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
ORDINANCE NO. 2011-07**

PUBLIC HEARING & ADOPTION

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AND IDENTIFIED AS LOT 20, BLOCK 17 AS SHOWN ON THE TAX MAP OF THE BOROUGH OF ENGLISHTOWN AND COMMONLY KNOWN AND IDENTIFIED AS 17 MAIN STREET

WHEREAS; Lot 20, Block 17, a 1.3 acre parcel of land containing an old residential structure consisting of 2,588 sq. ft., is located immediately adjacent to the Borough Municipal building and has been listed for sale with a multiple listing service; and

WHEREAS; N.J.S.A. 40A: 12-5(a)(1) provides that a municipality: "...by ordinance, may provide for the acquisition of any real property, capital improvement or personal property..."; and

WHEREAS; It is the considered opinion of the Mayor and Council of the Borough of Englishtown that the acquisition of said property is necessary, desirable and in the public interest in that it will allow the Borough to demolish an old, non-code compliant residential building and utilize the subject property for the construction of a municipal parking lot.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Englishtown as follows:

ARTICLE I

Pursuant to authority granted by the "Local Lands and Buildings Law", N.J.S.A. 40A: 12-1 et.seq., and in accordance with the terms and provisions of said statute, the Borough shall purchase, by negotiated contractual agreement, Lot 20 in Block 17 as shown on the Tax Map of the Borough of Englishtown.

ARTICLE II

The purchase price of said property is hereby fixed at \$190,000.00, with said funds to be appropriated by Bond Ordinance of the Borough of Englishtown.

ARTICLE III

Should an portion, section or subsection of this ordinance be ruled invalid or unconstitutional by a court of competent jurisdiction, such provision, portion, section or subsection shall be deemed severable and shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

ARTICLE IV

This ordinance shall take effect upon final passage and after publication as required by law.

Public Hearing

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

Paula Kuchinski, Hamilton Street – Doesn't feel in this economic time it is the time to spend money. Feels we are in a recession and if council votes in favor doesn't feel they are looking out for taxpayers. Questions regarding possible asbestos or underground oil tank on the site. What are the thoughts for the property?

Mayor Reynolds responds the sale would be contingent upon the findings. Thoughts for property are possible parking lot and impound lot.

Kathy Bien, Main Street – questions if 17 Main St. can be subdivided; possibly only buy rear of property to save money – no demolition costs.

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

Adoption

A motion to adopt Ordinance No. 2011-07 above titled, was offered by C/Robilotti and seconded by C/Wojyn. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Carr

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

Nays: C/Carr

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NO. 2011-08**

PUBLIC HEARING & ADOPTION

**BOND ORDINANCE PROVIDING VARIOUS 2011 CAPITAL IMPROVEMENTS,
BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$568,100
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$514,625 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST HEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF
THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH,
STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$568,100, which sum includes \$53,475 as the amount of

aggregate down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$568,100 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$514,625 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$514,625 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows:

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|---|----------------------|----------------------|---------------------|--------------------|
| i. Acquisition and the payment of the purchase price of real property, a lawful public purpose, such real property being designated as Block 25, Lot 20 on the Official Tax Map of the Borough, with a street address of 17 Main Street, including but not limited to, as applicable or necessary, demolition of existing structures, various site remediation and restoration, including any renovations and improvements thereto; and | \$400,000 | \$380,000 | \$20,000 | 40 years |
| ii. Acquisition of various Sports Utility Vehicles, non-passenger vehicles, for the Police Department, including all necessary related equipment and apparatus thereof; and | \$50,000 | \$47,500 | \$2,500 | 5 years |
| iii. Various improvements to the Municipal Building roof, including but not limited to, as applicable, the removal of the existing roof and the construction of a new roof, and also including all engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection, contract administration, appropriate waste removal and disposal; and | \$84,600 | \$80,000 | \$4,600 | 20 years |
| iv. Acquisition and installation, as applicable, of various computer equipment, including but not limited to various hardware and software upgrades, including all necessary related equipment and apparatus thereof. | \$7,500 | \$7,125 | \$375 | 5 years |

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|---|----------------------|----------------------|---------------------|--------------------|
| v. Various improvements to the Water Plant roof, including but not limited to, as applicable, the removal of the existing roof and the construction of a new roof, and also including all engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection, contract administration, appropriate waste removal and disposal. | \$26,000 | \$0 | \$26,000 | 20 years |
| TOTALS | <u>\$568,100</u> | <u>\$514,625</u> | <u>\$53,475</u> | |

(b) The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$514,625.

(d) The aggregate estimated cost of said improvements or purposes is \$568,100, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$514,625, are the aggregate down payments for said purposes in the amount of \$53,475.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief

Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements, which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 33.18 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$514,625 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the

improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$514,625. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the mayor, as provided by the Local Bond Law.

Public Hearing

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

C/Carr requests from B/A Finger clarification on Sec.7 (D) and Sec. 8. Also questions useful life of SUV and when roof on Borough Hall will be completed. How was the cost of \$84,600.00 for the roof determined?

B/A Finger responds our engineer received a quote for the roof, however we need to go out to bid for the project.

C/Carr requests to see the quote for the roof.

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

Adoption

A motion to adopt Ordinance No. 2011-08 above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

New Business

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-137**

RESOLUTION AUTHORIZING SNOW PLOW PROCEDURE

WHEREAS, The Supervisor of the Department of Public Works has submitted a Snow Plow Procedure Manual for the Borough of Englishtown; and

WHEREAS, it is necessary for the governing body of the Borough of Englishtown to approve said procedure manual for the 2011 calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Policy Manual is hereby approved as submitted, effective August 24, 2011.

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-138**

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:

Engineer to Complete (4) Applications for 2012 DOT Grant - \$1,000.00

1. Reconstruction of Center Street
2. Pedestrian Crosswalk Lighting System on Water St/Main St, Tennent Ave./Main St. Intersections
3. Reconstruction of Curbing & Sidewalk on Railroad/Conover St and Park Avenue
4. Reconstruction of Hospitality Way

Services From:

Maser Consulting, P.A.
331 Newman Springs Rd
Suite 203
Red Bank, N.J. 07701

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/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. 2011-139**

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:

Tax Dept. – Municipal Tax II Course for the Tax Clerk - \$1,074.00

Services From:

Rutgers, State University of NJ
303 George Street, Suite 604
New Brunswick, N.J. 08901-2020

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. 2011-140**

**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 \$9,918.10 are hereby authorized to be processed into purchase orders on August 24, 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/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. 2011-141**

**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 \$818,039.53 are hereby authorized to be paid on August 24, 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

C/Carr questions what are the Borough's total outstanding bonds?
B/A Finger will research.

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

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.

Kathy Bien, Main Street – delivers follow up to council on farmers market and boats on Lake Weamaconk.

Paula Kuchinski, Hamilton Street – feels blogs are out of control and are damaging our town. Need to put an end to it. Feels the State Police Internet Crime Unit should be contacted.

Attorney Youssouf advises it is the expression of freedom of speech. To obtain information regarding the bloggers is impossible without litigation. They are hiding behind anonymity.

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

Mayor Reynolds calls a five-minute recess.

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 lawyer/client privileged material and contractual material; 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/Cooke

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

The time being 8:20 P.M.

C/Carr excuses herself from the meeting at 9:05 P.M. to take care of her sick mother.

C/Cooke excuses herself from executive session for the discussion on contractual material.

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 9:18 P.M.

At this time the following is added to tonight's agenda:

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-142**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
TO EXECUTE A MEMORANDUM OF AGREEMENT
WITH POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 166**

WHEREAS, the labor contract between the Borough of Englishtown and Policemen's Benevolent Association Local No. 166 ("PBA") expired on December 31, 2009 and;

WHEREAS, the Borough and PBA have been discussing a new agreement throughout the years 2010 and 2011; and

WHEREAS, the Borough have reached an agreement as set forth in the Memorandum of Agreement dated June 22, 2011, executed by the PBA; and

WHEREAS, the Borough finds this agreement to be acceptable and is desirous of completing negotiations with the PBA in accordance with this agreement;

NOW THEREFORE BE IT RESOLVED that the Borough Council hereby authorizes the Mayor to execute the Memorandum of Agreement dated June 22, 2011 setting forth the terms of the new labor agreement to be effective January 1, 2010 and in force through December 31, 2012; and

BE IT FURTHER RESOLVED that the Clerk's Office is authorized to forward a copy of this Resolution to the Borough Attorney, Police Lieutenant and Borough Administrator.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: C/Cooke

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2011-09**

FIRST READING & INTRODUCTION

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

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

Offered By: C/Wojyn

Seconded By: C/Robilotti

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

Christine Robbins, Deputy Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2011-09 will be held at the September 26, 2011 council meeting.

Adjournment

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

The time being 9:18 P.M.

September 26, 2011
Approved by Governing Body

Deputy Municipal Clerk