

December 12, 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. Executive Session
3. Discussion Items:
 - Monmouth County presentation re: Park Avenue realignment
 - Stamford Square re: increase in water/sewer hook up fees
 - Our Lady of Mercy request for additional lighting for parking lot
 - 2012 proposed meeting dates
 - Borough Engineer's year end report
4. 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/Rucker, C/Wojyn
Absent: None

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

Discussion Items:

Monmouth County Presentation:

- Ming Kao and Kevin Nugent of the Monmouth County Engineering Division presented proposed intersections for Park Avenue and South Main Street in Englishtown. Questions by Mayor and Council, and resident Kathy Bien addressed.

Stamford Square re: increase in water/sewer hook up fees

- Michael Weitz of Stamford Square questioned the water/sewer hook up fees increase and asked for a waiver of the increase. Mayor Reynolds says the Borough complied legally. In the future, we can notify any ongoing projects of such an increase. Declined any relief.

Our Lady of Mercy request for additional lighting for parking lot

- Mayor and Council will not assume this responsibility for private property. Municipal Clerk to notify Our Lady of Mercy of council decision.

2012 proposed meeting dates

- Reviewed by Mayor and Council and the proposed meeting dates for 2012 are not conflicting.

Borough Engineer's year end report

- Borough Engineer Tom Herits presents the year-end engineers report and addresses questions of Council and resident Kathy Bien.

Executive Session

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN MAYOR AND
COUNCIL FOR A CLOSED OR EXECUTIVE SESSION
PURSUANT TO N.J.S.A. 10:4-13**

WHEREAS, N.J.S.A. 10:4-12b provides that a public body may exclude the public from that portion of a meeting at which the body discusses:

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition or real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee, employed or appointed by the public body;
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

WHEREAS, N.J.S.A. 10:4-13 provides that a public body may not exclude the public from any meeting to discuss any matters described in N.J.S.A. 10:4-12 until the public body has adopted a resolution at a meeting to which the public shall be admitted, stating the general nature of the subject to be discussed and stating as precisely as possible, the time and when the circumstances under which the discussion conducted in a closed session of the public body can be disclosed to the public; and

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Sections 5, 7, and 8 of N.J.S.A.10:4-12b is required to discuss 17 Main Street, executive session minutes review and the Department of Public Works.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 20th day of December, 2011 pursuant to Section 5, 7 and 8 of the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the subject matter of this executive session will be made public when it is no longer required that the subject matter discussed be kept privileged.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: None

The time being 7:14 P.M.

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

The time being 7:48 P.M.

At this time, Mayor Reynolds requests B/A Finger to place a classified ad for a part-time DPW worker.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Cooke. Passed unanimously. The time being 7:48 P.M.

Mayor Reynolds calls for 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
 - 2009 Executive Session Minutes
 - 2010 Executive Session Minutes
 - January 3, 2011 – November 9, 2011 Executive Session Minutes
 - November 21, 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. New Business:
 - A. Resolution No. 2011-176
Authorizing Redemption of Tax Sale Certificate
 - B. Resolution No. 2011- 177
Authorizing Employees to Carry Over Remaining Vacation Days
 - C. Resolution No. 2011-178
Authorizing Cancellation of Unexpended Balance
 - D. Resolution No. 2011-179
Authorizing Appropriation Transfer
 - E. Resolution No. 2011-180
Authorization of Purchases Over \$800
Police Dept. – Patrol Vehicle

- F. Resolution No. 2011-181
Authorization of Purchases Over \$800
Police Dept. – Ammunition

 - G. Resolution No. 2011-182
Authorization of Services Over \$800
Water Dept. – Replacement of Hydrant at 16 Lasatta Avenue

 - H. Resolution No. 2011-183
Authorization of Purchases Over \$800
Water Plant – Water Plant Data Collector

 - I. Resolution No. 2011-184
Authorizing Approval of Department Requisitions

 - J. Resolution No. 2011-185
Authorizing Payment of Borough Bills

 - K. Resolution No. 2011-186
Accepting Resignation of DPW Supervisor Richard Guffanti
- 10. Tax Collector's Report – November 2011

 - 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 7:52 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 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 –

At this time there is a motion to table the approval of the 2009 executive session minutes until the January 3, 2012 reorganization meeting.

Offered by: C/Robilotti and seconded by: C/Cooke. Passed unanimously.

There being no corrections, deletions or additions, a motion to approve the 2010 Executive Session Minutes was offered by C/Cooke and seconded by C/Robilotti. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the Executive Session Minutes of January 3, 2011 through November 9, 2011 was offered by C/Cooke and seconded by C/Robilotti. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the Minutes of November 21, 2011 was offered by C/Cooke and seconded by C/Robilotti. Passed on the following roll call:

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

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- 124 delinquent notices went out today for the 3rd Quarter. There were no shutoffs for the 2nd Quarter.
- Met with Jim Mastrokalos to discuss the transition plan for the water department backup.
- Will meet with Rick Guffanti on Friday to review the responsibility for recycling and utilities and develop a plan.

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke has no report at this time.

Administration, Finance & Personnel

Councilman Wojyn reports:

- Looking into the best possible price for the computer replacements.

Public Safety

Councilwoman Robilotti reports:

- Reads aloud Police Activity report for November. Available for public viewing in the Clerk's office.

Legislative, Insurance & Licenses -

Councilwoman Carr reports:

- COAH Trust Fund Monies need to be committed or spent by July 2012.
- JIF Elected Officials Seminar for Mayor and Council Members need to attend for a \$250 premium credit.

Mayor and Council to attend seminar on Feb. 15, 2012 in Middletown.

Public Buildings & Grounds

Councilman Rucker reports:

- Leaf season is over and preparing for Snow Season.
- Rick Guffanti, DPW Supervisor is moving on. He will be missed and it was a pleasure to work with him.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- Advises Mayor and Council of September 26, 2011 minute corrections.

At this time a motion is offered by C/Robilotti and seconded by C/Krawiec to include the following addition to the minutes of September 26, 2011:

C/Krawiec abstains from voting on the designation of salary for the position of Dept. of public works employee and C/Cooke abstains from voting on the designation of salary for the position of Emergency Management Coordinator and Police Lieutenant.

Passed on the following roll call:

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

Borough Administrator/CFO Report

- Sun Blue Energy is in the process of making the numbers work for the Solar Panel project with no increase to the Municipal Budget. However their leasing company is not meeting until after Christmas. Due to the amount of Solar applications the Federal Government issued a safe haven until January 31st, 2012.

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/Cooke. Passed unanimously.

New Business

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-176**

AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to MS Sass Muni IV 123 South Broad Street Philadelphia, PA 19109:

Tax Sale Certificate No. 05-03
Block 12, Lot 4
42 Main Street
in the amount of \$260,592.25

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, and State of New Jersey that it hereby authorizes payment in the amount of \$260,592.25 to MS Sass Muni IV 123 South Broad Street Philadelphia, PA 19109.

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/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-177**

**AUTHORIZING BOROUGH EMPLOYEES TO CARRY OVER
REMAINING VACATION TIME TO THE YEAR 2012**

WHEREAS, several Borough employees have not used all of their allowed vacation time; and

WHEREAS, it is difficult to use said time by the end of the year; and

WHEREAS, the department heads state that the remaining vacation time is as follows:

Celia Hecht	5 Vacation Days Remaining
Peter Gorbatuk	4 Vacation Days Remaining
Laurie Finger	5 Vacation Days Remaining
Jeanne Keevins	2 Vacation Days Remaining

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 personnel will be allowed to carry their remaining vacation time over to the year 2012 provided this time is used by June 30, 2012.

BE IT FURTHER RESOLVED a certified true copy of this Resolution be forwarded to Laurie Finger, Celia Hecht, Jeanne Keevins, Peter Gorbatuk and the Borough Auditor.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-178**

**RESOLUTION AUTHORIZING CANCELLATION OF
UNEXPENDED BALANCE**

WHEREAS, the following 2011 Water Operating Fund Budget appropriation balance remain unexpended:

Water Capital Outlay	
Other Expenses	\$22,000.00

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to Surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough Of Englishtown, that the above listed unexpended balance of the Water Operating Fund be canceled.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2011-179**

RESOLUTION AUTHORIZING APPROPRIATION TRANSFER

WHEREAS, N.J.S.A. 40A: 4-58 provides that during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the transfers in the amount of \$5,580.00 be made in the 2011 budget as attached.

Current Fund:

From:

Elections OE \$ 200.00
 Tax Assessor OE \$ 300.00
 Police OE \$4,280.00

To:

Police S&W \$4,000.00
 Street & Roads S&W \$ 240.00
 Streets & Roads OE \$ 500.00
 Recycling S&W \$ 40.00

Reason

overtime
 vacation pay
 misc. road
 vacation pay

Water Operating Fund:

From:

Water OE \$ 800.00

To:

Water S&W \$ 800.00 vacation pay

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-180**

AUTHORIZATION OF PURCHASES 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. – Patrol Vehicle - \$16,000.00

Services From:

Ford Motor Credit
P.O. Box 1739
MD 7500
Dearborn, MI 48121-1739

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/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-181**

AUTHORIZATION OF PURCHASES 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 - \$3,859.40

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/Krawiec

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

Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-182**

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:

Water Dept. – Hydrant Replacement at 16 Lasatta Ave.- \$4,750.00

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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-183**

AUTHORIZATION OF PURCHASES OVER \$800

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

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

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

Water Plant – Water Plant Data Collector - \$8,425.00

Services From:

FYI Technology

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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-184**

**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 \$50,502.45 are hereby authorized to be processed into purchase orders on December 12, 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/Rucker

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

Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-185**

**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 \$411,885.27 are hereby authorized to be paid on December 12, 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/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2011-186**

**RESOLUTION REGRETFULLY ACCEPTING THE RESIGNATION OF
DEPT. OF PUBLIC WORKS SUPERVISOR RICHARD GUFFANTI**

WHEREAS, Richard Guffanti served as Dept. of Public Works Supervisor in the Borough of Englishtown; and

WHEREAS, Richard Guffanti did tender his resignation to the Englishtown Borough Council from that position, his last day of employment being December 23, 2011.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Englishtown Borough Council regretfully accepts the resignation of Richard Guffanti.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

Tax Collector's Report**November 2011****Collections:**

2011 Taxes	\$890,551.40
2012 Taxes	2,594.14
2010 Taxes	250.00
Interest	944.30
Copies of Records	300.00
Return Check Fee	50.00
Cost of Sale	1,298.97
Outside Lien Redemption	260,592.25

Disbursements: Paid to Treasurer

Transferred to Water	332.65
Transferred to Sewer	850.89
Total Deposits	\$1,157,764.60

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 – inquires on the plan for replacement of DPW supervisor Rick Guffanti. Mayor Reynolds stated we will be advertising for p/t worker, while exploring our options.

Questions 17 Main Street oil tank and if the Borough is moving ahead with purchasing the property? Mayor Reynolds indicated that Mr. French will be taking care of any problems if necessary.

Attorney Youssouf explains the transferring of responsibility for the administration and enforcement of the Uniform Fire Prevention Official. This will lead to an increase of the fire tax rate and there is a lack of functionality for payroll and pension. He would like to entertain the idea of an inter-local agreement with the Municipality to provide these services. B/A Finger will check with the Auditor.

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

Executive Session

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN MAYOR AND
COUNCIL FOR A CLOSED OR EXECUTIVE SESSION
PURSUANT TO N.J.S.A. 10:4-13**

WHEREAS, N.J.S.A. 10:4-12b provides that a public body may exclude the public from that portion of a meeting at which the body discusses:

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;

2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee, employed or appointed by the public body;
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

WHEREAS, N.J.S.A. 10:4-13 provides that a public body may not exclude the public from any meeting to discuss any matters described in N.J.S.A. 10:4-12 until the public body has adopted a resolution at a meeting to which the public shall be admitted, stating the general nature of the subject to be discussed and stating as precisely as possible, the time and when the circumstances under which the discussion conducted in a closed session of the public body can be disclosed to the public; and

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 8 of N.J.S.A. 10:4-12b is required to discuss the Municipal Court and Municipal Clerk's position.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 20th day of December, 2011 pursuant to Section 8 of the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the subject matter of this executive session will be made public when it is no longer required that the subject matter discussed be kept privileged.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: None

The time being 8:18 P.M.

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

The time being 8:43 P.M.

Adjournment

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

The time being 8:43 P.M.

January 3, 2012
Approved by Governing Body

Municipal Clerk