

MAY 23, 2012

**** WORKSHOP AGENDA ****

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:
 - Englishtown welcome signs
 - Water/Sewer rates and service charges
 - Proposed Ordinance Amending Chapter 2.100 “Property Maintenance”
3. Adjournment

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

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

Also present were Peter Gorbatuk, Municipal Clerk, Laurie Finger, Borough Administrator and Joseph Youssouf, Borough Attorney (arrives 6:46 p.m.).

Discussion Items:

Englishtown Welcome Signs:

- Municipal Clerk, Peter Gorbatuk will pursue “Welcome to Englishtown” and “Leaving Englishtown” signs in the Borough. Formerly Peter Catelli had been instrumental in placing the original signs and would like to do so again. There will be no cost to the Borough; however DPW will be responsible to erect the signs.

Water/Sewer rates and Service Charges:

- B/A Finger explains that the water hook-up fee will be increasing by \$66.00 and the sewer hook-up fee will be decreasing by \$18.00 for 2012.
- Discussion takes place on request from Tom Herits, proposing a code amendment to Chapter 2.106 regarding “Extra Territorial Service Charges”. Attorney Youssouf to contact the WMUA to pursue suggested proposal.

Proposed Ordinance Amending Chapter 2.100 “Property Maintenance”

- Attorney Youssouf reads proposed code amendment to Chapter 2.100 “Property Maintenance” to include obstructions. C/Cooke requests Police Lieutenant and Code Official review and it be ready for introduction at the next meeting June 27, 2012.

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 6:58 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. Presentation: Presentation of 2011 Audit by Scott Frueh of Hutchins, Farrell, Meyer & Allison, P.A.
5. Presentation: Englishtown/Manalapan First Aid Squad
6. National Police Month:
 - Presentation of Awards
7. Approval of Minutes
 - April 25, 2012
 - April 25, 2012 Executive Session Minutes
8. Committee Reports
9. Correspondence
10. 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.

11. Old Business:

- A. Bond Ordinance No. 2012-04 – Public Hearing & Adoption
Refunding Bond Ordinance Authorizing the Issuance of Not to Exceed \$85,000 Aggregate Principal Amount of Refunding Bonds by The Borough of Englishtown, in the County of Monmouth, State of New Jersey for the Purpose of Paying Amounts Owing to a Taxpayer for Taxes Levied in the Borough and Appropriating the Proceeds of Such Refunding Bonds to Such Purpose

12. New Business:

- A. Bond Ordinance No. 2012-05 – First Reading & Introduction
Bond Ordinance Providing Various 2012 Capital Improvements, by The Borough of Englishtown, in the County of Monmouth, State of New Jersey; Appropriating \$595,600 Therefor (Including a New Jersey DOT Grant in the Amount of \$235,000) and Authorizing the Issuance of \$330,800 Bonds or Notes of the Borough to Finance Part of the Cost Thereof
- B. Ordinance No. 2012-06 – First Reading & Introduction
Amending & Supplementing Chapter 2.130 of the Code of the Borough of Englishtown Entitled “Zoning”
- C. Resolution No. 2012-093
Temporary Capital Budget
- D. Resolution No. 2012-094
2011 Audit of the Borough of Englishtown
- E. Resolution No. 2012-095
Accepting Corrective Action Plan
- F. Resolution No. 2012-096
Appointment of Rabies Clinic Workers
- G. Resolution No. 2012-097
Authorization of Services - Replacement of Water Plant pipe
- H. Resolution No. 2012-098
Authorization of Purchases – Water Dept. – Calcium Hypochlorite Briquette
- I. Resolution No. 2012-099
Authorizing Payment of Borough Bills

Public Hearing: 2012 Municipal Budget

J. Resolution No. 2012-100
Adoption of 2012 Municipal Budget

12. Tax Collector's Report – April 2012
13. Public Portion
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
14. Executive Session
15. Adjournment

The meeting was called to order by Mayor Reynolds at 7:07 P.M.

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti
Absent: * C/Wojyn (arrives 7:28 p.m.)

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.

Presentation: Presentation of 2011 Audit by Scott Frueh of Hutchins, Farrell, Meyer & Allison P.A.

Mayor Reynolds opens the floor to Scott Frueh, Auditor from Hutchins, Farrell, Meyer & Allison P.A. to discuss the 2011 Audit findings.

Mr. Frueh reported no material weaknesses and the financial reporting for the Borough is excellent. There are no problems with internal controls. Two (2) Comments are listed for the Municipal Court, which were addressed with the Municipal Court Administrator and two (2) comments are listed for the Police Department, which were addressed with Lt. Cooke. The Corrective Action Plan reflects the course of action.

Presentation: Englishtown/Manalapan First Aid Squad

No presentation at this time.

Presentation of Police Awards

At this time members of the Police Commission C/Robilotti and C/Krawiec present the following awards:

Ptl. Nicola Costagliola – Pistol Sharpshooter Citation Bar
Cpl. Trevor Martinson - Pistol Sharpshooter Citation Bar
Cpl. Michael MacInnes – Pistol Expert Citation Bar
Pfc. Alexander Dinicola – Pistol Expert Citation Bar
Ptl. Philip Accatatta – Pistol Master Citation Bar
Lt. Peter Cooke – Pistol Master Citation Bar and Top Gun Award
Off. Scott Christofides – Patriot Citation Bar
Sgt. Richard Settele – Pistol Expert Citation Bar and Croix De Negotiator Laurel

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the April 25, 2012 meeting minutes was offered by C/Sarti and seconded by C/Cooke. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the April 25, 2012 Executive Session minutes was offered by C/Sarti and seconded by C/Cooke. Passed on the following roll call:

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

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- 15 mark outs for sewer and water
- 16 meters installed in Stamford Square
- Spring hydrant flushing completed
- A water main break at English Club which was the owners responsibility
- 20 late reminders delivered to residents
- Andrew and Stan will be on call due to Wayne on vacation the week of the 28th
- Electronic recycling bin was picked up

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke reports:

- Memorial Day Parade participants to meet at the post office at 1:00 PM. Parade begins at 2:00 PM at Manalapan Municipal Building and ends at the American Legion.

Administration, Finance & Personnel

Councilman Wojyn is absent, nothing is reported.

Public Safety

Councilwoman Robilotti reports:

- Reads aloud police activity report for April. Available for public viewing in the Clerk's office.

Legislative, Insurance & Licenses

Councilman Sarti has nothing to report at this time.

Public Buildings & Grounds

Councilman Rucker reports:

- Installed Public Parking signs in the Borough Parking Lot
- Filled potholes on Mt. Vernon and LaSatta
- Collapsed storm drain on Harrison Avenue. Engineer Tom Herits has been notified
- Municipal Clerk notified NJNG to repair sidewalks from gas service installations.
- Installed "NO DUMPING" signs at Victory and Weamaconk to curtail illegal dumping.
- DPW worker Andrew will be on call to assist in Memorial Day Parade preparation.
- B/A Finger negotiated HVAC maintenance contract with Hutchinson Mechanical.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- Thank you letter read from 180 Turning Lives Around for supporting Denim Day 2012
- Audit report completed. Mayor and Council audit acknowledgement will be forwarded to Division of Local Government Services to be in compliance.

Public Portion – Agenda Items

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

Al Burrows, Tennent Ave. resident asks if there will be a Fall Festival this year. C/Cooke responds there will not be one due to budget constraints. There has been some businesses showing interest in donating towards next year's festival and it looks promising.

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

Old Business

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NO. 2012-04**

PUBLIC HEARING & ADOPTION

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF NOT TO EXCEED \$85,000 AGGREGATE
PRINCIPAL AMOUNT OF REFUNDING BONDS BY THE
BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY FOR THE
PURPOSE OF PAYING AMOUNTS OWING TO A
TAXPAYER FOR TAXES LEVIED IN THE BOROUGH AND
APPROPRIATING THE PROCEEDS OF SUCH REFUNDING
BONDS TO SUCH PURPOSE**

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough") has determined that refunding bonds can be issued to pay amounts owing to BAL Governor's Crossing, LLC, a taxpayer, for taxes levied on property located at 49 LaSatta Avenue, in the Borough, shown on the Tax Map of the Borough as Block 1, Lot 1, for the tax years 2009, 2010 and 2011. Such amounts represent tax payments and are not representative of tax credits; and

WHEREAS, the Borough has determined to provide for a \$20,000.00 portion of the payment of tax appeal settlements with a taxpayer for tax years 2009, 2010 and 2011 in the aggregate amount of \$94,054.20 (the "Settlement"), through a budgetary appropriation for Calendar Year 2012; and

WHEREAS, the Borough has determined to provide for a \$74,054.20 portion of the Settlement, plus all costs associated with such appeals and the issuance of the hereinafter defined Refunding Bonds through the issuance by the Borough of Refunding Bonds, Series 2012 in an aggregate principal amount not to exceed \$85,000, as provided in this refunding bond ordinance.

**NOW, THEREFORE, 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. In order to finance the purposes described in Section 2 hereof, negotiable refunding bonds of the Borough are hereby authorized to be issued in an aggregate principal amount not to exceed \$85,000 (the "Refunding Bonds"). The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Refunding Bonds are to be issued are (i) paying tax appeal settlements with a taxpayer for tax years 2009, 2010 and 2011 in the amount of \$74,054.20, plus all costs associated with such appeal and the issuance of the Refunding Bonds, and

(ii) paying the costs of issuance relating to the Refunding Bonds, including, but not limited to, printing, advertising, accounting, financial and legal services, rating agency fees, underwriter's discount, and bond insurance premiums, if any.

(b) The aggregate cost of issuing the Refunding Bonds and all costs associated with the aforesaid tax appeal judgments and settlements, as provided by N.J.S.A. 40A:2-51(b), shall not exceed \$10,000, which amount includes all items described in Section 2(a)(ii) hereof. Such amount is included in the maximum authorized aggregate principal amount of Refunding Bonds set forth in Section 1 hereof.

Section 3. Any further provisions as to terms of sale, deposit, security regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Borough adopted prior to the issuance of the Refunding Bonds.

Section 4. The Borough Council hereby delegates to the Chief Financial Officer of the Borough the power to sell the Refunding Bonds on a negotiated basis, to determine the terms of the Refunding Bonds and to perform such other actions and make such other determinations, subject to, as applicable, the limitations to be set forth in a subsequent resolution of the Borough.

Section 5. The Borough Council hereby authorizes and delegates to the Chief Financial Officer, in consultation with Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the Borough ("Bond Counsel"), the authority to negotiate, approve the terms of and to execute on behalf of the Borough a Bond Purchase Agreement for the purchase and sale of the Refunding Bonds.

Section 6. All other matters relating to the Refunding Bonds shall be performed or determined by subsequent resolution of the Borough, or the performance or determination thereof shall be delegated by resolution of the Borough to a financial officer of the Borough.

Section 7. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption hereof, together with the statement signed by the Chief Financial Officer of the Borough required by N.J.S.A. 40A:2-55.

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 Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this refunding bond ordinance, the Borough Clerk is hereby authorized and directed to publish a summary of this refunding bond ordinance, together with the "NOTICE OF PENDING BOND ORDINANCE" (with appropriate

completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date of the public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance. The Clerk is hereby authorized and directed to set the date of the public hearing for this refunding bond ordinance for May 23, 2012.

Section 10. After final adoption of this refunding bond ordinance by the Borough Council, and approval by the Mayor, the Borough Clerk is hereby directed to publish a summary of this refunding bond ordinance, as finally adopted, together with the "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. The purpose of the issuance of the Refunding Bonds is to pay amounts owing to a taxpayer for taxes levied in the Borough and resulting from various tax appeal settlements. Such amounts represent tax payments and are not representative of tax credits.

Section 13. 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 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 \$85,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 14. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided in the Local Bond Law, but not prior to the time that the consent of the Local Finance Board in the Division of Local Government Services, New Jersey Department of Community Affairs has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by N.J.S.A. 40A:2-55.

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/Cooke. Passed unanimously.

Adoption

A motion to adopt Bond Ordinance No. 2012-04 above titled, was offered by C/Robilotti and seconded by C/Cooke. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Cooke

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

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2012-05**

BOND ORDINANCE PROVIDING VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$595,600 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$235,000) AND AUTHORIZING THE ISSUANCE OF \$330,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Offered by: C/Robilotti

Seconded by: C/Cooke

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

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-05 will be held at the June 27, 2012 council meeting.

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2012-06**

FIRST READING & INTRODUCTION

**AN ORDINANCE OF THE BOROUGH OF ENGLISHTOWN
AMENDING AND SUPPLEMENTING CHAPTER 2.130
OF THE CODE OF THE BOROUGH OF ENGLISHTOWN
ENTITLED "ZONING"**

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

Offered by: C/Robilotti

Seconded by: C/Cooke

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Wojyn

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-06 will be held at the June 27, 2012 council meeting.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-093**

TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough Council of the Borough of Englishtown desires to establish a 2012 Temporary Capital Budget of said municipality by inserting or correcting therein:

Reconstruction of LaSatta Ave & Mount Vernon Rd
Police Portable Radios
Police Mobile Radios
OEM Portable Radio
Mason Dump Truck

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Englishtown as follows:

SECTION 1. The 2012 Temporary Capital Budget of the Borough of Englishtown is hereby established by the adoption of a schedule to read as follows:

Amendment No. 1
Temporary Capital Budget of the
Borough of Englishtown
County of Monmouth, New Jersey

Projects Scheduled for 2012

Reconstruction of LaSatta Ave & Mount Vernon Rd

Police Portable Radios

Police Mobile Radios

OEM Portable Radio

Mason Dump Truck

Method of Financing

Project No.	Estimated Total Cost	Capital Impr. Fund	Grants In Aid and Other Funds	General Bond
01	465,000	23,250	235,000	206,750
02	56,000	2,800		53,200
03	24,000	1,200		22,800
04	5,600	300		5,300
05	45,000	2,250		42,750

SECTION 2. The Clerk is authorized and directed to file a certified copy of this resolution with the Borough Chief Financial Officer, Borough Auditor and two (2) certified copies to the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for the 2012 Temporary Capital Budget, to be included in the 2012 Permanent Capital Budget as adopted.

Offered By: C/Robilotti

Seconded By: C/Cooke

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Wojyn

BOROUGH OF ENGLISHTOWN

RESOLUTION NO. 2012-094

**2011 AUDIT OF THE BOROUGH OF ENGLISHTOWN
DIVISION OF LOCAL GOVERNMENT**

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

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

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

Offered By: C/Sarti

Seconded By: C/Cooke

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Wojyn

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-095**

RESOLUTION ACCEPTING CORRECTIVE ACTION PLAN

WHEREAS, The 2011 Audit of the Borough of Englishtown conducted by Hutchins, Farrell, Meyer & Allison, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Borough's Chief Financial Officer; and

WHEREAS, the Chief Financial Officer, in accordance with the requirements promulgated by the N.J. Division of Local Government Services has developed a plan to address the recommendations listed by the Auditors.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Corrective Action Plan for the 2011 Municipal Audit, hereto attached, is hereby approved and accepted.

Offered By: C/Robilotti

Seconded By: C/Cooke

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Wojyn

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-096**

APPOINTMENT OF RABIES CLINIC WORKERS

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey as follows:

1. Borough Employees, Christine Robbins, Celia Hecht, and Jeanne Keevins are hereby appointed as Rabies Clinic Workers for the Rabies Clinic to be held June 12, 2012.
2. Each Rabies Clinic Worker will be paid \$50.00 for said clinic.

BE IT FUTHER RESOLVED that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Christine Robbins, Celia Hecht, and Jeanne Keevins.

Offered By: C/Robilotti

Seconded By: C/Sarti

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Wojyn

* C/Wojyn arrives at 7:28 p.m.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-097**

AUTHORIZATION OF SERVICES OVER \$2625.00

WHEREAS, the Borough of Englishtown Council requires that purchases and services over \$2625.00 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:

Replacement of 6" pipe at the Water Plant - \$3,272.00

Services From: A.C. Schultes, Inc.
664 South Evergreen Ave.
Woodbury Heights, N.J. 08097

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/Cooke

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

Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-098**

AUTHORIZATION OF PURCHASES OVER \$2625.00

WHEREAS, the Borough of Englishtown Council requires that purchases and services over \$2625.00 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. – Calcium Hypochlorite Briquettes - \$2,673.12

Services From:

G.P. Jager & Associates, Inc.
10 Bradley Lane
Montvale, N.J. 07645

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/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti, C/Wojyn
Nays: None
Abstain: None
Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-099**

**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 \$664,284.82 are hereby authorized to be paid on May 23, 2012.
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/Rucker

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: None

Public Hearing – 2012 Municipal Budget

Mayor Reynolds opened the floor to the public for questions or comments on the 2012 Municipal Budget.

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

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2012-100

ADOPTION OF 2012 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 \$1,153,801.98 to be raised for municipal purposes.

Summary of Revenues

1. General Revenues

Surplus Anticipated	\$ 265,000.00
Miscellaneous Revenues Anticipated	535,026.09
Receipts From Delinquent Taxes	0.00

2. Amount To Be Raised By Taxation	
For Municipal Purposes	<u>1,153,801.98</u>
Total Revenues	\$1,953,828.07

Summary Of Appropriations

5. General Appropriations:

Within "Caps"	
Operations Including Contingent	\$1,434,925.00
Deferred Charges & Statutory	
Expenditures - Municipal	153,823.00
Excluded From "Caps"	
Operations - Total Operations Excluded	
From "Caps"	\$ 132,924.09
Capital Improvements	36,100.00
Municipal Debt Service	60,200.00
Deferred Charges - Municipal	38,144.00
Reserve For Uncollected Taxes	<u>97,711.98</u>
Total Appropriations	\$1,953,828.07

Offered By: C/Cooke

Seconded By: C/Robilotti

Roll Call: Ayes: C/Cooke, C/Robilotti, C/Rucker, C/Sarti, C/Wojyn

Nays: C/Krawiec

Abstain: None

Absent: None

Tax Collector's Report

April 2012

2012 Taxes	\$245,158.36
<u>Interest</u>	<u>55.85</u>
Net Receipts	\$245,214.21

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/Rucker and seconded by C/Sarti. Passed unanimously.

B/A Finger at this time asks Mayor and Council for permission to prepare the 2012 Salary Resolution for the next meeting. Those present agree.

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 6 and 7 of N.J.S.A. 10:4-12b is required to discuss Wood Ave. Apartment Project, Sewer Ordinance and Englishtown/Manalapan First Aid Squad request.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 23rd day of May, 2012 pursuant to Section 6 and 7 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/Krawiec

Seconded By: C/Rucker

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

Nays: None

Abstain: None

Absent: None

The time being 7:35 P.M.

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

The time being 7:54 P.M.

Adjournment

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

The time being 7:55 P.M.

June 27, 2012
Approved by Governing Body

Municipal Clerk