

**** WORKSHOP AGENDA ****

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:
 - Electronic Recycling
 - Recycling Bids
3. Adjournment

The workshop meeting was called to order by Mayor Reynolds at 6:35 P.M.

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

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

Discussion Items:

Electronic Recycling:

The Electronic Recycling Co., Advanced Recovery will be removing their bin at the end of the month due to changing economic conditions. They expressed interest to hold electronic recycling days in our municipality. C/Krawiec mentions this has been a good service to the residents of Englishtown. DPW Forman Wayne Krawiec would like to look into getting our own bin and continue this service. Mayor Reynolds asks if there would be any disposal costs. Municipal Clerk will look into this.

Recycling Bids:

Lowest responsible bidder for recycling was M & S Waste of West Keansburg, NJ. Resolution will be on tonight's agenda awarding our recycling contract to M & S Waste Alternate # 1 base contract which is a 1 year contract with an option of 3 additional years. The resolution awarding our Solid Waste contract will also be on tonight's agenda. The lowest responsible bidder for solid waste was also M & S Waste of West Keansburg, NJ for the same Alternate #1 base contract which is also a 1 year contract with an option of 3 additional years.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Wojyn. Passed unanimously. The time being 6:45 P.M.

**** AGENDA ****

Regular Meeting of the Mayor and Council of the Borough of Englishtown, 15 Main Street, Englishtown, New Jersey 07726.

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Approval of Minutes
 - November 28, 2012
 - November 28, 2012 Executive Session Minutes
5. Committee Reports
6. Correspondence
7. Engineer's 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. 2012-12 – Public Hearing & Adoption
Amending Chapter 1.33 Entitled "Police Department"
 - B. Bond Ordinance No. 2012-13 – Public Hearing & Adoption
Providing for the Demolition of Hazardous Structures Located on Property Commonly Known as 68 Main Street, Appropriating \$125,000 Therefor and Authorizing the Issuance of \$119,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof
 - C. Bond Ordinance No. 2012-14 – Public Hearing & Adoption
Amending and Supplementing Bond Ordinance No. 2011-08 (Which Provides for Various Capital Improvements) Finally Adopted by the Borough of Englishtown on August 24, 2011, to Increase the Appropriation by \$10,000 and to Increase the Authorization of Bonds or Notes by \$9,500 to Finance Part of the Additional Costs
10. New Business
 - A. Resolution No. 2012-150
Authorizing Use of Snow Removal Funds for Hurricane Sandy Recovery

- B. Resolution No. 2012-151
Authorizing Employees to Carry Over Remaining Vacation Time
- C. Resolution No. 2012-152
Authorizing the Execution of a Grant Agreement for D.E.D.R. Funds for Manalapan/Englishtown Community Alliance
- D. Resolution No. 2012-153
Authorizing Services Over \$2625 – Well #2 Maintenance
- E. Resolution No. 2012-154
Authorizing Services Over \$2625 – LaSatta Ave. Water Main Break
- F. Resolution No. 2012-155
Authorizing Purchases Over \$2625
Water Dept. – Calcium Hypochlorite Briquettes
- G. Resolution No. 2012-156
Authorizing Purchases Over \$2625
Police Dept. – Ammunition
- H. Resolution No. 2012-157
Authorizing Services Over \$2625
Police Dept. – Police Vehicle Striping
- I. Resolution No. 2012-158
Authorizing Services Over \$2625
Police Dept. – Painting of 4 Police Vehicles
- J. Resolution No. 2012-159
Authorizing Purchases Over \$2625
Police Dept. – Security Camera System
- K. Resolution No. 2012-160
Authorizing Purchases Over \$2625
Housing Rehabilitation Program – 2nd Unit
- L. Resolution No. 2012-161
Authorizing Purchases Over \$2625
2012 Annual Contribution to Englishtown/Manalapan First Aid Squad
- M. Resolution No. 2012-162
Canceling Water Capital Budget
- N. Resolution No. 2012-163
Authorizing Cancellation of Unexpended Balance
- O. Resolution No. 2012-164
Authorizing Appropriation Transfer

P. Resolution No. 2012-165
Accepting Community Development Block Grant for ADA Intersection
Improvements and Authorizing Mayor to Sign Allocation Acceptance Form

Q. Resolution No. 2012-166
Authorizing Payment of Borough Bills

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

The meeting was called to order by Mayor Reynolds at 6:46 P.M.

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

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.

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the November 28, 2012 meeting minutes was offered by C/Rucker 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: None
Absent: C/Sarti

There being no corrections, deletions or additions, a motion to approve the November 28, 2012 Executive Session minutes was offered by C/Rucker 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: None
Absent: C/Sarti

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- Reads aloud Water Dept. Activity Report; available for public viewing in the Clerk's Office. Important Items as Follows: 145 delinquent notices sent out Friday.

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke has nothing to report at this time.

Administration, Finance & Personnel

Councilman Wojyn reports:

- Englishtown was awarded a \$95,000 grant by the Monmouth County Municipal Open Space Program to help offset the cost of purchasing 17 Main Street to be made into parking. This will help make Main St. more attractive for recreational use and for local merchants.
- Received letter from NJ Dept of Forestry to apply for any tree-related grants. Working with Wayne Krawiec to draft a status report and will work with CFO Finger to apply for the grants.
- CFO Laurie Finger reported she is able to receive virtual file back-up services from Edmunds. This service will be free of charge for 2013; thereafter the cost will be approximately \$1000/yr. for unlimited storage. This service will help the Borough with disaster readiness ensuring that vital information will be stored and can be retrieved.

Public Safety

Councilwoman Robilotti has nothing to report at this time.

Legislative, Insurance & Licenses

Councilman Sarti was absent; no report this evening.

Public Buildings & Grounds

Councilman Rucker reports:

- Reads aloud DPW activity report for November available for public viewing in the Clerk's Office.
- FEMA met with DPW guiding them in the submission of reports to cover regular time and overtime that was needed to collect and dispose of the brush, limbs and vegetation from Super Storm Sandy for reimbursement.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- Elected Officials Training Seminar will be held in Middletown on January 29th for council members who did not attend the training in Wall Township.

- Orientation for Newly Elected Officials, Re-Elected, and Experienced Municipal Officials will be held on Saturday January 12th at the Sheraton Hotel in Eatontown, NJ or Saturday, January 26th at the Renaissance Meadowlands Hotel in Rutherford, NJ. Both are 8:30 – 3:30.
- Reorganization Meeting is January 3rd at 6:30.
- Lt. Cooke has posted at the Fire Department a request for anyone who would be available for doing any Snow Plowing in the Borough if needed in an emergency.

Mayor Reynolds reads aloud Borough Engineer report.

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/Krawiec. Passed unanimously.

Old Business

BOROUGH OF ENGLISHTOWN PUBLIC HEARING & ADOPTION ORDINANCE NO. 2012-12

AN ORDINANCE OF THE BOROUGH OF ENGLISHTOWN AMENDING CHAPTER 1.33, ENTITLED “POLICE DEPARTMENT”

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

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

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

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

Paragraph 5 shall read:

Effective 12/31/12, the charges for such services shall be \$75.00 per hour, including a rate of \$65.00 per hour for the officer, and \$10.00 administrative fee to be retained by the Borough.

II. BE IT FURTHER ORDAINED THAT:

- A. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.
- B. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such

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

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

Offered By: C/Krawiec

Seconded By: C/Rucker

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

Nays: None

Abstain: C/Cooke

Absent: C/Sarti

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NO 2012-13**

PUBLIC HEARING & ADOPTION

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF HAZARDOUS STRUCTURES LOCATED ON PROPERTY COMMONLY KNOWN AS 68 MAIN STREET, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$125,000, which sum includes \$6,000 as the amount of down payment for said improvement or purpose as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of an appropriation 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 improvement or purpose described in Section 3 hereof and to meet the part of said \$125,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$119,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$119,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the demolition of hazardous structures located on real property commonly known as 68 Main Street in the Borough and also identified as Block 9, Lot 13 on the Official Tax Map of the Borough and associated clean-up, removal, disposal and

remediation and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$119,000.

(c) The estimated cost of the improvement or purpose is equal to \$125,000.

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 improvement and purpose 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 of the Borough is 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, 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 improvement or purpose 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 5 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 \$119,000 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 \$30,000 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 purpose or improvement 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 \$119,000. 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.

Offered By: C/Robilotti

Seconded By: C/Rucker

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

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2012-14**

PUBLIC HEARING & ADOPTION

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2011-08 (WHICH PROVIDES FOR VARIOUS CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON AUGUST 24, 2011, TO INCREASE THE APPROPRIATION THEREIN BY \$10,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$9,500 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

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. Bond Ordinance Number 2011-08 finally adopted on August 24, 2011 by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough") entitled, "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 THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance there is hereby appropriated the additional sum of \$10,000, said sum to be inclusive of \$500 as the amount of additional down payments required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payments or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased from \$568,100 and shall equal the aggregate principal amount of \$578,100, said sum being inclusive of the total amount of down payments, which sum shall be increased from \$53,475 and shall equal the aggregate principal amount of \$53,975.

SECTION 3. (a) In order to finance the cost of the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, not covered by the

additional down payment, additional negotiable bonds or notes of the Borough in the amount of \$9,500 are hereby authorized to be issued by the Borough, such that the total authorization of negotiable bonds or notes to be issued by the Borough for the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$524,125.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, is \$524,125.

(c) The estimated cost of the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$578,100.

SECTION 4. Section 3(a)(iii) of the Original Ordinance shall be amended to read in its entirety as follows:

“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”	\$94,600	\$89,500	\$5,100	20 years
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SECTION 5. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the “Director of the Division of Local Government Services”), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 6. The following additional matters are hereby determined, declared, recited and stated:

(a) 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, 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 and notes provided for in this amendatory and supplemental bond ordinance by \$9,500 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) For the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$10,000 is hereby included for items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$75,000, such total amount being included in the estimated cost indicated herein for the improvement or purpose set forth in the Original Ordinance, as amended and supplemented hereby.

(c) 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 3 of the Original Ordinance, as

amended and supplemented hereby, 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 3 of the Original Ordinance, as amended and supplemented hereby, 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 6(c) 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.

(d) The average period of usefulness of said improvements or purpose set forth in the Original Ordinance, as amended and supplemented hereby, within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by the Original Ordinance, as amended and supplemented hereby, is 32.94 years.

SECTION 7. The Borough reasonably expects to reimburse any expenditures toward the cost of the improvement or purpose described in the Original Ordinance, as amended and supplemented hereby, and paid prior to the issuance of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same “Controlled Group” as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 7 is intended to be and hereby is a declaration of the Borough’s official intent to reimburse any expenditures toward the cost of the improvement or purpose described in the Original Ordinance, as amended and supplemented hereby, to be incurred and paid prior to the issuance of bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, used to reimburse the Borough for any expenditures toward the cost of the improvement or purpose described in Section 3 of the Original Ordinance, as amended and supplemented hereby, will not be used directly or indirectly (i) to “refund” an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds “replacement proceeds”, within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same “Controlled Group” within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, to reimburse the Borough for any expenditures toward the cost of the improvement or purpose described in Section 3 of the Original Ordinance, as amended and supplemented hereby, will be issued in an amount not to exceed \$524,125. The costs to be reimbursed with the proceeds of the bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, will be “capital expenditures” in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for

costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 8. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 9. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

New Business

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-150**

**AUTHORIZING USE OF SNOW REMOVAL FUNDS FOR
HURRICANE SANDY RECOVERY**

WHEREAS, Governor Christie has signed Executive Order No. 111 allowing local government units that have established a snow removal fund to utilize existing reserves as necessary in response to damages caused by Hurricane Sandy; and

WHEREAS, the governing body of the Borough of Englishtown wishes to use snow removal reserve monies to offset the expenses incurred from Hurricane Sandy for removal of brush and debris; and

WHEREAS, FEMA reimbursements shall be deposited back into the snow removal trust fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, that the CFO is hereby authorized to use snow removal reserve to offset the expenses incurred by Hurricane Sandy for the removal of brush and debris.

BE IT FURTHER RESOLVED, that a true certified copy of this resolution be forwarded to the Borough Chief Financial Officer and Borough Auditor.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-151**

**AUTHORIZING BOROUGH EMPLOYEES TO CARRY OVER
REMAINING VACATION TIME TO THE YEAR 2013**

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	5 Vacation Days Remaining
Laurie Finger	5 Vacation Days Remaining
Jeanne Keevins	3.5 Vacation Days Remaining
Christine Robbins	2 Vacation Days Remaining
Wayne Krawiec	5 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 2013 provided this time is used by June 30, 2013.

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

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-152**

**AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT
FOR D.E.D.R. FUNDS FOR MANALAPAN/ENGLISHTOWN
COMMUNITY ALLIANCE**

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes the execution of an Agreement for D.E.D.R. 2013 Grant funding to be submitted to the Monmouth County Division of Alcohol and Drug Abuse Services for \$22,252.00.

BE IT FURTHER RESOLVED a copy of this Resolution, certified to be a true copy by the Municipal Clerk, be sent to the County of Monmouth Department of Human Services Division of Mental Health and Addiction Services, Community Alliance Coordinator and Borough Administrator.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Sarti

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-153**

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:

Water Dept. – Maintenance for Well #2 - \$5,000.00

Services From:

A.C. Schultes, Inc.
664 South Evergreen Ave.
Woodbury Heights, NJ 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/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-154**

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:

Water Dept. – Water Main Break – Lasatta Avenue \$6385.07

Services From:

B&W Construction Co. of NJ Inc.
PO Box 574
South River, NJ 08882

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/Rucker

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-155**

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:

Water Dept. – Calcium Hypochlorite Briquettes \$2673.12

Services From:

G.P. Jager & Associates, Inc.
143 Miller Road
Kinnelon, NJ 07405

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-156**

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:

Police Department. – Purchase of Ammunition \$4266.89

Services From:

Eagle Point Gun Shop
T J Morris & Son
1707 Third Street
Thorofare, NJ 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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-157**

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:

Police Department. – Police Vehicle Striping \$2895.00

Services From:

Acerbo's Auto Trim & Lettering
PO Box 908
Mt. Laurel, NJ 08054

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/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-158**

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:

Police Department. – Painting of Four (4) Police Vehicles \$2800.00

Services From:

Maaco Collision Repair & Auto Painting
17-H Edgeboro Road
East Brunswick, NJ 08816

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-159**

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:

Police Department. – CCTV Security Camera System not to exceed \$3089.91

Services From:

Edward Horsfall
1347 Huron Road
North Brunswick, NJ 08902

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/Rucker

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

Nays: None

Abstain: None

Absent: C/Sarti

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-160**

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:

Monmouth County Treasurer. – 2nd Unit of Housing Rehabilitation Program \$23100.00

Services From:

Monmouth County Treasurer
Community Development Program
One East Main Street
Freehold, NJ 07728

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/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-161**

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:

Englishtown-Manalapan First Aid Squad. – Annual Contribution \$10000.00

Services From:

Englishtown-Manalapan First Aid
PO Box 294
11 Sanford Avenue
Englishtown, NJ 07726-0294

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/Rucker

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2012-162**

RESOLUTION CANCELING A WATER CAPITAL BALANCE

WHEREAS, certain Water Capital Improvement appropriation balances remain dedicated to projects now complete; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorization may be canceled;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, that the following unexpended and dedicated balances of Water Capital Appropriations be canceled:

<u>Ord No.</u>	<u>Date Auth.</u>	<u>Project</u>	<u>Amount Canceled Funded</u>
2011-02	02/23/11	Meter Pit Interconnection	\$41,831.00
Total Balance Canceled			<u>\$41,831.00</u>

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Borough Chief Financial Officer and Borough Auditor.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-163**

**RESOLUTION AUTHORIZING CANCELLATION OF
UNEXPENDED BALANCE**

WHEREAS, the following 2012 Water Operating Fund Budget appropriation balance remain unexpended:

Water Capital Outlay	
Other Expenses	\$30,000.00

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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-164**

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 \$5,000.00 be made in the 2012 budget as attached.

Current Fund:

From:

Streets & Roads S&W	\$ 500.00
Streets & Roads OE	2,500.00
Buildings & Grounds S&W	1,000.00
Planning Board OE	1,000.00

<u>To:</u>		<u>Reason</u>
Snow Removal OE	\$4,000.00	Fund Snow Trust
Gasoline OE	1,000.00	Add'l mileage Hurricane Sandy

Offered By: C/Robilotti

Seconded By: C/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-165**

**RESOLUTION ACCEPTING COMMUNITY DEVELOPMENT
BLOCK GRANT FOR ADA INTERSECTION IMPROVEMENTS AND AUTHORIZING
MAYOR TO SIGN ALLOCATION ACCEPTANCE FORM**

WHEREAS, On December 6, 2012, the Borough of Englishtown was notified that the Monmouth County Board of Chosen Freeholders has approved the Borough for a Community Development Block Grant in the amount of \$114,862.00 for ADA Intersection Improvements; and

WHEREAS, the Borough of Englishtown understands that the funding amount must still be approved by the Monmouth County Board of Chosen Freeholders and the U.S. Department of Housing and Urban Development (HUD) and the Borough will not incur any cost, which are to be paid through this grant until authorized to do so by the Office of Community Development.

WHEREAS, the Borough must formally accept the allocation awarded no later than January 15, 2013.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that we do hereby accept the Community Development Block Grant awarded to us in the amount of \$114,862.00 for the purpose of ADA Intersection Improvements and the Mayor is hereby authorized to sign the FY2013 Allocation Acceptance Form on the Borough's behalf.

Offered By: C/Rucker

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-166**

**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 \$440,049.22 are hereby authorized to be paid on December 17, 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/Wojyn
Nays: None
Abstain: None
Absent: C/Sarti

At this time Mayor Reynolds adds the following resolutions to the agenda.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-167**

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:

Police Dept. – Mobile Radar Unit - \$2,932.50

Services From:

Stalker Radar
2609 Technology Drive
Plano, TX 75074

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/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-168**

**AUTHORIZATION TO ENTER INTO AGREEMENT WITH
EDMUNDS & ASSOCIATES FOR MCSJ DATA VAULT**

WHEREAS, the MCSJ Data Vault is an automatic Internet based data storage service that is integrated with the Edmunds and Associates system for quick and easy information recovery in the event of a disaster; and

WHEREAS, the Borough of Englishtown wishes to enter into an agreement with Edmunds and Associates of Northfield, N.J., to utilize the MCSJ Data Vault; and

WHEREAS, for the year 2013, the use of the MCSJ Data Vault is being offered to the Borough of Englishtown at no cost as a courtesy for being a pilot municipality.

NOW, THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign the MCSJ Data Vault Contract on behalf of the Borough of Englishtown.

BE IT FURTHER RESOLVED, that the Clerk's Office is authorized to forward a copy of this resolution to Edmunds and Associates and the Borough Administrator.

Offered By: C/Cooke

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-169**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
THE COLLECTION AND DISPOSAL OF CO-MINGLED CURBSIDE
AND BULK RECYCLABLES WITHIN THE BOROUGH OF ENGLISHTOWN**

WHEREAS, the Borough of Englishtown solicited bids for the collection and disposal of co-mingled curbside and bulk recyclables; and

WHEREAS, the said bids were issued/advertised in accordance with prevailing New Jersey law; and

WHEREAS, numerous bids were received by the Borough on December 4, 2012; and

WHEREAS, the lowest responsible bid was submitted by M & S Waste Services Inc., of West Keansburg, NJ.; and

WHEREAS, the apparent low bidders forms were reviewed for legal compliance and found to be acceptable by the Borough Attorney.

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

1. That the Borough of Englishtown is hereby authorized to award a 1 year recycling collection/disposal base contract to M & S Waste Services Inc., of West Keansburg, NJ. effective January 1, 2013 and terminating December 31, 2013, with an option to extend the Contract one year on an annual basis for each of three years, which shall automatically renew unless said party is notified by the Governing Body in writing of cancellation of services within ninety (90) days of December 31st of each said year.
2. That the said award shall be payable as follows
Base Contract:
 - Year 1 - \$15,086
Optional Portion of Contract:
 - 1st additional year - \$15,210
 - 2nd additional year - \$15,462
 - 3rd additional year - \$15,533
3. That the said award of contract shall be subject to the Borough's Chief Financial Officer certifying that funds are available for the stated purpose.
4. That the said award of contract shall, in all respects, comply with Prevailing New Jersey Law.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said contract.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Borough Clerk to each of the following.

1. M & S Waste, West Keansburg, NJ
2. Borough Chief Financial Officer

Offered By: C/Rucker

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Sarti

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-170**

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR
THE COLLECTION/DISPOSAL OF SOLID WASTE
WITHIN THE BOROUGH OF ENGLISHTOWN**

WHEREAS, the Borough of Englishtown solicited bids for the collection and disposal of solid waste; and

WHEREAS, the said bids were issued/advertised in accordance with prevailing New Jersey law; and

WHEREAS, numerous bids were received by the Borough of Englishtown on November 7, 2012; and

WHEREAS, the lowest responsible bid was submitted by M & S Waste Services, Inc. West Keansburg, NJ; and

WHEREAS, the apparent low bidders forms were reviewed for legal compliance and found to be acceptable by the Borough Attorney.

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. That the Borough of Englishtown is hereby authorized to award a 1 year solid waste collection/disposal base contract to M & S Waste Services Inc., effective January 1, 2013 and terminating December 31, 2013, with an option to extend the Contract one year on an annual basis for each of three years, which shall automatically renew unless said party is notified by the Governing Body in writing of cancellation of services within ninety (90) days of December 31st of each said year.

2. That the said award shall be payable as follows:

Base Contract:

- Year 1 - \$54,100 (collection) plus prevailing disposal rates

Option Portion of Contract:

- 1st additional year - \$55,916 (collection) plus prevailing disposal rates
- 2nd additional year - \$58,712 (collection) plus prevailing disposal rates
- 3rd additional year - \$60,061 (collection) plus prevailing disposal rates

3. That the said award of contract shall be subject to the Borough's Chief Financial Officer certifying that funds are available for the stated purpose.

4. That the said award of contract shall, in all respects, comply with Prevailing New Jersey Law.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said contract.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Borough Clerk to each of the following

1. M & S Waste
2. Borough Chief Financial Officer

Offered By: C/Rucker

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Sarti

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/Cooke. Passed unanimously.

Tax Collector's Report

October 2012

2012 Taxes	\$244,146.86
2013 Taxes	1.21
Duplicate Bill Fee	5.00
<u>Interest</u>	<u>611.67</u>
Net Receipts	\$244,764.74

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 Section 8 of N.J.S.A. 10:4-12b is required to discuss employee pension eligibility.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 17th day of December, 2012 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/Cooke

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

Nays: None

Abstain: None

Absent: C/Sarti

The time being 7:18 P.M.

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

The time being 7:30 P.M.

Adjournment

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

The time being 7:31 P.M.

January 23, 2013

Approved by Governing Body

Municipal Clerk