

**\*\* WORKSHOP AGENDA \*\***

**January 25, 2012**

**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:
  - Purchasing Policy
  - Bureau of Fire Prevention
  - County Freeholder Meeting
  - Electronic Recycling Proposal
  - Sustainable Raritan River
  - Sun Blue Energy
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:34 P.M.

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

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

**Discussion Items:**

**Purchasing Policy:**

- Amending Purchasing Policy to increase purchases requiring governing body approval from over \$800.00 to over \$2625.00, which is 15% of the bid threshold. Resolution to be added to this evening's agenda. (Resolution No. 2012-054)

**Bureau of Fire Prevention:**

- Per Attorney Youssouf, more details still need to be worked out. Distributes an Ordinance, which will be introduced at a future meeting to Mayor and Council for review.

**County Freeholder Meeting:**

- Municipal Clerk Peter Gorbatuk informs Mayor and Council the Monmouth County Board of Chosen Freeholders would like to hold their monthly meeting in the Borough's Council Chambers on August 23, 2012 at 7:00 PM. Council in favor. Municipal Clerk to notify County Board of Chosen Freeholders.

**Electronic Recycling Proposal:**

- C/Krawiec reports on a meeting, which was held between Advanced Recovery Inc. and the Administrative Staff. At no cost to the Borough, they can place a 20' recycling container on our premises to collect obsolete electronic equipment and the Borough will also be compensated for the recycled materials based on weight. Council agrees to pursue. Resolution to be added to this evening's agenda. (Resolution No. 2012-055)

**Sustainable Raritan River:**

- Correspondence received from The Sustainable Raritan River Initiative requesting the Borough of Englishtown to support their action plan. Resolution to be added to this evening's agenda. (Resolution No. 2012-056)

**Sun Blue Energy:**

- Sun Blue Energy is not present at this time.

**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 6:57 P.M.

Mayor Reynolds calls for a brief recess.

**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
  - Reorganization Meeting – January 3, 2012
  - January 3, 2012 Executive Session Minutes
5. Committee Reports
6. Correspondence
7. 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.
8. Old Business:
  - A. Approval of 2009 Executive Session Minutes – Tabled 1/3/12
9. New Business:
  - A. Resolution No. 2012-047  
Authorizing Services Over \$800  
Annual Computer Software Maintenance
  - B. Resolution No. 2012-048  
Authorizing Services Over \$800  
COAH Trust Fund – Housing Rehabilitation Program (1) Unit
  - C. Resolution No. 2012-049  
Authorizing Services Over \$800  
Police Dept. – Repair of (5) Radar Units
  - D. Resolution No. 2012-050  
Authorizing Purchases Over \$800  
Administration & Police Dept. - Computer Workstations & Servers

- E. Resolution No. 2012-051  
Authorizing Purchases Over \$800  
Administration & Police Dept. – MS Professional Office Bundle
  - F. Resolution No. 2012-052  
Granting & Applying for Veteran Deduction for 2011 and Future Years
  - G. Resolution No. 2012-053  
Authorizing Payment of Borough Bills
- 10. Tax Collector's Report – December 2011
  - 11. Public Portion  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
  - 12. Executive Session
  - 13. Adjournment

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

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

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

Mayor Reynolds stated pursuant to N.J.S.A. 10 4-6 notification of this meeting has been (1) Published in the Asbury Park Press and the News Transcript the Official Newspapers of the Borough, (2) Posted to the Public at Borough Hall, (3) Copy has been filed with the Municipal Clerk, (4) Copy of this agenda and the Sunshine Statement has been filed with the Mayor and Council. Thus this meeting tonight is deemed in compliance with the Open Public Meetings Act.

There was a moment of silence and salute to the flag.

**Approval of Minutes –**

There being no corrections, deletions or additions, a motion to approve the January 3, 2012 Reorganization meeting minutes was offered by C/Robilotti and seconded by C/Cooke. 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/Carr

There being no corrections, deletions or additions, a motion to approve the January 3, 2012 Executive Session minutes was offered by C/Robilotti and seconded by C/Rucker. 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/Carr

## **Committee Reports**

### **Public Utilities**

Councilwoman Krawiec reports:

- 47 shutoff doorknocker notices were delivered to late residents.
- 27 accounts are still delinquent, shutoff notices to follow.

### **Code Enforcement, Public Health, Welfare & Public Events**

Councilwoman Cooke has no report at this time.

### **Administration, Finance & Personnel**

Councilman Wojyn reports:

- New computers and software will be installed shortly.
- Wayne Krawiec will fill the vacancy on the Shade Tree Commission.

### **Public Safety**

Councilwoman Robilotti reports:

- Reads aloud Police Activity report for December 2011. Available for public viewing in the Clerk's office.
- Offers condolences for Fire Chief Peter Hall on his loss.

### **Legislative, Insurance & Licenses -**

Councilwoman Carr is absent; no report this evening.

### **Public Buildings & Grounds**

Councilman Rucker reports:

- The recent snowstorm was handled well by the DPW and is running efficiently.
- Meeting with Manalapan for shared service of the DPW Supervisor duties. They are not interested at this time; they are spread too thin.
- Meeting with Freehold Borough for shared service of the DPW Supervisor duties looks promising; waiting on their decision and not moving forward with placing an ad on the New Jersey League of Municipalities web site at this time.
- Borough Administrator Laurie Finger to look into cost for a Certified Public Works Manager and if there are any requirement exceptions from DCA.

## **Correspondence**

Peter Gorbatuk, Municipal Clerk reports:

- Reminds Mayor and Council of the Elected Officials Joint Insurance Fund Seminar on February 15, 2012 in Middletown Municipal Building at 6:30 PM.

- Continuation of the Direct Install Grant Agreement, Green Tech Energy will be installing new lighting in the DPW Garage on January 26 – 27.
- Manalapan – Englishtown Regional School Board has elected to move the April 17, 2012 election to also be held in November along with the General Election. Have not yet heard from the High School District; will pursue.

### **Borough Administrator/CFO Report**

Laurie Finger reports:

- Water BAN matured on January 13<sup>th</sup> and has been paid off completely.
- General Capital Improvement for Weamaconk Dr. & Victory Dr. also matured on January 13<sup>th</sup> in the amount of \$510,000 of which \$215,000 was received from a DOT Grant, paying down the note. This note was renewed for \$295,000 at an interest rate of 1.25% at Brunswick Bank and Trust maturing on January 11, 2013.
- Printer in the tax office needs to be replaced. Resolution to be added to this evening's agenda. (Resolution No. 2012-057)

### **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/Wojyn. Passed unanimously.

### **Old Business**

There being no corrections, deletions or additions, a motion to approve the 2009 Executive Session Minutes from January – July was offered by C/Robilotti and seconded by C/Cooke. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the 2009 Executive Session Minutes from August – December was offered by C/Robilotti and seconded by C/Wojyn. Passed on the following roll call:

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

**New Business**

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-047**

**AUTHORIZATION OF SERVICES OVER \$800**

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

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

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

Annual Software Maintenance for Finance, Tax, Animal, Water & Sewer Systems - \$9,299.00

Services From:

Edmunds & Associates  
301-A Tilton Road  
Northfield, N.J. 08225

**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/Wojyn

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

Nays: None

Abstain: None

Absent: C/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-048**

**AUTHORIZATION OF SERVICES OVER \$800**

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

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

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

Housing Rehabilitation Program – Rehab (1) Unit - \$23,100.00

Services From:

Monmouth County Treasurer  
Community Development Program  
One East Main Street  
Freehold, N.J. 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/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-049**

**AUTHORIZATION OF SERVICES OVER \$800**

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

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

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

Police Dept. – Repair of (5) Radar Units - \$998.44

Services From:

R & R Radar, Inc.  
P.O. Box 401  
Atco, N.J. 08004

**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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-050**

**AUTHORIZATION OF PURCHASES OVER \$800**

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

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

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

Administration & Police Dept. – Computer Workstations & Servers 0 \$3,149.82

Services From:

The Computer Geeks  
1890 Ord Way  
Oceanside, CA 92056

**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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-051**

**AUTHORIZATION OF PURCHASES OVER \$800**

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

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

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

Administration & Police Dept. – MS Professional Office Bundle - \$1,509.00

Services From:

Tiger Direct  
175 Ambassador Drive  
Maperville, N.J. 60540

**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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-052**

**GRANTING AND APPLYING  
SENIOR CITIZEN DEDUCTION FOR 2011 AND 2012 TAX YEARS**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported the need to grant a senior citizen deduction for the years 2011 and 2012; and

**WHEREAS**, the deduction is for James Dorn, 32 Wood Avenue, Block 3 Lot 2.02, to be applied to his taxes, in the amount of \$250.00.

**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 above deduction and application.

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

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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-053**

**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 \$837,797.25 are hereby authorized to be paid on January 25, 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/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Carr

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-054**

**AMENDING PURCHASING POLICY PROCEDURE**

**WHEREAS**, the Council of the Borough of Englishtown, having determined by adopting a purchasing policy procedure, wishes to maintain better control over \$800 purchases, in the form of a resolution presented to the governing body for approval prior to purchasing; and

**WHEREAS**, it is the desire of the council to increase the purchasing amount requiring governing body approval to \$2,625.00, which is equal to 15% of the bid threshold; and

**WHEREAS**, the Municipal Clerk must obtain a certification of availability of funds from the CFO prior to the resolution being presented to the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, that section 12 of the purchasing procedure policy of the Borough of Englishtown is hereby amended to reflect such change.

Offered By: C/Wojyn

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-055**

**AUTHORIZING APPROVAL OF ELECTRONIC RECYCLING DUMPSTER**

**WHEREAS**, Advanced Recovery, Inc. is expressing interest and requesting permission from the Borough of Englishtown to place a dumpster on the premises at 15 Main Street at no charge to the Borough, for the purpose of collecting obsolete electronic equipment, to be recycled in accordance with all federal and state guidelines; and

**WHEREAS**, Advanced Recovery, Inc. proposes to collect, recycle and compensate the Borough of Englishtown for disposed electronic equipment in accordance with the rates provided in the proposal; and

**WHEREAS**, Mayor & Council feel this will provide a benefit to the residents of the Borough of Englishtown and help the environment.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Englishtown that the Municipal Clerk shall be authorized to sign the proposal received by Advanced Recovery, Inc. and they shall be permitted to place a recycling dumpster on Borough property.

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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-056**

**A RESOLUTION OF ENGLISHTOWN BOROUGH, N.J. TO SUPPORT IN  
CONCEPT THE SUSTAINABLE RARITAN RIVER INITIATIVE**

**WHEREAS**, the Raritan River is an asset to the region and to Englishtown Borough and it would benefit the community to increase awareness and use of the River via local access points and trails; and

**WHEREAS**, upgrades to current river access points are desirable and the need for ongoing plans for development of future recreational uses are of value to Englishtown Borough; and

**WHEREAS**, protection and preservation of habitat and biodiversity in our river ecosystem will provide recreational and natural assets to Englishtown Borough; and

**WHEREAS**, the goals of restoration, rehabilitation and regeneration of compromised areas of lands in public ownership will benefit present and future residents; and

**WHEREAS**, best management practices for habitat enhancement in the maintenance and management of open space are available and when applied would benefit various departments of Englishtown Borough government, and the quality of life to all Englishtown Borough residents; and

**WHEREAS**, properties that are deemed brownfields because they are contaminated, abandoned or underutilized, detract from the economic vitality of active businesses, and need attention to be remediated and returned to valued uses; and

**WHEREAS**, practices to prevent future pollution are known and could be applied for the benefit of Englishtown Borough management operations, and the residents of the county; and

**WHEREAS**, stormwater runoff is a significant contribution to flooding, solid waste and streets in Englishtown Borough, and further damages the Raritan River, and the Raritan River Action Plan (Reclaiming the Raritan: a Restoration and Sustainable Reuse Plan) encourages improvements in this area; and

**WHEREAS**, the overall restoration and protection of the watershed area that provides water to Englishtown Borough residents and the Raritan River should be promoted; and

**WHEREAS**, redevelopment needs to provide economic benefits without further damaging, and ideally restoring, the ecology of the Raritan River and Englishtown Borough.

**NOW, THEREFORE, BE IT RESOLVED**, that Englishtown Borough's Council support in concept the Sustainable Raritan River Initiative, and work as an active member of the Raritan River Collaborative to promote efforts to restore and protect the River in accordance with the goals as outlined in the Sustainable River Action Plan.

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/Carr

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-057**

**AUTHORIZATION OF PURCHASES OVER \$800**

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

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

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

Tax & W/S Dept. – Printer - \$850.00

Services From:

Atlantic  
3 Broad Street  
Freehold, N.J. 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/Wojyn

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

### **Tax Collector's Report**

#### **December 2011**

2011 Taxes	\$45,335.81
2012 Taxes	13,884.81
Interest	1,536.18
Cost of Sale	1,013.77
W/S Tax Sale	<u>2,830.91</u>
<b>Net Receipts</b>	<b>\$64,601.48</b>

### **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/Cooke and seconded by C/Wojyn. Passed unanimously.

### **Executive Session**

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

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

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;

5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee, employed or appointed by the public body;
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

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

**WHEREAS**, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7 and 8 of N.J.S.A. 10:4-12b is required to discuss the Verizon Water Tower Lease Agreement, Dept. of Public Works, Stamford Square and Governor's Crossing Tax Appeal.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 25<sup>th</sup> day of January, 2012 pursuant to Section 7 and 8 of the Open Public Meetings Act.

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Carr

The time being 7:45 P.M.

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

The time being 8:25 P.M.

**Adjournment**

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

The time being 8:27 P.M.

February 22, 2012  
Approved by Governing Body

\_\_\_\_\_  
Municipal Clerk