

**JULY 25, 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:
  - Appeal of Hopewell vs. Verizon Tax Court Case
  - Monmouth County Municipal Open Space Grant Program
  - Solid Waste/Recycling Contract
  - Precious Gems & Metals Ordinance Review
  - Halloween Curfew Ordinance Review
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:31 P.M.

Roll Call: Present: C/Robilotti, C/Rucker, C/Sarti, C/Wojyn  
Absent: \*C/Cooke (arrives 6:33), \*C/Krawiec (arrives 6:35)

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

**Discussion Items:**

**Appeal of Hopewell vs. Verizon Tax Court Case:**

- After discussion, Mayor and Council agree to support the appeal by contributing \$220.00. Municipal Clerk to contact NJLM to find out if not all 68 municipalities affected by this support the appeal, how the difference of money needed will be made up.

**Monmouth County Municipal Open Space Grant Program:**

- B/A Finger states there is grant money available for parks and recreational areas. We can apply to increase parking for both the park and lake areas pending the purchase of the adjoining property next to the municipal building. Resolution on this evening's agenda to go forward.

**Solid Waste/Recycling Contract:**

- Municipal Clerk briefs Mayor and Council that the current solid waste and recycling contracts expire 12/31/12. Time to go out to bid for 2013. Ideas for new bids as follows:
- Solid Waste 1x a week during the months of November thru March, 2x a week April – October.
- Both Solid Waste and Recycling Bids to have Alternates in the bid: 1 year with 3 additional 1 year terms, 2 year with 3 additional 1 year terms and 3 year with 2 additional year terms.
- Resolution to go out to bid will be on the August 22, 2012 meeting agenda.

**Precious Gems & Metals Ordinance Review:**

- Mayor Reynolds summarizes the ordinance to Council. No comments. First Reading and Introduction to be added to this evening's agenda.

**Halloween Curfew Ordinance Review:**

- Mayor Reynolds summarizes the ordinance to Council. No comments. First Reading and Introduction to be added to this evening's agenda.

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Sarti, seconded by C/Robilotti. Passed unanimously. The time being 7:04 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
  - June 27, 2012
  - June 27, 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. Ordinance No. 2012-07 – Public Hearing & Adoption  
Amending & Supplementing 2.100.14 of the Code of the Borough of Englishtown Entitled “Prohibited Matter, Materials and Conditions” Adding New Section 2.100.14.J “Obstruction Prohibited”
  - B. Ordinance No. 2012-08 – Public Hearing & Adoption  
Amending & Supplementing Chapter 2.126 of the Code of the Borough of Englishtown Entitled “Water”
  - C. Ordinance No. 2012-09 – Public Hearing & Adoption  
Amending & Supplementing Chapter 2.106 of the Code of the Borough of Englishtown Entitled “Sewer”
  - D. Resolution No. 2012-102 – Tabled at 6/27/12 meeting  
2012 Designation of Salaries

9. New Business:
  - A. Resolution No. 2012-108  
Authorizing Borough Engineer to Prepare Bids Specifications, Advertise & Receive Bids for LaSatta Ave./Mt. Vernon Road Improvement/ Reconstruction Project
  - B. Resolution No. 2012-109  
Authorizing Renewal of 2012-2013 Alcoholic Beverage License
  - C. Resolution No. 2012-110  
Authorizing Application to Monmouth County Municipal Open Space Grant Program
  - D. Resolution No. 2012-111  
Authorizing Payment of Borough Bills
10. Tax Collector's Report – June 2012
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 7:04 P.M.

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti, C/Wojyn  
Absent: None

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 June 27, 2012 meeting minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the June 27, 2012 Executive Session minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

**Committee Reports**

**Public Utilities**

Councilwoman Krawiec reports:

- Reads aloud water report which is available for public viewing in the Clerk's office.
- Cardboard no longer being picked up with regular garbage pick-up; must be put out with recycling. Notice was sent to residents with tax bills.

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

Councilwoman Cooke has nothing to report at this time.

**Administration, Finance & Personnel**

Councilman Wojyn reports:

- Borough is in full compliance with NJ law for pension membership.
- Received additional instructions from the NJ Community Forestry Program regarding required "Core Training" and follow-up courses. This will enable the borough to apply for upcoming state grants. Wayne Krawiec of Public Works will take the "Core Training" class. C/Wojyn will serve as a volunteer and receive refresher training. Previous DPW supervisor Rick Guffanti will be contacted to obtain clarification of services performed to comply with 2011 program requirements.

**Public Safety**

Councilwoman Robilotti reports:

- Reads aloud Police activity report for May and June which is 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:

- Reads aloud DPW Activity report for July which is available for public viewing in the Clerk's office. Important items as follows:
- Sewer line back up behind English Club to Wood Avenue has been cleaned out and damaged sewer line has been noted.
- Some trees along Main Street are dead or growing too high. The Monmouth County Shade Tree Commission was contacted and they will be removing these trees.

**Correspondence**

Peter Gorbatuk, Municipal Clerk reports:

- Distributed keys to Mayor and Council for mail drawer.
- August 1<sup>st</sup> is the Community Development Block Grant presentation at the AG Building in Freehold for ADA Curb and Street Improvements.

**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/Rucker and seconded by C/Wojyn. Passed unanimously.

**Old Business**

**BOROUGH OF ENGLISHTOWN PUBLIC HEARING & ADOPTION  
ORDINANCE NO. 2012-07**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER  
2.100.14 “PROHIBITED MATTER, MATERIALS AND CONDITIONS” OF THE CODE  
OF THE BOROUGH OF ENGLISHTOWN ADDING NEW SECTION 2.100.14.J  
“OBSTRUCTION PROHIBITED”**

Be it Hereby Ordained by the Mayor and Council of the Borough of Englishtown that Chapter 2.100.14 is hereby amended as follows:

**ARTICLE I**

[New Section] 2.100.14.J “Obstruction Prohibited”: No person shall obstruct the free passage of pedestrians and vehicles on public sidewalks and upon public rights-of-way in the Borough of Englishtown by placing thereon any structures, posts, poles, goods, wares, athletic equipment, merchandise or other articles of trade or sale, nor shall any person obstruct such public sidewalks or rights-of-way in any other manner whatsoever.

**ARTICLE II  
SEVERABILITY**

Should a court of competent jurisdiction hold any portion, section or subsection of this ordinance invalid or unconstitutional, such provision, portion, section or subsection shall be

deemed severable and shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

ARTICLE III  
EFFECTIVE DATE

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

**Public Hearing**

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

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

**Adoption**

A motion to adopt Bond Ordinance No. 2012-07 above titled, was offered by C/Krawiec and seconded by C/Rucker. Passed on the following roll call:

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

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2012-08**

**PUBLIC HEARING & ADOPTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.126 (WATER) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.126 be amended and supplemented as follows:

1. Section 2.126.07 (Installation fees), Subsection A of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

A. Taps.

- (1) For all taps on installations from the main to the curb stop made by the Water Department, the owner shall be charged the following amounts, to be paid to the Water Department at the time of the issuance of the permit:

\$3,003.00 (three thousand, and three dollars) per E.D.U.

2. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.
3. This Ordinance shall take effect following final adoption and publication pursuant thereto.

**Public Hearing**

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

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

**Adoption**

A motion to adopt Ordinance No. 2012-08 above titled, was offered by C/Krawiec and seconded by C/Robilotti. Passed on the following roll call:

Offered By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2012-09**

**PUBLIC HEARING & ADOPTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.106 (SEWERS) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.106 be amended and supplemented as follows:

1. Article I – Installation and Use, Section 2.106.2 (Connection of Future Structures), Subsection B of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

B. The owner of every residential house, building and/or structure hereafter constructed, modified or improved in the Borough of Englishtown, which may be occupied or used by human beings, shall, if connection with the sewer system of the Borough of Englishtown is made on or after July 26, 2012, be charged a connection fee of \$949.00 (nine hundred forty-nine) dollars.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall take effect upon final adoption and publication pursuant to law.

**Public Hearing**

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

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

**Adoption**

A motion to adopt Ordinance No. 2012-09 above titled, was offered by C/Krawiec and seconded by C/Robilotti. Passed on the following roll call:

Offered By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-102**

**TABLED AT 6/27 MEETING**

**2012 DESIGNATION OF SALARIES**

**WHEREAS**, the Mayor and Council of the Borough of Englishtown adopted an Ordinance entitled "An Ordinance establishing limits for salaries of the Employees in the Borough of Englishtown, County of Monmouth, State of New Jersey"; and

**WHEREAS**, said salaries provided certain ranges for the positions set forth; and

**NOW, THEREFORE, BE IT RESOLVED** that it is the determination of the Mayor and Council of the Borough of Englishtown that annual salaries for said positions shall be fixed as follows for the year 2012 unless otherwise indicated.

Position		2012 Annual Salary
Governing Body		
	Mayor	\$ 2,750.00
	Council	\$ 2,500.00
Municipal Clerk	Peter Gorbatuk	\$ 49,407.51
Deputy Municipal Clerk p/t	Christine Robbins	\$ 21,728.23

Minutes, July 25, 2012

Page 10

Business Administrator	Laurie Finger	\$ 23,690.64	
Chief Financial Officer	Laurie Finger	\$ 23,690.64	
Finance Clerk	Jeanne Keevins	\$ 37,163.51	
Municipal Housing Liaison	Celia Hecht	\$ 530.60	
Court			
Magistrate	Judge Newman	\$ 17,563.03	
Court Administrator	Rosemary O'Donnell	\$ 46,100.74	
Deputy Court Clerk	Mary Kennedy	\$ 11.73 per hour	
Violations Clerk	Lisa Langlois	\$ 10.20 per hour	
Dept. Public Works Foreman	Wayne Krawiec	\$ 15.00 per hour	
Dept. Public Works p/t	Stanley Matthews	\$ 10.62 per hour	
Water Department			
Supervisor	Jim Mastrokalos	\$ 14,506.16	
Water Department			
Clerk	Celia Hecht	\$ 13,461.30	
Sewer Department			
Supervisor	Jim Mastrokalos	\$ 14,506.16	
Sewer Department			
Clerk	Celia Hecht	\$ 13,461.30	
Housing Inspector	John Marini	\$ 6,712.60	
Code Enforcement Officer	Ed Miller	\$ 5,634.65	
Fire District Shared Service		\$ 8,286.26	\$13,920.90
Asst Code Enforcement/ Zoning Officer			
	Ralph Kirkland	\$ 5,291.43	
Fire District Shared Service		\$ 1,463.19	\$ 6,754.62
Tax Department			
Tax Collector	Janice Garcia	\$ 9,476.62	
Tax Clerk	Celia Hecht	\$ 1,061.21	
Tax Assessor	Mark Fitzpatrick	\$ 6,120.00	

Planning/Zoning Bd. Secretary	Celia Hecht	\$ 2,830.07
Emergency Management Coordinator	Peter S. Cooke Jr.	\$ 1,138.44
Police Lieutenant	Peter S. Cooke Jr.	\$ 81,609.69
Special Law Enforcement Officer-Class II	Scott Zapora	\$ 12.49 per hour

Offered By: C/Robilotti

Seconded By: C/Wojyn

C/Krawiec abstains from voting on the public works foreman appointment and C/Cooke abstains from voting on the police lieutenant and emergency management coordinator appointments.

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

**New Business**

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-108**

**RESOLUTION AUTHORIZING THE BOROUGH ENGINEER  
TO PREPARE BID SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS  
FOR LASATTA AVENUE/MT VERNON ROAD  
IMPROVEMENTS/RECONSTRUCTION PROJECT**

**WHEREAS**, the Borough of Englishtown desires to improve/reconstruct LaSatta Avenue and Mt. Vernon Road; and

**WHEREAS**, the Mayor and Council has authorized the Borough Engineer to prepare bid documents for the project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Borough Engineer is hereby authorized to prepare bid specifications, advertise and receive bids for the LaSatta Avenue and Mt. Vernon Road Project.

Offered By: C/Rucker

Seconded By: C/Krawiec

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. 2012-109**

**AUTHORIZING RENEWAL OF ALCOHOLIC  
BEVERAGE LICENSE FOR 2012-2013**

**WHEREAS**, the director of ABC having reviewed the petition of the inactive status of this license has found that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of this license; and

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that

1. The application having been found in order, all required certifications having been given and all required fees having been paid, it hereby authorizes the Municipal Clerk to issue the following alcoholic beverage licenses for the term of July 1, 2012 through June 30, 2013 provided that all renewals are consistent with prior licensing requisites:

<b>Licensee</b>	<b>License Number</b>
Village Center Holdings II LLC	1312-33-003-012

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-110**

**AUTHORIZING APPLICATION TO MONMOUTH COUNTY  
MUNICIPAL OPEN SPACE GRANT PROGRAM**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Governing Body of the Borough of Englishtown desires to obtain County Open Space Trust Funds in the amount of \$95,000.00 to fund the Municipal Parking Lot Project, 17 Main Street, Block 25, Lot 20, Englishtown, N.J.; and

**WHEREAS**, the total cost of the project including all matching funds is \$190,000.00; and

**WHEREAS**, the Borough of Englishtown will be holder of any interest acquired with County Open Space Trust Funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN THAT:**

1. Thomas Herits, Borough Engineer is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Englishtown is committed to this project and will provide the balance of funding necessary to complete the project in the form on non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Thomas Reynolds, Mayor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-111**

**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 \$326,913.29 are hereby authorized to be paid on July 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/Sarti, C/Wojyn  
Nays: None  
Abstain: None  
Absent: None

**As discussed in the workshop the following are added to this evening's agenda.**

**BOROUGH OF ENGLISHTOWN                      FIRST READING & INTRODUCTION  
ORDINANCE NO. 2012-10**

**AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE 2 "GENERAL  
LEGISLATION" OF THE CODE OF THE BOROUGH OF ENGLISHTOWN ADDING  
NEW CHAPTER 2.135 "PRECIOUS METALS AND GEMS"**

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

Offered by: C/Robilotti

Seconded by: C/Sarti

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

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-10 will be held at the August 22, 2012 council meeting.

**BOROUGH OF ENGLISHTOWN                      FIRST READING & INTRODUCTION**  
**ORDINANCE NO. 2012-11**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.66 ENTITLED  
“CURFEW” OF THE CODE OF THE BOROUGH OF ENGLISHTOWN ADDING NEW  
SECTION ENTITLED “HALLOWEEN CURFEW”**

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

Offered by:            C/Rucker

Seconded by:        C/Wojyn

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

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-11 will be held at the August 22, 2012 council meeting.

**Tax Collector’s Report**

**June 2012**

2012 Taxes	\$18,316.31
<u>Interest</u>	<u>266.94</u>
Net Receipts	\$18,583.25

**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.

Gus Dreyer, 55 Station Road, Manalapan, questions hookup into the Borough Water Utility. C/Krawiec responded this request is being reviewed by the water and sewer supervisor.

Lt. Peter Cooke / Emergency Management Supervisor states:

- On June 28, 2012 a water emergency was declared by the county due to a water main break in Middletown. The public was notified via the borough website, the borough message board and by the police department personnel as violations were discovered. There were no summons issued and all residents were cooperative.
- On July 13, 2012 a black bear was spotted in town on Woodruff Court and Heritage Drive. Officers responded and were successful in diverting the animal out of town and into a wooded area.
- On August 5<sup>th</sup>, Patrolman Phil Accatatta is resigning and taking a position with Manalapan Police Department. My recommendation is to promote Special Officer Scott Christofides to Patrolman and replace the Special Officer position with a qualified candidate.

Corporal Mike Macinnes (PBA Representative)

- States the PBA supports the position of Lt. Peter Cooke.

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.

### **Executive Session**

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

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

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required;

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee, employed or appointed by the public body;
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

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

**WHEREAS**, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 8 of N.J.S.A. 10:4-12b is required to discuss Police contract.

**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 July, 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/Sarti

Seconded By: C/Wojyn

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/Wojyn. Passed unanimously.

The time being 8:52 P.M.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-112**

**APPOINTMENT OF FULL TIME POLICE OFFICER**

**WHEREAS**, there is a need to hire a full time police officer; and

**WHEREAS**, the public safety committee has recommended Scott Cristofides be appointed to Patrolman for the Borough of Englishtown.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Scott Cristofides is hereby appointed police officer for the Borough of Englishtown as follows:

1. Appointment is effective August 6, 2012.
2. Salary is effective August 6, 2012 in the amount of \$36,168.00 per annum, paid bi-weekly per the salary ordinance.
3. That said appointment is probationary for one year effective August 6, 2012.

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Police Commissioner Robilotti and Scott Cristofides

Offered By: C/Sarti

Seconded By: C/Rucker

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2012-113**

**PERMISSION TO QUALIFY SPECIAL LAW ENFORCEMENT  
CLASS II OFFICER**

**WHEREAS**, there is a need to hire a Special Law Enforcement Class II Officer due to the promotion of Special Law Enforcement Class II Officer Scott Christofides; and

**WHEREAS**, Lt. Peter Cooke has requested permission to fill this position.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey Lt. Cooke is given permission to qualify a Special Law Enforcement Officer Class II to replace Scott Christofides from the existing pool of applicants on file.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief Financial Officer and Lt. Peter Cooke.

Offered By: C/Rucker

Seconded By: C/Sarti

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

**Adjournment**

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

The time being 8:55 P.M.

August 22, 2012  
Approved by Governing Body

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