

JUNE 27, 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:
 - Council mailboxes
 - Monmouth County Municipal Open Space Grant Program
3. Adjournment

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

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

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

Discussion Items:

Council Mailboxes:

- C/Robilotti mentions to Mayor and Council that a piece of her mail was torn open. To prevent any further issues, it was decided to put a lock on the council mail drawer and only Mayor, Council and the Clerk's office would have keys. Council agrees.

Monmouth County Municipal Open Space Grant Program:

- B/A Finger explains to Mayor and Council the Monmouth County Municipal Open Space Grant Program. There is grant money available for parks and recreational areas. We can apply to increase parking for both areas pending the adjoining property next to the municipal building. Mayor and Council agree, however would like to discuss again at the July workshop meeting when C/Cooke and C/Sarti are present.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Rucker, seconded by C/Robilotti. Passed unanimously. The time being 6:46 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
 - May 23, 2012
 - May 23, 2012 Executive Session Minutes
5. Committee Reports
6. Correspondence
7. Borough 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. Bond Ordinance No. 2012-05 – Public Hearing & Adoption
Bond Ordinance Providing Various 2012 Capital Improvements, by The Borough of Englishtown, in the County of Monmouth, State of New Jersey; Appropriating \$595,600 Therefor (Including a New Jersey DOT Grant in the Amount of \$235,000) and Authorizing the Issuance of \$330,800 Bonds or Notes of the Borough to Finance Part of the Cost Thereof
 - B. Ordinance No. 2012-06 – Public Hearing & Adoption
Amending & Supplementing Chapter 2.130 of the Code of the Borough of Englishtown Entitled "Zoning"

10. New Business:
 - A. Ordinance No. 2012-07 – First Reading & Introduction
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 – First Reading & Introduction
Amending & Supplementing Chapter 2.126 of the Code of the Borough of Englishtown Entitled “Water”
 - C. Ordinance No. 2012-09 – First Reading & Introduction
Amending & Supplementing Chapter 2.106 of the Code of the Borough of Englishtown Entitled “Sewer”
 - D. Resolution No. 2012-101
Authorizing Temporary Delay in Mailing of Third Quarter Tax Bills 2012 Final/2013 Preliminary Bills
 - E. Resolution No. 2012-102
2012 Designation of Salaries
 - F. Resolution No. 2012-103
Authorizing Renewal of 2012-2013 Liquor Licenses
 - G. Resolution No. 2012-104
Authorizing Refund of Taxes Due to County Tax Appeal
 - H. Resolution No. 2012-105
Authorization of Services – Emergency 911 & Dispatching Services
 - I. Resolution No. 2012-106
Authorizing Certain Actions Necessary in Connection with the Sale and Issuance of not to Exceed \$85,000 Aggregate Principal Amount of General Obligation Refunding Bonds and Authorizing The Appropriate Officials To Do All Acts and Things Deemed Necessary and Advisable in Connection with the Sale, Issuance and Delivery of Said Bonds
 - J. Resolution No. 2012-107
Authorizing Payment of Borough Bills
11. Tax Collector’s Report – May 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/Krawiec, C/Robilotti, C/Rucker, C/Wojyn
Absent: C/Cooke, 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 May 23, 2012 meeting minutes was offered by C/Robilotti and seconded by C/Rucker. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the May 23, 2012 Executive Session minutes was offered by C/Robilotti and seconded by C/Rucker. Passed on the following roll call:

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

Committee Reports

Public Utilities

Councilwoman Krawiec reports:

- Reads aloud water report which is available for public viewing in the Clerk's office.
- 2011 Water Quality Report was sent out to the residents

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Cooke is absent; no report this evening.

Administration, Finance & Personnel

Councilman Wojyn reports:

- The June Primary ran smoothly.
- There was an issue with a broken water pipe in the kitchen. The Clerk's office contacted the necessary departments and agencies for a quick and efficient clean up.

Public Safety

Councilwoman Robilotti reports:

- Attended the Police Convention today and would like the "Move Over Law" to be noted on the Borough Website with access to the link. Municipal Clerk's office to post on website.

Legislative, Insurance & Licenses

Councilman Sarti is absent; no report this evening.

Public Buildings & Grounds

Councilman Rucker reports:

- C/Rucker states three inspections were performed on the DPW Dept. and a high performance rating was received on each. Congratulations to the DPW department.
- Marpal Disposal, our solid waste hauler will no longer be picking up cardboard. Cardboard must be flattened and bundled and will be picked up by Waste Management, our recycling hauler. This has been posted on the sign board and residents will also be notified in the upcoming newsletter which will be sent with the new tax bills.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- The Clerk's office received a satisfactory fire safety compliance inspection report for 2012.

Mayor Reynolds commends the DPW for a job well done in achieving great scores from the Monmouth County JIF, JA Montgomery Risk Control (Right to Know), and the DEP for water / sewer compliance. (Letter of commendation to be placed in DPW employees file)

Borough Engineer's Report

- Mayor Reynolds reads aloud the Borough Engineer's report which updates the status of various Borough projects through June 2012. Available for public viewing in the Clerk's office.

Public Portion – Agenda Items

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

Harold Burrows 38 Tennent Ave. – question re: cardboard pick up.

Mayor Reynolds responds it is picked up with recycling.

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
BOND ORDINANCE NO. 2012-05**

PUBLIC HEARING & ADOPTION

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

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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$595,600, which sum includes \$235,000 as the amount of a grant received or expected to be received from the New Jersey Department of Transportation (the “Grant”) and \$29,800 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the “Local Bond Law”). Said down payments are now available therefor by virtue of appropriations 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 improvements or purposes described in Section 3 hereof and to meet the part of said \$595,600 appropriation not provided for by application hereunder of the Grant or said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$330,800 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$330,800 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
i. Various roadway improvements to the entire lengths or portions, as applicable, of various roads within the Borough, including but not limited to, Lasatta Avenue and Mount Vernon Road. Said improvements	\$465,000 (including a \$235,000 grant received or expected to be received from the	\$206,750	\$23,250	20 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
shall include but are not limited to, as applicable, milling, paving, joint stabilization, construction, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks, culverts and driveway aprons, the acquisition and installation of various signage and various equipment, drainage work, roadway painting, landscaping and aesthetic improvements, and also including, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration; and	New Jersey Department of Transportation)			
ii. Acquisition and installation, as applicable, of ten (10) portable radios for the Police Department, including all necessary related equipment and apparatus thereof; and	\$56,000	\$53,200	\$2,800	5 years
iii. Acquisition and installation, as applicable, of four (4) mobile radios for the Police Department, including all necessary related equipment and apparatus thereof; and	\$24,000	\$22,800	\$1,200	5 years
iv. Acquisition and installation, as applicable, of one (1) portable radio for the Office of Emergency Management, including all necessary related equipment and apparatus thereof; and	\$5,600	\$5,300	\$300	5 years
v. Acquisition of one (1) mason dump truck, a non-passenger vehicle, including all necessary related equipment and apparatus thereof.	\$45,000	\$42,750	\$2,250	5 years
TOTALS	<u>\$595,600</u>	<u>\$330,800</u>	<u>\$29,800</u>	

(b) The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$330,800.

(d) The aggregate estimated cost of said improvements or purposes is \$595,600, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant and the aggregate down payments for said purposes in the amount of \$29,800.

SECTION 4. Except for the Grant, 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 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. Except for the Grant, 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 or Budgets of the Borough are 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 or Budgets 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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as

general improvements, 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 improvements or purposes 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 14.38 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 \$330,800 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 \$100,000 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 purposes or improvements 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 \$330,800. 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.

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. 2012-05 above titled, was offered by C/Robilotti and seconded by C/Wojyn. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

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

PUBLIC HEARING & ADOPTION

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

BE IT ORDAINED by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, at the recommendation of the Borough Engineer, that the following sections of Chapter 2.130 entitled "Zoning" be amended and supplemented as follows:

SECTION 2.130.05 INTERPRETATION OF BOUNDARIES shall be amended to include the following reference: **Riparian Zones as defined in N.J.A.C. 7:15** as follows:

District boundary lines for the residential, commercial and industrial zones are intended to follow street centerlines, tax lot property lines and streams as they exist at the time of enactment of this chapter.

The *CON* district boundary lines are based upon the following references:

- Freshwater wetlands map, State of New Jersey, Department of Environmental Protection, Freehold, SW, Map 81-3.; and
- Flood way, flood boundary, floodway map. Borough of Englishtown, Monmouth County, New Jersey, FEMA, community panel number 340294-0001A.
- **Riparian Zone as defined in N.J.A.C. 7:15**

The *CON* district boundary lines are intended to include freshwater wetlands, flood way limits **and riparian zones** as depicted on the above referenced maps **or as defined in N.J.A.C. 7:15**. The actual boundary lines include all freshwater wetlands and associated transition areas as confirmed by N.J.D.E.P. Letters of Interpretation; and/or established by a stream encroachment permit and confirmed by the N.J.D.E.P **and riparian zones as defined in N.J.A.C. 7:15**. The absence of freshwater wetlands must also be confirmed by the N.J.D.E.P. in accordance with regulations adopted pursuant to the provisions of N.J.S.A. 13:Bb-1 et.seq.

BE IT FURTHER ORDAINED THAT all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency. 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.

BE IT FURTHER ORDAINED THAT this Ordinance shall take effect upon passage and publication in accordance with applicable 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. 2012-06 above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
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”**

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

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

 Nays: None

 Abstain: None

 Absent: C/Cooke, C/Sarti

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-07 will be held at the July 25, 2012 council meeting.

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2012-08**

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

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

Offered by: C/Rucker

Seconded by: C/Robilotti

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

 Nays: None

 Abstain: None

 Absent: C/Cooke, C/Sarti

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-08 will be held at the July 25, 2012 council meeting.

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

FIRST READING & INTRODUCTION

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

A motion to introduce the above ordinance by title only 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/Krawiec, C/Robilotti, C/Rucker, C/Wojyn

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Ordinance No. 2012-09 will be held at the July 25, 2012 council meeting.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-101**

**AUTHORIZING A TEMPORARY DELAY
IN THE MAILING OF THIRD QUARTER TAX BILLS
2012 FINAL/2013 PRELIMINARY BILLS**

WHEREAS, N.J.S.A. 54:4-66.3d requires final tax bills are to be mailed on or before June 14, 2012; and

WHEREAS, the Statement of State Aid has not yet been released due to the State of New Jersey 2012-2013 budget not yet being adopted; and

WHEREAS, pursuant to N.J.S.A. 54:4-65, every property tax bill shall include a statement showing the State Aid used to offset local property tax, making it necessary to delay the mailing of the third quarter tax bills and extending the due date and grace period since it has not yet been received.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, as follows:

1. That a temporary delay is authorized for the delay of the mailing of the third quarter tax bills due to the delay of receipt of the Statement of State Aid.
2. That authorization is hereby granted to extend the due date and grace period for the third quarter tax bills.

3. That certified copies of this resolution shall be forwarded to the Borough of Englishtown Tax Collector and Matthew Clark, Administrator of the Monmouth County Board of Taxation.

Offered by: C/Rucker

Seconded by: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

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

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
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	\$ 17,563.03
	Court Administrator	\$ 46,100.74

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Deputy Court Clerk	Mary Kennedy	\$	11.73 per hour	
Violations Clerk	Lisa Langlois	\$	10.20 per hour	
Dept. Public Works f/t	Wayne Krawiec	\$	13.19 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/Rucker

Seconded by: C/Krawiec

A motion to table Resolution No. 2012-102 to the July 25, 2012 council meeting was offered by C/Robilotti and seconded by C/Wojyn to include the Foreman Position. Due to C/Krawiec having to abstain from voting it would also create a lack of quorum. Passed on the following roll call:

Offered by: C/Robilotti

Seconded by: C/Wojyn

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

////////// **TABLED** \\\\\\\\\\\

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-103**

**AUTHORIZING RENEWAL OF THE BOROUGH OF ENGLISHTOWN'S
ALCOHOLIC BEVERAGE LICENSES FOR 2012-2013**

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

1. The applications 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:

Licensee	License Number
John F. Carroll Columbian Club	1312-31-005-001
Vrajadhish, Inc. Englishtown Liquors & Convenience	1312-44-004-007
CER, Inc People's Restaurant	1312-33-002-006

Offered by: C/Robilotti

Seconded by: C/Rucker

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-104**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAXES
DUE TO COUNTY TAX APPEAL**

WHEREAS, the Borough of Englishtown Tax Collector has reported an over-payment in 2011 taxes that needs to be refunded due to a County Tax Appeal judgment, plus 5% statutory interest from the date of the overpayment; and

WHEREAS, per Tax Court Judgment Docket: 017416-2011, an overpayment in the amount of \$2,492.43 plus \$84.93 in interest, on property Block 21, Lot 10 located in the Borough of Englishtown should be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that in accordance with the request of the Tax Collector, a total refund is hereby authorized in the amount of \$2,577.36 to Michael I Schneck, Trust for Michael Sarcone 301 South Livingston Avenue Suite 105, Livingston, N.J. 07039; and

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/Rucker

Seconded by: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-105**

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:

Emergency 911 & Dispatching Services for Police Department - \$51,005.83

Services From:

Monmouth County Treasurer
Attn: Sheriff's Office
P.O. Box 5007
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/Krawiec, C/Robilotti, C/Rucker, C/Wojyn

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-106**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN,
IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY AUTHORIZING CERTAIN ACTIONS
NECESSARY IN CONNECTION WITH THE SALE AND
ISSUANCE OF NOT TO EXCEED \$85,000 AGGREGATE
PRINCIPAL AMOUNT OF GENERAL OBLIGATION
REFUNDING BONDS AND AUTHORIZING THE
APPROPRIATE OFFICIALS TO DO ALL ACTS AND
THINGS DEEMED NECESSARY AND ADVISABLE IN
CONNECTION WITH THE SALE, ISSUANCE AND
DELIVERY OF SAID BONDS**

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law") the Borough Council of the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"), has heretofore adopted a refunding bond ordinance on May 23, 2012 (the "Refunding Bond Ordinance") authorizing bonds to provide a portion of the payment of a tax appeal settlement with BAL Governor's Crossing, LLC, a taxpayer (the "Taxpayer"), for taxes levied on property located at 49 LaSatta Avenue, in the Borough, shown on the Tax Map of the Borough as Block 1, Lot 1, for the tax years 2009, 2010 and 2011 in the aggregate amount of \$94,054.20 (the "Settlement");

WHEREAS, the Borough has determined to provide for a \$20,000.00 portion of the Settlement through a budgetary appropriation for Calendar Year 2012;

WHEREAS, it is necessary to issue the hereinafter defined Bonds, on a private placement basis, pursuant to said Refunding Bond Ordinance in the aggregate principal amount of not to exceed \$85,000 to provide for the payment of a portion of the Settlement in the amount of \$74,054.20, plus all costs associated with such appeal and the issuance of the Bonds; and

WHEREAS, the Borough Council now desires and finds it necessary to issue the General Obligation Refunding Bonds, Series 2012 in the aggregate principal amount not to exceed \$85,000 (the "Bonds"), and it is deemed advisable and in the best interests of the Borough to provide for the form, sale, maturity dates and other matters in connection with such authorization, sale, issuance and delivery of the Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

SECTION 1. Authority for Resolution. Pursuant to the provisions of the Local Bond Law, the Borough Council has heretofore adopted the above-referenced Refunding Bond Ordinance that authorizes the issuance of the Bonds in the aggregate principal amount not to exceed \$85,000, and the Borough Council hereby determines to issue, pursuant to this resolution and the above-referenced Refunding Bond Ordinance, the Bonds of the Borough in an aggregate principal amount not to exceed \$85,000 as described below in Section 2.

SECTION 2. Authorization of the Bonds. In accordance with the Local Bond Law, and for the purpose of providing funds to (i) pay a portion of the Settlement owing to the Taxpayer for tax years 2009, 2010 and 2011 in the amount of \$74,054.20 as a result of a tax appeal, plus all costs associated with such appeal and Settlement and (ii) pay the allocable portion of the costs of issuance relating to the Bonds, including but not limited to, printing, advertising, accounting, fiduciary, financial and legal services and rating agency, underwriting and credit enhancement fees, as applicable, and as more fully set forth in the above-referenced Refunding Bond Ordinance, there shall be issued Bonds of the Borough in an aggregate principal amount not to exceed \$85,000, pursuant to the above-referenced bond ordinance and this Resolution.

SECTION 3. Details of the Bonds. The Bonds shall be payable with respect to principal and interest in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, shall be issued in a form to be designated by the Mayor and/or Chief Financial Officer of the Borough, and shall be issued in the form provided in Section 7 of this Resolution, with such omissions, insertions and variations as are properly required. The Bonds shall be dated, shall mature in each of the years, shall bear interest from their date of issuance and shall contain such other terms, including but not limited to redemption provisions, as shall be determined by the Mayor and/or Chief Financial Officer of the Borough, upon the advice of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Borough ("Bond Counsel"). The Bonds shall be numbered consecutively from "GOR-1" upwards.

The Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of issuance, until such Bonds shall be paid or discharged as shall be set forth in the applicable Purchase Agreement to be dated the date of the sale and award of the Bonds by and between the Borough and the hereinafter defined Initial Purchaser of the Bonds to be determined by the Mayor and/or Chief Financial Officer of the Borough (the "Purchase Agreement").

In the event that the Borough is the Initial Purchaser and subsequently thereafter assigns the Bonds to any entity other than the Borough, the Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of assignment, until such Bonds shall be paid or discharged as shall be set forth in an assignment certificate to be dated the date of the assignment of the Bonds by and between the Borough, as Initial Purchaser, and the hereinafter defined Secondary Purchaser of the Bonds to be determined by the Mayor and/or Chief Financial Officer of the Borough (the "Assignment Certificate").

Subject to the limitations of the Local Bond Law, all matters in connection with the sale and issuance of the Bonds shall be determined by the Mayor and/or Chief Financial Officer, including but not limited to, the following:

- (a) the initial purchasers, on a private placement basis, which may include but are not limited to, the Borough (collectively, the "Initial Purchaser") and the purchase price thereof;
- (b) the secondary purchasers or assignees, to the extent that the Borough is the Initial Purchaser (collectively, the "Secondary Purchaser") and the purchase price and interest rates thereof;
- (c) the principal amount of the Bonds to be issued, provided that such amount shall not exceed \$85,000;
- (d) the date of the Bonds, the maturity dates (provided such bonds mature within not to exceed three (3) years from the date of issuance), interest payment dates, record dates and the principal amount of maturity of the Bonds;
- (e) the interest rates on the Bonds;
- (f) the denomination or denominations of and the manner of numbering and lettering of the Bonds; provided that all Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;
- (g) provisions for the sale or exchange of the Bonds and for the delivery thereof;
- (h) the redemption provisions for the Bonds;
- (i) direction for the application and investment of the proceeds of the Bonds; and
- (j) any other provisions deemed advisable by the Mayor and/or Chief Financial Officer, upon the advice of Bond Counsel, which are not inconsistent with the provisions of the Local Bond Law.

The Mayor and/or Chief Financial Officer shall execute a certificate evidencing the determinations or other actions taken and any such certificate shall be conclusive evidence of the actions or determinations of the Mayor and/or Chief Financial Officer as to the matters stated therein.

SECTION 4. Payment of the Bonds. The principal of the Bonds, when due, shall be payable upon presentation and surrender thereof to the Chief Financial Officer of the Borough at Borough Hall, 15 Main Street Englishtown, New Jersey 07726, acting in the capacity of Paying Agent or the principal corporate trust office of any paying agent duly appointed by the Borough (collectively, the "Paying Agent").

SECTION 5. Execution of the Bonds. The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the Borough and the seal of the Borough shall be affixed, imprinted or reproduced thereon and attested to by the manual signature of the Borough Clerk. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes. In addition, any Bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been officers.

SECTION 6. Registration of the Bonds. The Paying Agent shall also maintain and keep books for the registration and transfer of the Bonds. The Paying Agent shall also act as agent for the Borough with respect to the transfer or exchange of any of the Bonds.

SECTION 7. Form of the Bonds. Subject to the provisions of this Resolution, the Bonds shall be in the form set forth in Exhibit A attached hereto, with such additions, deletions, omissions, endorsements and variations (including those required by the Initial Purchaser, if applicable) as may be required or permitted by this Resolution or the above-referenced Refunding Bond Ordinance or as may be consistent with this Resolution and the above-referenced Refunding Bond Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may be necessary for the Borough to market the Bonds, upon advice of Bond Counsel.

SECTION 8. Assignment Certificate. Subject to the provisions of this Resolution and provided that the Borough is the Initial Purchaser, the terms of the assignment of the Bonds to the Secondary Purchaser shall be determined by the Assignment Certificate in the form set forth in Exhibit B attached hereto, with such additions, deletions, omissions, endorsements and variations (including those required by the Secondary Purchaser, if applicable) as may be required or permitted by this Resolution or as may be consistent with this Resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may be necessary for the Borough to market the Bonds, upon advice of Bond Counsel.

SECTION 9. Application of Proceeds of the Bonds. From the proceeds of the sale of the Bonds, the following amounts, if stated herein, shall simultaneously with the issuance of such Bonds (or as soon as practicable thereafter) be paid by the Borough as follows:

(a) To the payees designated by the Mayor and/or Chief Financial Officer of the Borough, amounts representing the costs associated with the appeal and Settlement and the costs of issuance for the Bonds;

(b) To the Borough, an amount representing accrued interest, if applicable, on the Bonds from the Issue Date to the date of delivery thereof and payment therefor, such amount to be used for the payment of interest on the Bonds as the same shall become due and payable on the first Interest Payment Date; and

(c) To the Taxpayer, an amount equal to \$74,054.20 to provide for a portion of the payment of the Settlement for tax years 2009, 2010 and 2011.

SECTION 10. Award of Bonds. The Mayor and/or the Chief Financial Officer are each hereby authorized and directed, in consultation with Bond Counsel, to negotiate and approve the terms of the Purchase Agreement with the Initial Purchaser for the purchase of the Bonds. The Bonds are hereby authorized to be sold to the Initial Purchaser designated by the Mayor and/or Chief Financial Officer of the Borough in accordance with the terms of the Purchase Agreement. The Mayor and/or Chief Financial Officer of the Borough are each hereby authorized and directed to execute and deliver the Purchase Agreement on behalf of the Borough.

SECTION 11. Delivery of Bonds. The Bonds, in registered form shall, as soon as practicable, be prepared, executed and delivered in definitive form to the Initial Purchaser at the expense of the Borough, upon payment in full of the purchase price for the Bonds.

SECTION 12. Actions to be Taken on Behalf of the Borough. The various officers of the Borough are hereby authorized and directed to do all matters necessary, useful, convenient or desirable to accomplish the (a) sale, issuance and delivery of the Bonds to the Initial Purchaser as promptly as possible, in accordance with the provisions hereof, and (b) execution of the closing documents necessary in connection with the sale, issuance and delivery of the Bonds.

The Initial Purchaser, the Borough's auditor (the "Auditor") and Bond Counsel, are each hereby authorized to prepare and arrange for the printing or reproduction of the Bonds, and any such actions heretofore taken by such Initial Purchaser, Auditor and Bond Counsel are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 13. Auditor. The Borough hereby authorizes the Auditor to circulate the financial statements of and any other financial information concerning the Borough that is necessary in connection with the marketing, sale and issuance of the Bonds.

SECTION 14. Authorizations. The Mayor and/or Chief Financial Officer of the Borough are each hereby authorized and directed to determine all matters in connection with the Bonds (including any matters set forth herein) not determined by this or a subsequent resolution, all in consultation with Bond Counsel, and the manual or facsimile signature of the Mayor and/or Chief Financial Officer of the Borough upon the Bonds and any other documents shall be conclusive as to all such determinations. The Mayor and/or Chief Financial Officer of the Borough shall report in writing to the governing body at the next meeting thereof as to the principal amounts, maturities and numbers of the Bonds so delivered, which report shall be entered in the minutes of the governing body. The Mayor, the Chief Financial Officer of the Borough, the Borough Clerk and any other Borough officer, official or professional, including Bond Counsel

and the Auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Bonds, including the Bonds, the Purchase Agreement and the Assignment Certificate and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds, and all such actions or inactions by the aforesaid Borough officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 15. Pledge of Borough. The full faith and credit of the Borough are hereby pledged for the payment of the principal of and interest on the Bonds. The Bonds shall be direct obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

SECTION 16. Tax Covenant. The Borough hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of the Bonds or take any other action (or refrain from taking such action) which would cause the Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended and supplemented, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on the Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Bonds.

The Chief Financial Officer of the Borough is hereby further authorized and directed to establish an Investment Rebate Account (the "Rebate Account") and provide for the deposit therein, for delivery to the United States Treasury of "excess investment earnings," as may from time to time be required by Section 148 of the Code, all as may be set forth in a letter or letters of instruction to the Borough submitted by Bond Counsel in connection with the Bonds.

SECTION 17. Effective Date. This Resolution shall take effect immediately after adoption in accordance with the provisions of the Local Bond Law.

Offered by: C/Robilotti

Seconded by: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2012-107**

**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 \$552,446.13 are hereby authorized to be paid on June 27, 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/Krawiec, C/Robilotti, C/Rucker, C/Wojyn

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

Tax Collector's Report

May 2012

2012 Taxes	\$938,404.55
Interest	270.60
Duplicate Bill Fee	25.00
Net Receipts	\$938,700.15

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

Executive Session

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

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

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

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

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

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7 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 27th day of June, 2012 pursuant to Section 7 of the Open Public Meetings Act.

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

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

The time being 7:08 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/Robilotti. Passed unanimously.

The time being 7:33 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 7:34 P.M.

July 25, 2012
Approved by Governing Body

Municipal Clerk