

DECEMBER 16, 2013

**** 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:
 - Employee's Health Insurance Carrier
 - Personnel Policy – Final Draft
 - Municipal Court - Public Defender Resignation/Appointment
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:42 P.M.

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

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

Discussion Items:

Employee Health Insurance Carrier – Mayor Reynolds and Council discuss withdrawing from the Monmouth County Joint Insurance Fund and pursuing the State Health Benefits Program. Any loss by the Monmouth County Joint Insurance Fund would be proportionate to Englishtown.

Personnel Policy – Final Draft – Accepted by Mayor and Council with additional changes which will be amended. Authorization of final draft will be on the Reorganization Meeting agenda.

Municipal Court – Public Defender Resignation/Appointment – Public defender has resigned. A resume was submitted to Judge Newman and it is his recommendation that Christopher Koutsouris Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors be appointed the Public Defender for 2014.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Sarti. Passed unanimously. The time being 7:36 P.M.

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

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Approval of Minutes
 - November 25, 2013
 - November 25, 2013 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. New Business
 - A. Resolution No. 2013-159
Authorizing Release of Remaining Performance Bond – Elon Assoc.
 - B. Resolution No. 2013-160
Authorizing Employees to Carry Over Remaining Vacation Time
 - C. Resolution No. 2013-161
Authorizing Cancellation of Unexpended Balance
 - D. Resolution No. 2013-162
Authorizing Purchases Over \$2625 – Police Dept.-Ammunition
 - E. Resolution No. 2013-163
Authorizing Services Over \$2625 – Tennent Ave. Water Pit Maintenance
 - F. Resolution No. 2013-164
Authorizing Veteran Deduction
 - G. Resolution No. 2013-165
Authorizing Award of Contract for Real Property Data Collection and Verification Services

- H. Resolution No. 2013-166
Authorizing Payment of Borough Bills
 - I. Resolution No. 2013-167
Authorizing Purchases Over \$2625 – Police Dept.- E-Ticketing System
- 9. Tax Collector's Report – November 2013
 - 10. 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.
 - 11. Executive Session
 - 12. Adjournment

The meeting was called to order by Mayor Reynolds at 7:36 P.M.

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

Also present was Peter Gorbatuk, Municipal Clerk, Laurie Finger, Borough Administrator/CFO 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 further corrections, deletions or additions, a motion to approve the November 25, 2013 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/Sarti, C/Wojyn
Nays: None
Abstain: None
Absent: C/Rucker

There being no further corrections, deletions or additions, a motion to approve the November 25, 2013 executive session 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/Sarti, C/Wojyn
 Nays: None
 Abstain: None
 Absent: C/Rucker

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke reports:

- December 23rd, at 12:00 Noon, there will be a holiday luncheon for the employees.
- The committee met to evaluate the two proposals for the Assessment Demonstration Program. Resolution on tonight's agenda to award the contract to Realty Data Systems of Shrewsbury, N.J.

Public Utilities

Councilwoman Robilotti reports:

- DPW Department did not have any problems with the first snow of the year.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Wojyn reports:

- Shade Tree Commission would like to recognize Arbor Day in 2014. Mayor and Council are in favor.

Public Safety

Councilwoman Krawiec reports:

- Reads Police Activity Report; on file in the Municipal Clerks Office.

Legislative, Insurance & Licenses -

Councilman Sarti reports:

- Mayor and Council will consider taking action on the changing of Health Insurance from the Monmouth County Joint Insurance Fund to State Health Benefits at the Reorganization Meeting on January 2, 2014.

Public Buildings & Grounds

Councilman Rucker is absent, report given by C/Robilotti.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- Recycling will be picked up on December 26th
- Reorganization Meeting will be on January 2nd at 6:30 PM. No Workshop.
- Tax Sale is scheduled for tomorrow, December 17th at 11:00 AM
- Traffic Signal at Gordon's Corner Road will be completed tomorrow December 17th, weather permitting.

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/Cooke. Passed unanimously.

New Business

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-159**

**AUTHORIZING RELEASE OF REMAINING PERFORMANCE BOND
ELON ASSOCIATES, LLC / STAMFORD SQUARE, LLC**

WHEREAS, the Borough of Englishtown accepted a cash Performance Bond from Elon Associates, LLC for the Stamford Square Project; Block 26, Lots 1 & 7 in the amount of \$18,642.30 on September 9, 2008 and an additional cash performance bond in the amount of \$125,000.00 on December 3, 2012 to cover the remaining site improvement items; and

WHEREAS, after a public hearing with no objections was held at the September 25, 2013 council meeting, Elon Associates received a bond reduction, authorizing resolution no. 2013-123, in the amount of \$110,000.00; and

WHEREAS, the Borough Engineer recommended the remaining \$33,642.30 will remain in escrow until the satisfactory completion of the remaining site improvement items; and

WHEREAS, by a report, dated December 5, 2013, the Borough Engineer recommended the release of the remaining bond funds due to the satisfactory final inspection and completion of remaining site improvement items, conditional to payment of all outstanding invoices.

WHEREAS, per the Finance Department, all outstanding invoices have been paid; and

WHEREAS, the matter of the posting of a maintenance bond has been referred by the Borough Engineer to the Borough Attorney for determination.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the release of the remaining performance bond for Elon Associates is hereby authorized; releasing \$33,642.30 plus \$810.70 interest for a total amount of \$34,453.00.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a certified true copy of this Resolution be provided by the Municipal Clerk to Michael Weitz of Elon Associates, Borough Engineer and Chief Financial Officer.

Offered By: C/Cooke

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-160**

**AUTHORIZING BOROUGH EMPLOYEES TO CARRY OVER
REMAINING VACATION TIME TO THE YEAR 2014**

WHEREAS, several Borough employees have not used all of their allowed vacation time; and

WHEREAS, it is difficult to use said time by the end of the year; and

WHEREAS, the department heads state that the remaining vacation time is as follows:

Celia Hecht	5 Vacation Days Remaining
Peter Gorbatuk	5 Vacation Days Remaining
Laurie Finger	5 Vacation Days Remaining
Jeanne Keevins	4 Vacation Days Remaining
Christine Robbins	2 Vacation Days Remaining
Wayne Krawiec	5 Vacation Days Remaining

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the above personnel will be allowed to carry their remaining vacation time over to the year 2014.

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

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-161**

**RESOLUTION AUTHORIZING CANCELLATION OF
UNEXPENDED BALANCE**

WHEREAS, the following 2013 Water Operating Fund Budget appropriation balance remain unexpended:

Water Capital Outlay	
Other Expenses	\$30,000.00

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to Surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough Of Englishtown, that the above listed unexpended balance of the Water Operating Fund be canceled.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-162**

AUTHORIZATION OF PURCHASES

WHEREAS, the Borough of Englishtown Council requires that purchases and services over \$2625.00 or more be pre-approved by the Governing Body except in the case of imminent emergency situation; and

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

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

Police Dept. – Ammunition - \$5,189.96

Services From: Eagle Point Gun Shop
TJ Morris & Son
1707 Third Street
Thorofare, N.J. 08086

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the above request(s) is approved for the purchase or order.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-163**

AUTHORIZATION OF SERVICES

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:

Tennent Avenue Water Meter Pit Maintenance
Installation of new traffic box, panel pan & service to pole - \$9,282.00

Services From:

Electro Maintenance Inc.
5133 W. Hurley Pond Road
Farmingdale, N.J. 07727

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/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-164**

GRANTING VETERAN DEDUCTION FOR 2013 TAX YEAR

WHEREAS, the Borough of Englishtown Tax Collector has reported the need to grant a veteran deduction for the year 2013; and

WHEREAS, the deduction is for Ali Shan, 46 Lasatta Avenue, Block 2 Lot 23.04, to be applied to 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.

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/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-165**

**RESOLUTION AWARDING A CONTRACT FOR REAL PROPERTY DATA
COLLECTION AND VERIFICATION SERVICES AND AUTHORIZING THE
EXECUTION OF A CONTRACT**

WHEREAS, the Borough of Englishtown is participating in the Assessment Demonstration Program, P.L. 2013, c.15, signed into law by Governor Christie in March 2013 to begin in tax year 2014; and

WHEREAS, the Borough advertised, and received proposals on December 4, 2013 at 10:00 AM, in the Borough's offices, for the Project; and

WHEREAS, after careful review by the review committee, Realty Data Systems of Shrewsbury, N.J. is determined to be the lowest responsible bidder, with a low bid of \$15,225.00; and

NOW THEREFORE BE IT RESOLVED, that the Borough Council awards a contract to Realty Data Systems of Shrewsbury, N.J, in the amount of \$15,225.00, the total bid, for the Real Property Collection and Verification Services project.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Mayor is authorized to execute a contract with Realty Data Systems of Shrewsbury, N.J., in the amount of \$15,225.00 and the Chief Financial Officer will provide certification of funds each budget year.

BE IT FURTHER RESOLVED, that the contract was conditioned upon the Borough Attorney's review and approval of the contract document, and certification by the Borough's Chief Financial Officer of the availability of funds for this project, which has all been found satisfactory.

BE IT FURTHER RESOLVED, that the Clerk's Office is authorized to forward a copy of this Resolution to the Borough Attorney, the Borough Engineer, Realty Data Systems and the Borough's Chief Financial Officer.

Offered By: C/Robilotti

Seconded By: C/Sarti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-166**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING THE PAYMENT OF BOROUGH BILLS**

WHEREAS, the Mayor and Council have carefully examined all vouchers presented to the Borough for the payment of claims; and

WHEREAS, after due consideration of the said vouchers, the Mayor and Council have approved payment of same.

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

1. The said approved vouchers amounting to the sum of \$443,468.50 are hereby authorized to be paid on December 16, 2013.
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/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-167**

AUTHORIZATION OF PURCHASES

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:

Services From:

Quality Communications
1985 Swarthmore Avenue, Suite 4
Lakewood, N.J. 08701

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/Sarti

Seconded By: C/Robilotti

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

Tax Collector's Report

November 2013

2013 Taxes	\$525,984.69
2014 Taxes	1,303.71
Interest	933.54
Cost of Sale	1,220.34
<u>Duplicate Bill Fee</u>	<u>45.00</u>
Net Receipts	\$529,487.28

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.

Charles Viviani of 4 Water Street expresses concern for the lack of lighting and flag raising at Monument Park. Mayor Reynolds instructs Municipal Clerk Peter Gorbatuk to look into this.

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 5, 8, of N.J.S.A. 10:4-12b is required to discuss French property and compensatory time for Municipal Clerk.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 16th day of December, 2013 pursuant to Sections 5 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/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Rucker

The time being 7:55 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/Sarti. Passed unanimously.

The time being 8:25 P.M.

At this time Mayor Reynolds adds the following resolution to tonight's agenda.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-168**

EXCUSING GOVERNING BODY MEMBER FROM COUNCIL MEETING

WHEREAS, the Mayor and Council wishes to maintain a high level of attendance by members of the Governing Body at Council meetings; and

WHEREAS, Councilman Rudolph Rucker has been stricken with an illness that prohibited him from attending Council Meeting of December 16, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, hereby excuse C/Rudolph Rucker from attending the Council Meeting of December 16, 2013.

Offered By: C/Cooke

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Rucker

Adjournment

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

The time being 8:32 P.M.

January 22, 2014

Approved by Governing Body

Municipal Clerk