

**** WORKSHOP AGENDA ****

February 27, 2013

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:
 - 2013 Municipal Budget
 - Police Dept. - Special Duty Assignment Administrative Fee
3. Adjournment

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

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

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

Discussion Items:

2013 Municipal Budget

Mayor and Council discuss memo (listed below) distributed by CFO Laurie Finger.

At our budget workshop on Saturday, February 16th, Mayor and Council reviewed the departmental requests and adjusted the following:

- Court budget reduction of \$2,750
- Dispatching reduction of \$3,400
- Capital Equipment reduction of \$2,000

New Adjustments to Budget:

- Insertion – Tree Grant for Management Plan Awarded \$3,000
- Insertion – Capital Expense for Municipal Building Roof Replacement \$16,000

The 2013 Municipal Budget currently “EXCEEDS” the LEVY CAP by \$20,129.00 which represents a tax increase of 3.7 cents.

Notes: 2013 penny = \$25,402.09 2012 penny = \$24,986.32

The maximum amount the Borough can defer school taxes by is \$129,836.

**** We will have to Defer School Taxes to meet the 2% Levy Cap ****

Analysis of tax increase

• <u>Monmouth County Rehabilitation Contract</u> (COAH-3 rd Rehab)	\$26,450
• <u>Reserve for Tax Appeals</u> (WEMAC)	\$12,000
• <u>Debt Service</u> (Tax Appeal Refunding Bond)	\$29,100
• <u>Capital Expense – Municipal Bldg Roof</u>	\$16,000
• <u>Police & Fire Retirement System</u>	\$13,401
• <u>Insurance (5% increase)</u>	\$ 8,800
UNCONTROLLABLE INCREASES	\$105,751 (4 cents)
• <u>Anticipated Revenues</u> are down by Water Utility Surplus	\$ 30,450 (1.2 cents)

** Without the Uncontrollable Increases, the 2013 Spending Budget of \$2,056,127 is actually lower than the 2012 budget of \$1,953,828 by \$3,400

AMOUNT TO BE RAISED BY TAXATION = an increase of \$132,750 = 4.5 cents at 2013 penny (2012 penny = 5.2 cents)

** Please note: we must be at levy cap, need to defer school taxes \$20,000 – tax increase will be 3.7 cents.

Police Dept. Special Duty Assignment Administrative Fee:

After discussion, Mayor and Council agree to increase the \$10.00 Special Duty Assignment Administrative Fee to \$15.00 in the near future.

At this time Mayor Reynolds calls for executive session.

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 Sections 1, 5 & 7 of N.J.S.A. 10:4-12b is required to discuss (1) "Holmdel Helps" Donation Request, (2) Giacobbe Properties Dedication Request and (3) WEMAC Tax Appeal.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 27th day of February, 2013 pursuant to Sections 1, 5 & 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/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

The time being 6:53 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/Robilotti. Passed unanimously.

The time being 6:58 P.M.

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 6:58 P.M.

Mayor Reynolds calls for a brief recess.

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

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Approval of Minutes
 - January 23, 2013
 - January 23, 2013 Executive Session
 - Special Meeting February 16, 2013 – Budget Workshop
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. Bond Ordinance No. 2013-01
Bond Ordinance Providing for the Reconstruction of Center Street, Appropriating \$500,000 Therefor (Including a N.J.D.O.T. Grant in the Amount of \$210,000) and Authorizing the Issuance of \$265,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof
 - B. Bond Ordinance No. 2013-02
Bond Ordinance Amending and Supplementing Bond Ordinance No. 2011-08 (Which Provides for Various Capital Improvements) Heretofore Finally Adopted by the Borough Council on August 24, 2011, As Amended and Supplemented Heretofore, to Increase the Appropriation Therein by \$20,000 and to Increase the Authorization of Bonds or Notes Therein by \$19,000 to Finance Part of the Additional Costs Thereof
 - C. Resolution No. 2013-050
Authorizing Refund of Tax Sale Certificate
 - D. Resolution No. 2013-051
Grant Agreement for 2013 Green Communities Grant

- E. Resolution No. 2013-052
Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled: Monmouth County Future Wastewater Service Area Map
 - F. Resolution No. 2013-053
Granting Approval for Raffle Application No. RA2013-01- BHS
 - G. Resolution No. 2013-054
Authorizing Signing of Professional Contracts
 - H. Resolution No. 2013-055
Authorizing Change Order - Municipal Building Roof Project
 - I. Resolution No. 2013-056
Appointment of Animal Control Officer
 - J. Resolution No. 2013-057
Emergency Temporary Appropriations
 - K. Resolution No. 2013-058
Establishing 2013 Temporary General Capital Budget
 - L. Resolution No. 2013-059
Appropriation Reserve Transfer
 - M. Resolution No. 2013-060
Authorizing Mayor to Sign Mortgage Modification Agreement
 - N. Resolution No. 2013-061
Authorizing Payment of Borough Bills
9. 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.
10. Executive Session
11. Adjournment

The meeting was called to order by Mayor Reynolds at 7:08 P.M.

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

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

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

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

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the January 23, 2013 meeting minutes was offered by C/Robilotti and seconded by C/Krawiec. 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 corrections, deletions or additions, a motion to approve the January 23, 2013 Executive Session minutes was offered by C/Robilotti and seconded by C/Krawiec. 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 corrections, deletions or additions, a motion to approve the February 16, 2013 Special meeting minutes was offered by C/Robilotti and seconded by C/Krawiec. 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:

- The new phone line transmission seems to be finally coming to an end. Thanks the employees for dealing with the frustration during this changeover. B/A Finger did a great job and is now working on obtaining a substantial credit. Annual savings is approximately \$2,400.

- Attended Monmouth County Improvement Authority finance meeting with B/A Finger on 2/26/13. We will be looking into permanently financing our unfunded projects and refinancing existing bonds for better rates.
- Two residents mentioned they were pleased with the new Solid Waste and Recycling Company M&S Disposal. They are polite and accommodating.

Public Utilities

Councilwoman Robilotti reports:

- Reads aloud water/sewer activity report; on file in the Municipal Clerks Office for review.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Wojyn reports:

- No report at this time.

Public Safety

Councilwoman Krawiec reports:

- Reads aloud January's Police activity report; on file in the Municipal Clerks Office for review.

Legislative, Insurance & Licenses -

Councilman Sarti reports:

- No report at this time.

Public Buildings & Grounds

Councilman Rucker is absent; no report this evening.

Correspondence

Peter Gorbatuk, Municipal Clerk reports:

- Financial Disclosure Statements will be filed on line this year. Will pass on information as it is received.
- Next Meeting is on Monday March 18th. Please mark your calendar.

Public Portion – Agenda Items

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

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

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
BOND ORDINANCE NO. 2013-01**

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF CENTER STREET, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$210,000) AND AUTHORIZING THE ISSUANCE OF \$265,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Nays: None

Abstain: None

Absent: C/Rucker

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Bond Ordinance No. 2013-01 will be held at the March 18, 2013 council meeting.

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
BOND ORDINANCE NO. 2013-02**

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2011-08 (WHICH PROVIDES FOR VARIOUS CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON AUGUST 24, 2011, AS AMENDED AND SUPPLEMENTED HERETOFORE, TO INCREASE THE APPROPRIATION THEREIN BY \$20,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$19,000 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

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/Cooke, C/Krawiec, C/Robilotti, C/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Rucker

Peter Gorbatuk, Municipal Clerk states the Public Hearing and Adoption on Bond Ordinance No. 2013-02 will be held at the March 18, 2013 council meeting.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2013-050**

AUTHORIZING REFUND OF TAX SALE CERTIFICATE

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to US Bank Cust/Pro Cap II, LLC 50 S 16th Street Suite 1950 Philadelphia, PA 19102:

Tax Sale Certificate No. 12-00004
Block 18, Lot 13.12
15 McDonald Way
in the amount of \$83.03

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 payment in the amount of \$83.03 to US Bank Cust/Pro Cap II, LLC 50 S 16th Street Suite 1950 Philadelphia, PA 19102.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to the Borough's 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. 2013-051**

**GRANT AGREEMENT
BETWEEN
Borough of Englishtown
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GRANT IDENTIFIER: PF13-072

The governing body of The Borough of Englishtown desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

2013 Green Communities Grant
Community Forestry Management Plan

Therefore, the governing body resolves that Thomas Reynolds or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00 , and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

The Governing Body of the Borough of Englishtown authorizes and hereby agrees to match \$3,000 .00 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed February 27, 2013

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. 2013-052**

**CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT
(WQM) PLAN AMENDMENT ENTITLED: MONMOUTH COUNTY
FUTURE WASTEWATER SERVICE AREA MAP**

WHEREAS, the Borough of Englishtown desires to provide for the orderly development of wastewater facilities within Monmouth County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on January 7, 2013 as the Monmouth County Future Wastewater Service Area Map has been submitted on behalf of the Monmouth County Board of Chosen Freeholders.

NOW, THEREFORE BE IT RESOLVED, on this 27th day of February, 2013, by the governing body of the Borough of Englishtown that:

1. The Borough of Englishtown hereby consents to the amendment entitled Monmouth County Future Wastewater Service Area Map, and publicly noticed on January 7, 2013, prepared by Monmouth County, for the purpose of its incorporation into the applicable WQM plan (s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the County of Monmouth Division of Planning.

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. 2013-053**

**RESOLUTION OF THE MAYOR AND GOVERNING BODY
GRANTING APPROVAL FOR RAFFLE APPLICATION NO. RA 2013-01**

WHEREAS, the Battleground Historical Society has applied to the Governing Body of the Borough of Englishtown for a raffle license for November 23, 2013; and

WHEREAS, the Battleground Historical Society has paid all the proper fees to the Borough of Englishtown and submitted the proper fees to be forwarded to the Legalized Games of Chance Control Commission; and

WHEREAS, the Mayor and Governing Body of the Borough of Englishtown finds that the Battleground Historical Society is a qualified applicant and the members of the Battleground Historical Society are designated to conduct games of chance and are of good moral character and said members have never been convicted of a crime to the best of the Council's knowledge; and

WHEREAS, said games are to be conducted by the rules set forth by the Legalized Games of Chance Control Commission and the entire net proceeds are to be disposed of for a purpose permitted by the Raffle Licensing Law Act of 1954; and

WHEREAS, there is satisfactory proof that the Battleground Historical Society will not make payment for the conducting of the game or assisting therein, except to the extent allowed by law; and

WHEREAS, The Battleground Historical Society has stated that any rental to be paid for raffle equipment does conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor, should there be one, has been approved by the Control Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Raffle Application No. RA2013-01 for the Battleground Historical Society be approved as required by N.J.A.C. 13:47-4.11 and forwarded to the Legal Games of Chance Control Commission as prescribed by N.J.A.C. 13:47-4.3 (b); and

BE IT FURTHER RESOLVED, that a copy of Raffle License RA2013-01 be forwarded by the Municipal Clerk to the Legalized Games of Chance Control Commission for their review and determination; and

BE IT FURTHER RESOLVED, on the fifteenth day after Raffle Application No. RA2013-01 has been forwarded to the Legalized Games of Chance Control Commission with no objections received, Raffle License No. RA2013-01 may be issued to the Battleground Historical Society and copies of said license shall be distributed to the Licensee, the Municipal Clerk, and the Borough of Englishtown Police Dept.

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. 2013-054**

AUTHORIZING SIGNING OF PROFESSIONAL CONTRACTS

WHEREAS, professional contracts have been submitted to the Municipal Clerk of the Borough of Englishtown and forwarded to the Borough Attorney for review; and

WHEREAS, the Municipal Attorney has reviewed said contracts and has found them to be in compliance with statutory requirements; and

WHEREAS, the members of Council hereby approve the following contracts.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute the contracts for professional services for:

Bond Counsel	John M. Cantalupo of Wilentz, Goldman & Spitzer P.A.
Prosecutor	Richard Kelly
Auditor	Robert W. Allison of Hutchins, Farrell, Meyers & Allison P.A.
Engineer	Thomas J. Herits of Maser Consulting
Attorney	Joseph Youssouf, Esquire

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. 2013-055**

**AUTHORIZING A CHANGE ORDER
TO THE MUNICIPAL BUILDING ROOF PROJECT**

WHEREAS, the Borough of Englishtown had previously awarded a contract on November 28, 2012, for the removal and replacement of the Municipal Building Roof to Roof Management, Inc. in the total amount of \$79,490.00; and

WHEREAS, upon removal of the old roofing, Roof Management, Inc. had discovered that a rooftop HVAC unit is not set on structural steel and as such presents a significant danger of possible collapse of the roof deck from the weight of the HVAC

unit, which presents an urgent need to correct this problem for the safety and welfare of the public; and

WHEREAS, to correct this problem Roof Management, Inc. proposes to install steel support struts, or steel support beams below the roof deck under the HVAC unit to provide the structural support to carry the full load of the HVAC unit; and

WHEREAS, Roof Management, Inc. has submitted a change order #1 and Final resulting in an adjusted contract price of \$95,380.00 or an increase of \$15,890.00 over the original contract price; and

WHEREAS, the Local Public Contracts Law Rules, specifically N.J.A.C. 5:34-52, provided that the Governing Body may issue change orders, which do not increase or decrease the contract amount by more than 20%.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englishtown does hereby authorize Change Order #1 and Final increasing the original amount of the contract by \$15,890.00 to \$95,380.00 awarded to Roof Management, Inc. for the Municipal Building Roof Project.

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. 2013-056**

APPOINTMENT OF ANIMAL CONTROL OFFICER

WHEREAS, the Mayor and Council of the Borough of Englishtown are knowledgeable that there is a need for an Animal Control Officer to perform Animal Control services within the Borough of Englishtown.

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

1. Jan (John) E. Bilyk (d/b/a Whisper Acres) of Jackson, N.J. is a certified animal control officer who will perform all duties required of the position and outlined in the contract.
2. The Mayor and Municipal Clerk are authorized to execute a 1-year agreement between Jan E. Bilyk (d/b/a Whisper Acres) and the Borough of Englishtown for Animal Control Services for a one-year period commencing March 1, 2013 through February 28, 2014 at an annual compensation of twelve hundred dollars (\$1200.00).

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute the contract with Jan (John) E. Bilyk (d/b/a Whisper Acres) of Jackson, N.J for Animal Control Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Borough of Englishtown Chief Financial Officer and Jan (John) E. Bilyk (d/b/a Whisper Acres).

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. 2013-057**

EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergent condition has arisen with respect to the need for various operating expenses prior to the adoption of the 2013 Budget and no adequate provision has been made in the 2013 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L.1951 (N.J.S.A.40A:4-20) including this resolution total \$24,000.00

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A-20:

1. Emergency temporary appropriations be and the same is hereby made in the amount of \$24,000.00

Annual Audit OE	\$ 8,000.00
Capital Improvement-Municipal Building Roof	\$16,000.00

2. Said emergency temporary appropriations will be provided for in the 2013 budgets.

- 3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

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. 2013-058**

**RESOLUTION ESTABLISHING
2013 TEMPORARY GENERAL CAPITAL BUDGET
OF THE BOROUGH OF ENGLISHTOWN**

WHEREAS, the Borough Council of the Borough of Englishtown desires to establish a 2013 Temporary Capital Budget of said municipality by inserting or correcting therein:

Road Reconstruction of Center Street
Municipal Building Roof Replacement

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Englishtown as follows:

SECTION 1. The 2013 Temporary Capital Budget of the Borough of Englishtown is hereby established by the adoption of a schedule to read as follows:

Temporary Capital Budget of the
Borough of Englishtown
County of Monmouth, New Jersey

Projects Scheduled for 2013
Road Reconstruction of Center Street
Municipal Building Roof Replacement

Method of Financing

Project No.	Estimated Total Cost	Capital Impr. Fund	Grants In Aid and Other Funds	General Bond
01	500,000.00	25,000.00	210,000.00	265,000.00
02	20,000.00	1,000.00		19,000.00

SECTION 2. The Borough reasonably expects to reimburse any expenditures toward the cost of the improvements or purposes described in this resolution, and paid prior to the issuance of any bonds or notes authorized by the Borough, with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized by the Borough, have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-

1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. **This is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the cost of the improvements or purposes described in this resolution, to be incurred and paid prior to the issuance of bonds or notes authorized by the Borough, in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by the Borough, used to reimburse the Borough for any expenditures toward the cost of the improvements or purposes described in this resolution, will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized by the Borough, to reimburse the Borough for any expenditures toward the cost of the improvements or purposes described in this resolution, will be issued in an amount not to exceed \$19,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized by the Borough, will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).**

SECTION 3. The Clerk is authorized and directed to file a certified copy of this resolution with the Borough Chief Financial Officer, Borough Auditor and two (2) certified copies to the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for the 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

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. 2013-059**

APPROPRIATION RESERVE TRANSFER

WHEREAS, N.J.S.A.40A:59 provides for appropriation transfers during the first three months of any fiscal year when the amount of any appropriation reserve for the immediately preceding fiscal year insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there is excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the transfers in the amount of \$20,000.00 (Twenty Thousand Dollars) be made in the 2012 budget.

Current Fund:

<u>From:</u>	General Admin S&W	\$4.59	
	General Admin Other Expense	\$400.00	
	Mayor & Council S&W	\$625.00	
	Municipal Clerk S&W	\$182.25	
	Municipal Clerk Other Expense	\$1,000.00	
	Election Other Expense	\$150.00	
	Finance S&W	\$111.26	
	Finance Other Expense	\$300.00	
	Tax Collection S&W	\$97.69	
	Tax Collection Other Expense	\$1,000.00	
	Tax Assessment S&W	\$30.00	
	Tax Assessment Other Expense	\$800.00	
	Legal Services Other Expense	\$1,500.00	
	Planning Bd S&W	\$60.99	
	Affordable Housing S&W	\$2.13	
	Code Enforcement S&W	\$11.53	
	Police S&W	\$2,000.00	
	Emergency Mgmt Other Expense	\$95.00	
	Prosecutor Other Expense	\$700.00	
	Streets & Roads S&W	\$1,145.59	
	Streets & Roads Other Expense	\$2,000.00	
	Sanitary Landfill Other Expense	\$1,000.00	
	Building & Gds S&W	\$448.32	
	Municipal Court S&W	\$356.62	
	Social Security	\$2,000.00	
	Electricity	\$3,979.03	
	Total	\$20,000.00	
<u>To:</u>	Cost of Tax Appeals	\$20,000.00	WEMAC Tax Appeal

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. 2013-060**

**AUTHORIZING MAYOR TO SIGN
MORTGAGE MODIFICATION AGREEMENT**

WHEREAS, on January 4, 2010, the Borough of Englishtown entered into a Service Agreement for Contract Administration of the Englishtown Borough Indigenous Need Housing Rehabilitation Program with Monmouth County to satisfy its entire fair share obligation pursuant to the dictates of Mount Laurel II and The Fair Housing Act; and

WHEREAS, under this agreement the Borough of Englishtown is obligated to rehabilitate one unit in 2012; and

WHEREAS, 74 Main Street, Englishtown, N.J. has met the criteria and has been chosen to be rehabilitated to fulfill the Borough's 2012 obligation.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute the mortgage modification agreement in the amount of \$24,448.00, which is the total cost of the completed rehabilitation 2012 obligation.

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. 2013-061**

**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 \$905,217.13 are hereby authorized to be paid on February 27, 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/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

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/Wojyn. Passed unanimously.

Adjournment

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

The time being 7:28 P.M.

March 18, 2013
Approved by Governing Body

Municipal Clerk