

**December 15, 2014**

**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
  - Lake Weamaconk & Dam
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:32 P.M.

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

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

### **Discussion Items**

#### **Lake Weamaconk & Dam:**

Mayor Reynolds gives an overview of the meeting held on December 2, 2014 with Monmouth County. Those in attendance were Mayor Reynolds, Engineer Tom Herits, OEM Coordinator Peter Cooke, Business Administrator Laurie Finger, and Municipal Clerk Peter Gorbatuk.

### **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 6:37 P.M.

**December 15, 2014**

**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 24, 2014
  - November 24, 2014 Executive Session
5. Committee Reports
6. Municipal Clerk's Report and Correspondence
7. Borough Engineer's Year End 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. New Business:
  - A. Resolution No. 2014-185  
Authorization of Services – Water Dept.
  - B. Resolution No. 2014-186  
Canceling General Capital Reserve Balance
  - C. Resolution No. 2014-187  
Canceling Old Outstanding Checks
  - D. Resolution No. 2014-188  
Authorizing Cancellation of Unexpended Balance
  - E. Resolution No. 2014-189  
Authorizing Payment of Borough Bills
  - F. Resolution No. 2014-190  
Authorizing Appropriation Transfer

10. Tax Collector's Report – November 2014
11. Public Portion  
Limited to five (5) minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
12. Executive Session
13. Adjournment

The meeting was called to order by Mayor Reynolds at 6:37 P.M.

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

Also present, Peter Gorbatuk, Municipal Clerk, Laurie Finger, CFO/BA 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 November 24, 2014 meeting minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the November 24, 2014 executive session minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

## **Committee Reports**

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

No report at this time.

### **Public Utilities**

Councilwoman Robilotti reports:

- 143 water shut off notices were sent out today

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

No report at this time.

### **Public Safety**

Councilwoman Krawiec reports:

- Drive Sober or Get Pulled Over campaign will take place from December 5 thru January 2.

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

No report at this time.

### **Public Buildings & Grounds**

No report this evening.

### **Municipal Clerk's Report and Correspondence**

Peter Gorbatuk, Municipal Clerk reports:

- Reminder of the Reorganization Meeting January 2, 2015 at 7:30 PM
- Assessment Demonstration Program is in its second year. Information session is scheduled for December 19<sup>th</sup> at 10:00 AM at the Monmouth County Fire Academy, 1027 Route 33 East in Freehold. Mayor Reynolds will attend on behalf of the Council.
- Budget report was sent to Mayor and Council on December 1, 2015. A copy is on file in the Municipal Clerks Office for public review.

B/A Finger informs Mayor and Council of the Tax Sale held on December 9<sup>th</sup> all were sold.

### **Borough Engineer's Year End Report**

Mayor Reynolds reads aloud the Borough Engineer's 2014 year-end report for the record. Report is on file in the Municipal Clerk's office for public review.

### **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  
RESOLUTION NO. 2014-185**

**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:

Water Dept. – 3 Tennent Ave. Curb Stop & Sidewalk Repair - \$2,960.00

Services From:

Brenner Drainage & Excavation, Inc.  
205 Dey Grove Road  
Monroe Twp., N.J. 08831

**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/Krawiec, C/Robilotti, C/Rucker, C/Sarti

Nays: None

Abstain: None

Absent: C/Cooke, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-186**

**RESOLUTION CANCELING A GENERAL CAPITAL RESERVE BALANCE**

**WHEREAS**, certain General Capital Improvement appropriation balances remain dedicated to projects now complete; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorization may be canceled;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Englishtown, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

<u>Ord No.</u>	<u>Date Auth.</u>	<u>Project</u>	<u>Amount Canceled Unfunded</u>
2010-05	05/26/2010	Reconstruction Victory Drive	\$23,238.43
<b>Total Reserve Balance Canceled</b>			<b><u>\$23,238.43</u></b>

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the Borough Chief Financial Officer and Borough Auditor.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-187**

**RESOLUTION CANCELING OLD OUTSTANDING CHECKS**

**////////// CANCELLED //////////**

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-188**

**RESOLUTION AUTHORIZING CANCELLATION OF  
UNEXPENDED BALANCE**

**WHEREAS**, the following 2014 Water Operating Fund Budget appropriation balance remain unexpended:

Water Capital Outlay	
Other Expenses	\$28,000.00

**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/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-189**

**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 \$412,567.84 are hereby authorized to be paid on December 15, 2014.
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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-190**

**RESOLUTION AUTHORIZING APPROPRIATION TRANSFER**

**WHEREAS**, N.J.S.A. 40A: 4-58 provides that during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the 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 \$3,800.00 be made in the 2014 budget as attached.

**Current Fund:**

**From:**

Planning Board OE	\$2,800.00
Municipal Court S&W	1,000.00

**To:**

General Administration OE	\$1,650.00	<b><u>Reason</u></b> IT & Printer
Code Enforcement OE	100.00	Computer
Health Benefits Waiver	1,050.00	Court Admin
Municipal Court OE	1,000.00	Acting Judge

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Wojyn

**Tax Collector's Report –**

**November 2014**

2013 Taxes	19.69
2014 Taxes	915,477.23
2015 Taxes	306.33
Interest	529.11
Cost of Sale	944.52
Duplicate Bill Fee	15.00
<u>MUA Tax Sale</u>	<u>1,323.01</u>
<b>Net Receipts</b>	<b>\$918,614.89</b>

## **Public Portion**

Mayor Reynolds opens the floor to the public for discussion on anything they wish to bring to the attention to the governing body.

There being no further questions or comments, a motion to close the public portion was offered by C/Robilotti and seconded by C/Sarti. 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 & 8 of N.J.S.A. 10:4-12b is required to discuss Thompson litigation, PBA Collective Bargaining Agreement, Lindsey – OPRA litigation, and MacInnes litigation.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 15<sup>th</sup> day of December 2014 pursuant to Section 7 & 8 of the Open Public Meetings Act.

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

Offered By: C/Sarti

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Wojyn

The time being 6:46 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/Krawiec. Passed unanimously.

The time being 7:00 P.M.

Mayor Reynolds adds the following resolution to the agenda at this time.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-191**

**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**, Councilwoman Lori Cooke was ill and Councilman Greg Wojyn had an employment obligation, which prohibited them from attending the December 15, 2014 council meeting.

**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 Meeting of December 15, 2014.

Offered By: C/Robilotti

Seconded By: C/Krawiec

Roll Call: Ayes: C/Robilotti, C/Rucker, C/Sarti

Nays: C/Krawiec

Abstain: None

Absent: C/Cooke, C/Wojyn

C/Krawiec discusses Planning Board meeting night change from last Wednesday of the month to Mondays? Mayor Reynolds said the Planning Board was polled. B/A Finger said there were issues with every day of the week and Monday was the least. Wayne Krawiec may not be able to make Monday meetings due to another commitment. Mayor Reynolds points out there were two meetings this year, perhaps he misses his commitments, or if it does become an issue he can then resign.

**Adjournment**

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

The time being 7:00 P.M.

January 28, 2015

Approved by Governing Body

\_\_\_\_\_  
Peter Gorbatuk, R.M.C.  
Municipal Clerk