

**** WORKSHOP AGENDA ****

June 25, 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
 - 2014 Capital Projects
3. Adjournment

The meeting was called to order by Mayor Reynolds at 7:02 P.M.

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

Also present, Christine Robbins, Deputy Municipal Clerk, Laurie Finger, CFO/BA, Joseph Youssouf, Borough Attorney and Thomas Herits, Borough Engineer.

Discussion Items

2014 Capital Projects:

Laurie Finger asks for permission to move forward with the remaining capital projects:

- Pine Street Road Improvements
- Municipal Building Sign
- DPW Riding Mower
- Generator for Water Plant/DPW Garage
- DPW Pickup truck

After discussion Mayor and Council authorize Laurie Finger to contact Bond Counsel to have a Bond Ordinance prepared to be on the July 23, 2014 meeting agenda for first reading and introduction.

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 7:06 P.M.

June 25, 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
 - May 28, 2014
 - May 28, 2014 Executive Session
5. Committee Reports
6. Municipal Clerk's Report and Correspondence
7. Public Hearing: Lacina Homes/Jewel Ridge (Matlosz Court)
Reduction of Performance Guarantee
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. 2014-116
Authorizing Reduction of Performance Bond-Lacina Homes/Jewel Ridge
 - B. Resolution No. 2014-117
Authorizing Renewal of Borough of Englishtown Alcoholic Beverage Licenses for 2014-2015
 - C. Resolution No. 2014-118
Authorizing Accelerated Tax Sale
 - D. Resolution No. 2014-119
2014 Designation of Salaries
 - E. Resolution No. 2014-120
Authorizing Services – Police Dispatching & 911 Emergency

- F. Resolution No. 2014-121
Authorizing Services – Replacement of Electrical Box – Sanford Park
 - G. Resolution No. 2014-122
Certifying Submission of Expenditures for Recycling Taxes Paid in 2013
 - H. Resolution No. 2014-123
Authorizing Execution of Memorandum of Agreement with PBA Local No. 166
 - I. Resolution No. 2014-124
Supporting Senate Bill 268 & Assembly Bill 1021
“Returning Energy Tax Receipts Directly to Municipalities”
 - J. Resolution No. 2014-125
Authorizing Payment of Borough Bills
 - K. Resolution No. 2014-126
Acknowledgement of Receipt of Cash Bond for 25 Lasatta Avenue
- 10. Tax Collectors Report – May 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 7:08 P.M.

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

Also present, Christine Robbins, Deputy Municipal Clerk, Laurie Finger, CFO/BA, Joseph Youssouf, Borough Attorney and Thomas Herits, Borough Engineer.

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 28, 2014 meeting minutes was offered by C/Wojyn and seconded by C/Sarti. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the May 28, 2014 executive session minutes was offered by C/Wojyn and seconded by C/Sarti. Passed on the following roll call:

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

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke is absent; no report at this time.

Public Utilities

Councilwoman Robilotti – no report this evening.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Wojyn reports:

- Shade Tree Commission met on June 19th. Will be launching a web page that will show the progress our Borough is making. Examples: Sanford Park and Veteran's Memorial Park – tree planting and clean-up.
- While brainstorming for Shade Tree Commission events, Eric Mann, member suggested using the recently acquired property next door to Borough Hall for a Haunted House event in October. Needs to be reviewed for insurance and legal reasons.

Deputy Clerk advises after discussion with the Construction Official, there are too many safety requirements and it doesn't seem feasible.

- Would like to bring back Englishtown Day in May 2015. Have a pledge of support from Hartigan's and will be reaching out to other vendors.
- The electrical control box for Sanford Park which was hit by a vehicle has been authorized for repair. Water and electricity should be returned by mid-July.

Public Safety

Councilwoman Krawiec reports:

- Reads May Police Activity report. On file in the Municipal Clerk's office for public review.

Legislative, Insurance & Licenses

Councilman Sarti reports:

- 2014-2015 Liquor Licenses are on tonight's agenda for approval.

Public Buildings & Grounds

Councilman Rucker is absent; no report at this time.

Municipal Clerk's Report and Correspondence

Christine Robbins, Deputy Municipal Clerk reports:

- Reads correspondence received on June 2nd from the Department of Transportation advising that they are unable to provide a Safe Streets to Transit grant for the curbing and sidewalk reconstruction on Station St & pedestrian crosswalk/crossing lights for North Main Street at Sanford Park. They encourage us to apply for future grants.
- Correspondence received from Mr. Reeves regarding the 1984 land transfer. Mr. Reeves is in attendance this evening to discuss with Mayor and Council.

Public Hearing: Lacina Homes/Jewel Ridge

Mayor Reynolds opened the floor to the public for questions, comments or concerns on the Lacina Homes/Jewel Ridge Performance Bond Reduction.

Evan Fox, 6 Matlosz Crt. – asks what the additional items are on the punch list. At what point does the Boro get the deed?

Tom Herits, Borough Engineer replies sidewalks, paving, curbing, shade trees, retention basin, and drainage. The remaining bond of \$75,000 will be held until all items on the punch list are completed.

Regarding the deed, Attorney Youssouf advises when all punch list items are completed the street will be dedicated to the Borough.

Mr. Reque, 12 Matlosz Crt. – questions regarding the intersection of Matlosz and Main Street.

Tom Herits states Main Street will become the straight away. The house located at the corner of Park/South Main will be taken down to improve the intersection. This is a County project not a Borough project.

Mayor Reynolds will reach out to the County Engineer to find out the time frame for the start of the project.

Christine Robbins, Deputy Clerk reads aloud correspondence received from Mr. Frank Villani of 10 Woodruff Court who was away on business and unable to attend tonight's meeting. In summary, Mr. Villani wanted to make Mayor and Council aware of the problems he has endured because the builder did not install the drainage system listed in the plans until the end of the project and as a result his property had water drainage problems, the inside of his pool collapsed, his fence buckled and his basement started to hold water. He is looking for the builder to reimburse him for the damages incurred.

Attorney Youssouf advises this is a civil matter and must be privately litigated.

Tom Herits, Borough Engineer will reach out to Mr. Villani and also have the inspectors reach out to him as well to see if this can be rectified.

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

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. 2014-116**

**AUTHORIZING REDUCTION OF PERFORMANCE BOND
LACINA HOMES @ JEWEL RIDGE**

WHEREAS, the Borough of Englishtown accepted a cash Performance Bond from Lacina Homes @ Jewel Ridge Project; Block 26, Lot 8.01 in the amount of \$12,000.00 on October 14, 2010 and an additional cash performance bond in the amount of \$138,000.00 on August 13, 2013 to cover the remaining site improvement items; and

WHEREAS, Lacina Homes @ Jewel Ridge has requested a bond reduction, by sending via certified mail the notice of public hearing to all property owners within 200 feet of the Lacina Homes @ Jewel Ridge project, as mandated by Borough Ordinance, which is to be held at the Regular Council Meeting of June 25, 2014; and

WHEREAS, by a report, dated May 8, 2014, the Borough Engineer recommended the release of \$75,000.00 and the remaining \$75,000.00 will remain in escrow until the satisfactory completion of the remaining site improvement items.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the reduction of the performance bonds are hereby authorized; releasing \$75,000.00 made payable to Lacina Homes @ Jewel Ridge, 65 Hoffman Road Monroe Twp., N.J. 08831 and \$75,000.00 will remain in escrow until the Borough Engineer finds the completion of the remaining site improvement items satisfactory.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a certified true copy of this Resolution be provided by the Municipal Clerk to Bob Ross of Lacina Homes @ Jewel Ridge, Borough Engineer and Chief Financial Officer.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-117**

**AUTHORIZING RENEWAL OF THE BOROUGH OF ENGLISHTOWN'S
ALCOHOLIC BEVERAGE LICENSES FOR 2014-2015**

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, 2014 through June 30, 2015 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/Sarti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-118**

**RESOLUTION AUTHORIZING AN ACCELERATED TAX SALE TO BE HELD
IN ACCORDANCE TO THE RULES AND REGULATIONS PURSUANT TO
N.J.S.A. 54:5-19**

WHEREAS, according to the amended regulations set forth in N.J.S.A. 54:5-19 et seq., all taxes and municipal water and sewer, and other lienable charges payable through the eleventh day of the eleventh month of the current fiscal year shall be subject to tax sale and offered for sale of lien to the lowest bidder or highest premium bidder at a tax sale to be held on December 9, 2014 at 11:00 a.m. at the Borough of Englishtown Municipal Building, 15 Main Street Englishtown, New Jersey; and

WHEREAS, there are delinquencies appearing in the records of the Borough of Englishtown for monies levied on the owners of record as they appear in the official tax list filed in the office of the Collector of Taxes of the Borough of Englishtown, as well as listings from the Borough of Englishtown Municipal Water and Sewer Department.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth State of New Jersey that the Tax Collector of the municipality be and is hereby authorized, to hold a Tax Sale for taxes, water and sewer arrears for properties located in our municipality on December 9, 2014, with official notices of sale being advertised and notice the owners of record according to the requirement of N.J.S.A. 54:5-19 et seq.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-119**

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 2014 unless otherwise indicated.

| Position | | 2014 Annual Salary |
|----------------------------|---------------------|--------------------------|
| Governing Body | | |
| | Mayor | \$ 2,750.00 |
| | Council | \$ 2,500.00 |
| Municipal Clerk | Peter Gorbatak | \$ 51,403.57 |
| Deputy Municipal Clerk p/t | Christine Robbins | \$ 22,606.05 |
| Business Administrator | Laurie Finger | \$ 24,647.75 |
| Chief Financial Officer | Laurie Finger | \$ 24,647.76 |
| Finance Clerk | Jeanne Keevins | \$ 38,664.92 |
| Municipal Housing Liaison | Celia Hecht | \$ 552.04 |
| Court Magistrate | Judge Newman | \$ 18,272.58 |
| | Court Administrator | Patricia Marone |
| | | \$ 50,000.00 eff 5/12/14 |
| | Deputy Court Clerk | Mary Kennedy |
| | | \$ 12.20 per hour |
| | Violations Clerk | Lisa Langlois |
| | | \$ 12.00 per hour |
| Dept. Public Works | | |
| Level 1/Foreman | Wayne Krawiec | \$ 32,460.48 |
| Dept. Public Works p/t | Stanley Matthews | \$ 11.06 per hour |
| Dept. Public Works p/t | Andrew Holowath | \$ 10.93 per hour |
| Water Department | | |
| Supervisor | Jim Mastrokalos | \$ 15,092.22 |
| Water Department | | |
| Clerk | Celia Hecht | \$ 14,005.14 |
| Sewer Department | | |
| Supervisor | Jim Mastrokalos | \$ 15,092.22 |
| Sewer Department | | |
| Clerk | Celia Hecht | \$ 14,005.14 |
| Housing Inspector | John Marini | \$ 6,983.79 |

| | | | |
|---|--------------------|-------------------------------|--------------|
| Code Enforcement Officer | Ed Miller | \$ 5,862.29 | |
| Fire District Shared Service | | \$ 12,000.00 | \$ 17,862.29 |
| | | | |
| Asst Code Enforcement/ Zoning Officer | John Marini | \$ 5,505.21 | |
| | | | |
| Tax Department | | | |
| Tax Collector | Janice Garcia | \$ 9,859.47 | |
| Tax Clerk | Celia Hecht | \$ 1,104.08 | |
| Tax Assessor | Mark Fitzpatrick | \$ 11,000.00 | |
| | | | |
| Planning/Zoning Bd. Secretary | Celia Hecht | \$ 2,944.40 | |
| | | | |
| Shade Tree Commission Secretary | Christine Robbins | \$ 886.08 | |
| | | | |
| Emergency Management Coordinator | Peter S. Cooke Jr. | \$ 1,530.00 | |
| | | | |
| Police Lieutenant | Peter S. Cooke Jr. | \$ 84,739.13 | |
| | | | |
| Special Law Enforcement Officer-Class II | David Marino Jr. | \$ 12.24 per hour | |
| | | | |
| Special Law Enforcement Officer-Class II | Kayla Santiago | \$ 12.24 per hour | |
| | | | |
| Special Law Enforcement Officer-Class II | Adam Liotta | \$ 12.00 per hour eff 3/26/14 | |

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-120**

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:

Police Dept. – Police Dispatching & 911 Emergency \$51,516.06

Services From:

Monmouth County Treasurer
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/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-121**

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:

Replacement of Electrical Box at Sanford Park \$3,500.00

Services From:

Neil Bolton, Electrician
49 West George Street
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/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-122**

**RESOLUTION CERTIFYING A SUBMISSION OF EXPENDITURES FOR
RECYCLING TAXES PAID IN 2013**

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility, (with certain exceptions), a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the Local Public Contracts Law, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality, except that all grant monies received by the municipality shall be expended only for its recycling programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Borough of Englishtown hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2013 in the amount of \$2,792.40. Documentation supporting this submission is available at the Municipal Building, 15 Main Street, Englishtown, N.J. 07726, and shall be maintained for no less than five (5) years from this date.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-123**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
TO EXECUTE A MEMORANDUM OF AGREEMENT
WITH POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 166**

WHEREAS, the labor contract between the Borough of Englishtown and Policemen's Benevolent Association Local No. 166 ("PBA") expired on December 31, 2012 and;

WHEREAS, the Borough and PBA have been in contract negotiation for a new agreement throughout the years 2013 and 2014; and

WHEREAS, the Borough reached an agreement as set forth in the Memorandum of Agreement dated May 9, 2014, received from the PBA; and

WHEREAS, the Borough finds this agreement to be acceptable and is desirous of completing negotiations with the PBA in accordance with this agreement;

NOW THEREFORE BE IT RESOLVED that the Borough Council hereby authorizes the Mayor to execute the Memorandum of Agreement dated May 9, 2014 setting forth the terms of the new labor agreement to be effective January 1, 2013 and in force through December 31, 2016; and

BE IT FURTHER RESOLVED that the Clerk's Office is authorized to forward a copy of this Resolution to the Borough Attorney, Police Lieutenant, PBA Local 166 Representative, Trevor Martinson and the Borough Administrator.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-124**

**RESOLUTION SUPPORTING SENATE BILL 268 AND ASSEMBLY BILL 1021
RETURNING ENERGY TAX RECEIPTS DIRECTLY TO MUNICIPALITIES**

WHEREAS, since the 1980's, the State has been diverting taxes collected from utilities of municipal rights of way, which were intended to compensate municipalities for hosting transmission facilities and lines; and

WHEREAS, the funds are from energy and business taxes under the Consolidation Municipal Property Tax Relief Act ("CMPTRA") and are to reimburse towns for use of their property for utility poles, wires, gas lines and services provided to businesses; and

WHEREAS, legislation has been introduced, Senate Bill 268 and Assembly Bill 1021, that would require the State to return these tax receipts to their intended recipients, the host municipalities, pursuant to an existing statutory apportionment method; and

WHEREAS, identical legislation passed the State Assembly last year by an overwhelming vote of the 65-5-3, but the State Senate failed to act on the legislation; and

WHEREAS, under this legislation, these funds could be used by municipalities to offset local property taxes, reduce municipal debt, rehire police officers and firefighters and for extraordinary costs related to an emergency declared by the President of the United States or the Governor; and

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth supports the passage of Senate Bill 268 and Assembly Bill 1021.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Englishtown, County of Monmouth hereby supports the passage of Senate Bill 268 and Assembly Bill 1021 to properly direct these funds to municipalities.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Governor of the State of New Jersey, Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, Monmouth County Legislative Delegation, Municipal Clerks of Monmouth County, Office of the County Counsel and the Board of Chosen Freeholders.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-125**

**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 \$495,606.19 are hereby authorized to be paid on June 25, 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/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-126**

**ACKNOWLEDMENT OF RECEIPT OF CASH BOND FOR
25 LASATTA AVENUE – ROAD MORATORIUM WAIVER**

WHEREAS, the Mayor and Council have granted an exemption from the road moratorium on Lasatta Avenue at the May 28, 2014 council meeting – Resolution No. 2014-115 to Mr. John Soares of 25 Lasatta Avenue; and

WHEREAS, the Borough Engineer recommended the posting of a \$3,000.00 cash bond by the owner for the infrared repair to be held by the Borough of Englishtown until the roadway is satisfactorily repaired; and

WHEREAS, Check No. 115 in the amount of \$3,000.00 was received by the Borough of Englishtown from Mr. John Soares on June 23, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, that the receipt of a \$3,000.00 cash bond received by Mr. John Soares is acknowledged and will be held until the Borough Engineer finds the roadway satisfactorily repaired from the road opening for the installation of gas service at 25 Lasatta Avenue.

BE IT FURTHER RESOLVED that a true certified copy of this resolution shall be forwarded to the Chief Financial Officer, Borough Engineer and Mr. John Soares.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

Tax Collector’s Report –

May 2014

| | |
|-------------------------|---------------------|
| 2014 Taxes | \$817,582.15 |
| Outside Lien Redemption | 24,621.34 |
| <u>Interest</u> | <u>168.95</u> |
| Net Receipts | \$842,372.44 |

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.

Arch Developers request a waiver of the road moratorium on Lasatta Avenue to install gas service to the two new homes they built at 9 and 11 Lasatta.

Mayor and Council will grant the waiver provided all work must be performed to the Borough Engineer’s specifications:

- Saw cut or straight cut the excavation
- Backfill with compacted QP
- 6” of stabilized base to the top of the excavation
- After several months to allow the excavation to settle, infrared asphalt repair with FABC
- Posting of \$3,000.00 cash bond by the owner for the infrared repair

Arch Developers agrees. A resolution will be added to tonight’s agenda.

Richard Reeves, Tennent Avenue – voices displeasure regarding a land transfer which occurred in 1984 between the Borough and himself. The deed was never recorded or properly witnessed and he feels it should be the responsibility of the Borough to have a new deed prepared and recorded.

Mayor Reynolds asks Attorney Youssouf what the cost would be to have a new deed prepared and recorded. Attorney Youssouf advises \$125.00

Mayor and Council authorize Attorney Youssouf to prepare a new deed for the 1984 land transfer between the Borough of Englishtown and the Reeves.

Hall Burrows, Tennent Avenue – Questions the status on the Samaritan Center Property. Arch Developers respond since they are the builders developing the property; there will be 3 homes built.

Hall Burrows asks if there is a list available to the public of people who will shovel snow. C/Sarti responds not at this time, but the junior firefighters of the Englishtown Fire Dept. are looking into starting one.

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 or 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 5, 6, and 7 of N.J.S.A. 10:4-12b is required to discuss, 17 Main Street, Thompson property, and MacInnes litigation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 25th day of June, 2014 pursuant to Section 5, 6 and 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/Krawiec, C/Robilotti, C/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

The time being 7:56 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 8:10 P.M.

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-127**

GRANTING EXEMPTION FROM ROAD MORATORIUM

WHEREAS, Arch Developers, who are currently building a new home at 9 Lasatta Avenue attended the June 25, 2014 council meeting requesting a waiver of the road moratorium for the purpose of a gas service install to the new home; and

WHEREAS, Section 2.112.01B of the Borough of Englishtown Code states no such permit shall be issued within five years of completion of any reconstruction which improves the surface for the motoring public, unless the work is of an emergent nature which immediately threatens public safety or health; and

WHEREAS, improvements to Lasatta Avenue which were funded by the New Jersey Department of Transportation Trust Fund were completed in July 2013 and are under moratorium until July 2018; and

WHEREAS, Section 2.112.01C states if the applicant believes the work to be performed is of an emergent nature, he shall appear before the Borough Council to seek the approval of the Council to perform the work; and

WHEREAS, if approved the Borough Engineer recommends the following:

- Saw cut or straight cut the excavation
- Backfill with compacted QP
- 6" of stabilized base to the top of the excavation
- After several months to allow the excavation to settle, infrared asphalt repair with FABC
- Posting of \$3,000.00 cash bond by the owner for the infrared repair

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Englishtown hereby grant the exemption from the road moratorium for a street opening permit for 9 Lasatta Avenue after hardship was presented by Arch Developers for the purpose of gas service installation to the new home.

BE IT FURTHER RESOLVED that approval is contingent upon all of the Borough Engineer's recommendations above being followed.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2014-128**

GRANTING EXEMPTION FROM ROAD MORATORIUM

WHEREAS, Arch Developers, who are currently building a new home at 11 Lasatta Avenue attended the June 25, 2014 council meeting requesting a waiver of the road moratorium for the purpose of a gas service install to the new home; and

WHEREAS, Section 2.112.01B of the Borough of Englishtown Code states no such permit shall be issued within five years of completion of any reconstruction which improves the surface for the motoring public, unless the work is of an emergent nature which immediately threatens public safety or health; and

WHEREAS, improvements to Lasatta Avenue which were funded by the New Jersey Department of Transportation Trust Fund were completed in July 2013 and are under moratorium until July 2018; and

WHEREAS, Section 2.112.01C states if the applicant believes the work to be performed is of an emergent nature, he shall appear before the Borough Council to seek the approval of the Council to perform the work; and

WHEREAS, if approved the Borough Engineer recommends the following:

- Saw cut or straight cut the excavation
- Backfill with compacted QP
- 6" of stabilized base to the top of the excavation

- After several months to allow the excavation to settle, infrared asphalt repair with FABC
- Posting of \$3,000.00 cash bond by the owner for the infrared repair

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Englishtown hereby grant the exemption from the road moratorium for a street opening permit for 11 Lasatta Avenue after hardship was presented by Arch Developers for the purpose of gas service installation to the new home.

BE IT FURTHER RESOLVED that approval is contingent upon all of the Borough Engineer's recommendations above being followed.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Adjournment

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

The time being 8:13 P.M.

July 23, 2014

Approved by Governing Body

Christine Robbins, R.M.C.
Deputy Municipal Clerk