

**\*\* WORKSHOP AGENDA \*\***

**May 28, 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
  - Road Moratorium Waiver Request
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:40 P.M.

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

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

**Discussion Items**

**Road Moratorium Waiver Request:**

Mr. John Soares of 25 Lasatta Avenue again asks Mayor and Council for a waiver to the 5 year road moratorium on Lasatta Avenue so he can install gas service to his new home. He states that he would have had it installed prior to the reconstruction of Lasatta Avenue but was never notified of the anticipated work. The certified letters sent to Mr. Soares were returned to the Borough marked undeliverable. After discussion with Mayor, Council and Tom Herits, Borough Engineer, Mr. Soares is granted the waiver due to the fact that he did not receive the notification. Per Mayor and Council, 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

Mr. Soares agrees. A resolution will be added to tonight's agenda

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Wojyn. Passed unanimously. The time being 6:45 P.M.

**May 28, 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
  - April 23, 2014
  - April 23, 2014 Executive Session
  - Special Meeting May 14, 2014
5. Committee Reports
6. Municipal Clerk's Report and Correspondence
7. Proclamation: Raising Awareness of Fibrodysplasia Ossificans Progressiva
8. Public Hearing: 2014 Municipal Budget Amendments
9. 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.
10. Old Business:
  - A. Bond Ordinance No. 2014-02 – Public Hearing & Adoption  
Bond Ordinance providing for ADA Intersection Improvements  
Community Development Block Grant from the County of Monmouth
11. New Business:
  - A. Resolution No. 2014-103  
Adoption of 2014 Municipal Budget
  - B. Resolution No. 2014-104  
Appointment of Rabies Clinic Workers
  - C. Resolution No. 2014-105  
Authorizing Temporary Delay in Mailing of 3<sup>rd</sup> Qtr. Tax Bills

- D. Resolution No. 2014-106  
Authorizing Refund of Property Taxes Due to Duplicate Payment
  - E. Resolution No. 2014-107  
Authorizing Refund of Tax Sale Certificate
  - F. Resolution No. 2014-108  
Authorizing Refund of Tax Sale Certificate & Premium Paid at Tax Sale
  - G. Resolution No. 2014-109  
Authorizing Refund of Tax Sale Certificate & Premium Paid at Tax Sale
  - H. Resolution No. 2014-110  
Authorizing Refund of Tax Sale Certificate & Premium Paid at Tax Sale
  - I. Resolution No. 2014-111  
Authorizing Payment of Borough Bills
  - J. Resolution No. 2014-112  
Authorizing the Englishtown Fire Department to Utilize 17 Main Street for Training Purposes
- 12. Tax Collectors Report – March 2014 & April 2014
  - 13. 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.
  - 14. Executive Session
  - 15. Adjournment

The meeting was called to order by Mayor Reynolds at 6:45 P.M.

Roll Call: Present: C/Robilotti, C/Sarti, C/Wojyn  
Absent: \*C/Cooke (arrives at 6:50), C/Krawiec, C/Rucker

Also present, Christine Robbins, Deputy 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 April 23, 2014 meeting minutes was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the April 23, 2014 executive session minutes was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the May 14, 2014 Special Meeting minutes was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

\*C/Cooke arrives (6:50 p.m.)

### **Committee Reports**

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

Councilwoman Cooke reports:

- Asks Mayor and Council if in favor of having the BA's monthly budget report emailed instead of copied and handed out. All in favor. Per Mayor, have a hard copy also available in the Clerk's office to review.
- Public Hearing for the Municipal Budget Amendments and our Budget Adoption resolution is on this evening's agenda.

#### **Public Utilities**

Councilwoman Robilotti – no report

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

Councilman Wojyn reports:

- Big thanks for the Englishtown First Responders, American Legion, C/Cooke, Lynn Strong and all citizens who made the Memorial Day Parade a success. Also thanks Manalapan Twp. and Committee and their respective First Responders for their support.
- Thanks the following citizens who helped with our Arbor Day Clean-up and Planting; Richard Thomas from Assembly of God Church, Englishtown, Peter Stoermer, Sr of Boy Scout Troop 180, Peter Stoermer, Jr. of Boy Scout Troop 180, Nick Moser of Cub Scout Den 4, Pack 154 and Gasko's for their support with flowers and supplies.

**Public Safety**

Councilwoman Krawiec is absent; report read by C/Sarti

**Legislative, Insurance & Licenses**

Councilman Sarti reports:

- Reads April Police Activity report. On file in the Municipal Clerk's office for public review.
- Reads aloud a thank you card received by the Police Dept. from the Bradbury's thanking them for watching the house while they were away.
- PBA negotiations are over. New 4 yr. contract to be on next meeting 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:

- Reminder: Financial Disclosure Statements filing deadline is June 13<sup>th</sup>.
- Invitation received for the Monmouth County Shared Services 2014 Communications Summit – June 9, 2014 10am – 12pm. If interested in attending notify Clerk's office so we can register you.
- June 25<sup>th</sup> council meeting has been changed to Monday, June 23<sup>rd</sup> beginning at 6:30pm
- A resident expressed interest in having a community shredding day. After research, the approximate cost would be \$600.00 for two hours. Mayor asked that it go on the website and in the annual newsletter to see if there is enough interest from the community to justify the cost. Deputy Clerk to post on the website and send newsletter to the residents; will update Mayor and Council on the feedback received.

**Proclamation**

Mayor Reynolds reads aloud proclamation "Raising Awareness of Fibrodysplasia Ossificans Progressiva"

**Public Hearing: 2014 Municipal Budget Amendments**

Mayor Reynolds opened the floor to the public for questions or comments on the 2014 Municipal Budget Amendments.

There being no questions or comments, a motion to close the public hearing was

offered by C/Robilotti and seconded by C/Cooke. 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.

**Old Business**

**BOROUGH OF ENGLISHTOWN                      PUBLIC HEARING & ADOPTION  
ORDINANCE NO. 2014-02**

**BOND ORDINANCE PROVIDING FOR ADA INTERSECTION IMPROVEMENTS, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$130,000 THEREFOR (INCLUDING A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE COUNTY OF MONMOUTH IN THE AMOUNT OF \$114,862) AND AUTHORIZING THE ISSUANCE OF \$14,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$130,000, which sum includes \$114,862 as the amount of a Community Development Block Grant expected to be received from the County of Monmouth (the “Grant”) and \$738 as the amount of down payment for said improvement or purpose as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the “Local Bond Law”). Said down payment is now available therefor by virtue of an appropriation in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$130,000 appropriation until said Grant is received and not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$14,400 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a

principal amount not exceeding \$14,400 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.** (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is Americans with Disabilities Act (“ADA”) Intersection Improvements by and in the Borough, including but not limited to, roadway, sidewalk, curb and land excavation, milling, paving, reconstruction and resurfacing of the roadway, and the repairing and/or installation, as applicable, of curbs, curb ramps, sidewalks and driveway aprons, drainage work, roadway painting and landscaping and aesthetic improvements, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$14,400.

(c) The estimated cost of said improvements or purposes is \$130,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant and the down payment for said purpose in the amount of \$738.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, including the Grant, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth, including the Grant, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$14,400 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds

subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$14,400. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**Public Hearing**

Mayor Reynolds opened the floor to the public for questions or comments on the above titled ordinance.

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

**Adoption**

A motion to adopt Bond Ordinance No. 2014-02 above titled, was offered by C/Cooke and seconded by C/Robilotti. Passed on the following roll call:

Offered By: C/Cooke

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**New Business**

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-103**

**ADOPTION OF 2014 MUNICIPAL BUDGET**

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,391,915.75 to be raised for municipal purposes.

Summary of Revenues

1. General Revenues		
Surplus Anticipated		\$ 285,000.00
Miscellaneous Revenues Anticipated		722,728.20
Receipts From Delinquent Taxes		0.00
2. Amount To Be Raised By Taxation		
For Municipal Purposes		<u>1,391,915.75</u>
Total Revenues		\$2,399,643.95

Summary Of Appropriations

3. General Appropriations:		
Within "Caps"		
Operations Including Contingent		\$1,514,383.00
Deferred Charges & Statutory		
Expenditures - Municipal		179,300.00
Excluded From "Caps"		
Operations - Total Operations Excluded		
From "Caps"		\$ 148,107.20
Capital Improvements		30,000.00
Municipal Debt Service		418,700.00
Reserve For Uncollected Taxes		<u>109,153.75</u>
Total Appropriations		\$2,399,643.95

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2014-104**

**APPOINTMENT OF RABIES CLINIC WORKERS**

**WHEREAS**, there is a need within the Borough of Englishtown for the position of Rabies Clinic Worker; and

**WHEREAS**, it is the wishes of the Governing Body to fill said position.

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

1. Borough Employees, Christine Robbins, Celia Hecht, and Jeanne Keevins are hereby appointed as Rabies Clinic Workers for the Rabies Clinic to be held June 10, 2014.
2. Each Rabies Clinic Worker will be paid \$50.00 for said clinic.

**BE IT FUTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Christine Robbins, Celia Hecht, and Jeanne Keevins.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-105**

**AUTHORIZING A TEMPORARY DELAY IN THE MAILING OF  
THIRD QUARTER TAX BILLS 2014 FINAL/2015 PRELIMINARY BILLS**

**WHEREAS**, N.J.S.A. 54:4-66.3d requires final tax bills are to be mailed on or before June 14, 2014; and

**WHEREAS**, the Statement of State Aid has not yet been released due to the State of New Jersey 2014-2015 budget not yet being adopted; and

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

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

1. That a temporary delay is authorized for the delay of the mailing of the third quarter tax bills due to the delay of receipt of the Statement of State Aid.
2. That authorization is hereby granted to extend the due date and grace period for the third quarter tax bills.
3. That certified copies of this resolution shall be forwarded to the Borough of Englishtown Tax Collector and Matthew Clark, Administrator of the Monmouth County Board of Taxation.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-106**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAXES  
DUE TO DUPLICATE PAYMENT**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported an overpayment in 2014 taxes that needs to be refunded due to a duplicate payment; and

**WHEREAS**, per the tax collector, the following overpayment should be refunded:

Johnson, Louis  
18 Water Street  
Block: 4 Lot: 29  
**Refund: \$1,583.19**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that in accordance with the request of the Tax Collector, a total refund for overpayment on the above listed property is hereby authorized in the amount of \$1,583.19 to:

Chase  
Attn: Refunds  
1 Corelogic Drive  
Westlake, TX 76262

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-107**

**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 Tower as US Bank Cust/Pro Cap III, LLC:

Tax Sale Certificate No. 13-00008  
Block 25, Lot 20  
17 Main Street  
in the amount of \$2,472.23

**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 \$2,472.23 to US Bank Cust/Pro Cap III, LLC 50 S. 16<sup>th</sup> 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.

9.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-108**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE  
& REFUND OF PREMIUM PAID AT TAX SALE**

**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:

Tax Sale Certificate No. 12-00005  
Block 25, Lot 20  
17 Main Street  
in the amount of \$15,722.69

**WHEREAS**, US Bank Cust/Pro Cap II, LLC, also paid \$5,500.00 as a premium to obtain Tax Sale Certificate; and

**WHEREAS**, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$21,222.69.

**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 \$21,222.69 to US Bank Cust/Pro Cap II, LLC 50 S. 16<sup>th</sup> 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/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-109**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE  
& REFUND OF PREMIUM PAID AT TAX SALE**

**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:

Tax Sale Certificate No. 13-00002  
Block 2, Lot 22.17 c17  
17 King Charles Court  
in the amount of \$2,440.89

**WHEREAS**, US Bank Cust/Pro Cap II, LLC, also paid \$14,100.00 as a premium to obtain Tax Sale Certificate; and

**WHEREAS**, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$16,540.89.

**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 \$16,540.89 to US Bank Cust/Pro Cap II, LLC 50 S. 16<sup>th</sup> 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/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-110**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE  
& REFUND OF PREMIUM PAID AT TAX SALE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to FNA Jersey Lien Services, LLC:

Tax Sale Certificate No. 10-00010  
Block 13, Lot 21  
10 Tennent Avenue  
in the amount of \$20,942.35

**WHEREAS**, FNA Jersey Lien Services, LLC, also paid \$3,400.00 as a premium to obtain Tax Sale Certificate; and

**WHEREAS**, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$24,342.35.

**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 \$16,540.89 to FNA Jersey Lien Services, LLC 57 Route 70 2<sup>nd</sup> Floor, P.O. Box 1030 Brick, N.J. 08723.

**BE IT FURTHER RESOLVED** that a certified true copy of this Resolution be forwarded to the Borough's Tax Collector and Chief Financial Officer.

10.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-111**

**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 \$1,124,359.08 are hereby authorized to be paid on May 28, 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/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-112**

**AUTHORIZING THE ENGLISHTOWN FIRE DEPARTMENT  
TO UTILIZE 17 MAIN STREET FOR TRAINING PURPOSES**

**WHEREAS**, the Borough of Englishtown purchased Block:25, Lot:20, also known as 17 Main Street located in the Borough of Englishtown on May 6, 2014 for the purpose of demolishing the existing building and expanding the municipal parking; and

**WHEREAS**, the Englishtown Fire Department requested to utilize the existing building for the purpose of firefighting training/drills until such time the building is set to be demolished.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown that the request of the Englishtown Fire Department is hereby

approved and they are authorized to utilize the existing building located at 17 Main Street for firefighting training/drills until such time of demolition.

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

**Tax Collector's Report –**

**March 2014**

2014 Taxes	\$33,563.03
Outside Lien Redemption	2,626.47
Interest	393.12
Return Check Fee	40.00
Duplicate Bill Fee	5.00
<b>Net Receipts</b>	<b>\$36,627.62</b>

**April 2014**

2014 Taxes	\$485,016.13
Interest	153.91
<b>Net Receipts</b>	<b>\$485,170.04</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 questions or comments, a motion to close the public portion was offered by C/Robilotti and seconded by C/Cooke. 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 Sections 4, 6, and 7 of N.J.S.A. 10:4-12b is required to discuss contract negotiations, Thompson property, MacInnes litigation and 13 Tennent Avenue 1984 land transfer.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 28<sup>th</sup> day of May, 2014 pursuant to Section 4, 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/Cooke, C/Robilotti, C/Sarti, C/Wojyn

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

The time being 7:02 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 7:27 P.M.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-113**

**AUTHORIZING ABATEMENT BY THE BOROUGH  
OF CHAPTER 2.100 PROPERTY MAINTENANCE VIOLATION**

**WHEREAS**, numerous complaints have been filed with the code enforcement officer of the Borough of Englishtown regarding excessively high grass/weeds at 68 Main Street, Block 9, Lot 13 on the Borough of Englishtown tax map; and

**WHEREAS**, correspondence was sent to the owner on May 22, 2014 advising that the violations needed to be addressed within one (1) week; and

**WHEREAS**, the Borough Code Enforcement Officer inspected the property and seeing that violations were not addressed, requested that a cost estimate to place 68 Main Street in proper condition, be prepared by the Department of Public Works Supervisor per Borough Code Chapter 2.100.15 to be presented to Mayor and Council; and

**WHEREAS**, the cost estimated to place 68 Main Street in proper condition is three hundred sixty dollars (\$360.00) and after approval by Mayor and Council to perform the work, shall become a lien against the premises, collectible as provided by law.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Englishtown authorize the abatement of the excessively high grass located at 68 Main Street if property is not placed in state of repair by May 29, 2014, which marks 7 days of the date of service of the notice, constituting a final order, at a cost of \$360.00 which shall become a lien on the premises after the abatement is performed.

**BE IT FURTHER RESOLVED** that a true certified copy of the resolution shall be filed with the tax collector, and a copy of the report and resolution shall be sent by certified mail, return receipt requested, to the owner of the affected premises.

Offered By: C/Cooke

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-114**

**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 had a medical appointment which prohibited him from attending the May 28, 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 May 28, 2014.

Offered By: C/Sarti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2014-115**

**GRANTING EXEMPTION FROM ROAD MORATORIUM**

**WHEREAS**, Mr. John Soares, who is currently building a 3,000 square foot home at 25 Lasatta Avenue sent correspondence to the Borough 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**, Mr. John Soares, owner of 25 Lasatta Avenue addressed Mayor, Council and the Borough Engineer of his hardships, also stating that he never received correspondence from the Borough alerting him of such moratorium and requested their approval of the street opening permit at the May 28, 2014 council meeting; and

**WHEREAS**, Deputy Clerk advised Mayor and Council that correspondence addressed to Mr. Soares, sent via certified mail was marked “unclaimed” by the Post Office and returned to the Borough; 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 25 Lasatta Avenue after hardship was presented by Mr. John Soares, owner, and proof that notice of moratorium was not received by Mr. Soares.

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

Offered By: C/Cooke

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: C/Krawiec, C/Rucker

### **Adjournment**

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

The time being 7:30 P.M.

June 25, 2014

\_\_\_\_\_  
Approved by Governing Body

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