

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

**February 25, 2015**

**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
  - 2015 Municipal Budget
  - Scope of Services - 17 Main Street Survey
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:31 P.M.

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti, C/Wojyn  
Absent: None

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

**Discussion Items:**

**2015 Municipal Budget:**

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

**The 2015 Municipal Budget Complies with the LEVY CAP & APPROPRIATION CAP.**

Notes:    2015 penny = \$24,343.81                      2014 penny = \$24,964.59  
              2015 surplus balance = \$47,056.73                2014 surplus balance = \$41,284.29

**The Value of the Penny decreased \$620.78**

**Analysis of Tax Levy CAP:**

***Tax Levy Cap Bank is under CAP by approx. \$47,000.***

Total Allowable Tax Levy CAP = \$77,628

2015 Budget Tax Levy CAP used \$30,005

**Revenue Increases**

- Surplus Anticipated                      \$40,000
- Municipal Court                            \$28,000
- General Capital Surplus                  \$10,000

Note: Utilized - Sewer Utility Surplus      \$15,000

**Expenditures**

Included in this budget are Increases for:

- Employee 2% Salary increase \$ 4,500
- Contractual Salaries \$17,600
- Deputy Court Admin \$11,500  
(plus temp help raise)
- Legal Litigation \$20,000
- Police Locker Room \$15,000

Decreases for:

- Health Insurance (\$7,000)
- Pension (\$8,300)
- Res Uncoll Taxes (\$8,000)
- Various Depts (\$1,300)

- 
- Police Vehicle \$19,000\* (.0078 cent)
  - Police Special Officer (3<sup>rd</sup>) \$15,000\* (.0062 cent)
  - Janitorial Services (3x weekly)\$10,000\* (.0041 cent)
  - Unfunded Debt Payment \$16,900\* (.0070 cent) reduced to \$6,900

Most Department Budgets either remained the same or had a reduction. Please refer to the attached budget spreadsheet s for detail and explanations.

This Budget represents an increase in spending by \$104,900 and an increase of revenue by \$78,000

Amount to be Raised by Taxation is \$1,418,172.21 divided by \$24,343.81 (value of penny) equals a tax rate increase of 2.5\* cents (which is driven by the last four expenditure items on front page with asterisk\*)

All Capital Improvement Projects are General Capital Trust Fund.....see Capital Worksheet

Mayor Reynolds discusses with Council the review of salary compensation for the governing body members. It is the consensus to increase Council to \$3,500 and Mayor to \$4,000 annually. To allocate for the funds, there is a reduction to unfunded debt payment.

**Scope of Services - 17 Main Street Survey:**

Mayor Reynolds advised Council that he contacted Borough Engineer Tom Herits regarding the cost estimate that is needed for the property survey at 17 Main Street needed to satisfy the Monmouth County Open Space Grant. Tom Herits revised the proposal price to include the corner markers which were previously not included. The total cost of the survey will be \$6,795.00.

**Remediation of 17 Main Street**

Mayor Reynolds informed Council that the remediation proposal for 17 Main Street will be approximately \$64,000. This will on the next meeting for approval. It is the recommendation of the Borough Engineer that we hold off with the remediation until the asbestos survey is complete in order for everything to be completed at once.

**Snow Removal**

Mayor Reynolds informed Council about Snow Removal obligation for Qualified Private Communities (QPA). CFO prepared analysis of the Borough's snow removal costs. Mayor Reynolds recommends the Municipality reimburses the QPC rather than plow. Attorney Youssouf will prepare the necessary documents to implement.

**Calendar of Operations**

Mayor Reynolds stated that there are several outstanding items / projects that are taking too long to complete. He has met with the Clerk and will establish a Calendar of Operations to ensure proper follow-up. The list will be reviewed monthly to confirm the suspense dates have been met.

**Resident Request**

Councilwoman Krawiec informed Council that there was a request from Mr. Kamal and Mrs. Ashima Ghose of 24 Lasatta Avenue about donating a park bench or two containing a plaque in honor of their late neighbors Mr. Stanley and Mrs. Ann Tyburcy to be placed at Weamaconk Lake. Mrs. Tyburcy would have been 90 years old this July. Mayor and Council agree, the Borough would set the pad and the bench or benches would be set in place. This request will be forwarded to DPW.

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Krawiec, seconded by C/Cooke. Passed unanimously. The time being 7:10 P.M.

**February 25, 2015**

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

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Approval of Minutes
  - January 28, 2015
  - January 28, 2015 Executive Session
5. Committee Reports
6. Correspondence
7. Open Public Portion/Limited to Agenda Items Only  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
8. New Business:
  - A. Ordinance No. 2015-01 – First Reading & Introduction  
Amending Chapter 2.55 Entitled “Animal Control Regulations”
  - B. Resolution No. 2015-055  
Appointment of Deputy Municipal Court Administrator
  - C. Resolution No. 2015-056  
Authorization of Services – Police Dept.- Annual Software Maintenance
  - D. Resolution No. 2015-057  
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale
  - E. Resolution No. 2015-058  
Authorizing Refund of Tax Sale Certificate
  - F. Resolution No. 2015-059  
Authorizing Execution of Contract for the Reconstruction of Pine Street – S Batata Construction Inc.

- G. Resolution No. 2015-060  
Authorizing Payment of Borough Bills
  
  - H. Resolution No. 2015-061  
Authorizing Fire Dept. & First Aid Squad to Fundraise on Borough Roadways
  
  - I. Resolution No. 2015-062  
Appropriation Reserve Transfer
- 9. Tax Collector's Report – January 2015
  
  - 10. Public Portion  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
  
  - 11. Executive Session
  
  - 12. Adjournment

The meeting was called to order by Mayor Reynolds at 7:10 P.M.

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Rucker, C/Sarti, C/Wojyn  
Absent: None

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

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

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

**Approval of Minutes –**

There being no further corrections, deletions or additions, a motion to approve the January 28, 2015 meeting minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

There being no corrections, deletions or additions, a motion to approve the January 28, 2015 Executive Session minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

## **Committee Reports**

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

Councilwoman Cooke reports:

- Involved in the DPW and Municipal Court budget talks and really enjoyed being a part of the process. Would like to have council consider going back to the old budget process where the department heads attended a special budget workshop to explain their budgets to Mayor and Council. Feels you receive a lot of insight on what the departments really need to perform their jobs efficiently.
- Thanks the DPW for a fine job snow plowing.
- Alongside the Monmouth County Vicinage Interviewing Committee, participated in the interview process of our new Deputy Municipal Court Administrator. Two candidates were interviewed and the hiring resolution will be on tonight's agenda.

### **Public Utilities**

No report at this time.

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

Councilman Wojyn reports:

- Clarified his December and January reports. Due to his absence, the reports were not submitted timely. These reports are on file in the Clerk's office.
- At the January 8, 2015 Shade Tree Commission meeting Eric Mann was appointed Chairman and David Cuciti was appointed Vice Chairman of the commission.
- The Easter Egg Hunt will be held on Saturday, March 28<sup>th</sup> at 12pm in Sanford Park. Rain date for this event is Saturday, April 4<sup>th</sup>.

### **Public Safety**

No report at this time.

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

No report at this time.

### **Public Buildings & Grounds**

No report at this time.

## **Correspondence**

Peter Gorbatuk, Municipal Clerk reports:

- The Agenda was handed out to those attending the February 28<sup>th</sup> Local Government Seminar being held at Brookdale Community College.

- Anyone who would like to attend the “Women in Municipal Government” on Friday, March 20<sup>th</sup> at the Princeton Marriott Hotel & Conference Center let me know so I can have you registered.
- The 2015 Elected Officials class can be completed Online I will pass out the instructions to Mayor and Council.
- Monthly Budget Report for January 2015 was e-mailed to Mayor and Council on February 3<sup>rd</sup> and is on file in the Clerk’s Office.

**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/Sarti. Passed unanimously.

**New Business**

**BOROUGH OF ENGLISHTOWN                      FIRST READING & INTRODUCTION  
ORDINANCE NO. 2015-01**

**ORDINANCE OF THE BOROUGH OF ENGLISHTOWN  
AMENDING AND SUPPLEMENTING CHAPTER 2.55  
OF THE CODE OF THE BOROUGH OF ENGLISHTOWN  
ENTITLED “ANIMAL CONTROL REGULATIONS”**

**BE IT ORDAINED** by the Governing Body of the Borough of Englishtown, in the County of Monmouth, State of New Jersey as follows:

**ARTICLE I**

**Section 2.55.02(F)** is hereby amended to read as follows:

- (F) The annual license fee for each neutered/spayed animal is Fourteen Dollars (\$14.00); for each non-neutered/non-spayed animal the annual license fee is Seventeen Dollars (\$17.00). Persons failing to obtain the required license within the time period specified in this section shall be subject to a fine of Twenty-Five Dollars (\$25.00). If the offense continues unabated for an additional period of thirty (30) days an additional fine in the amount of Twenty-Five Dollars (\$25.00) shall be levied. Additional fines in said amount shall be imposed for each thirty-day (30) period that the pet animal remains unlicensed.

**Section 2.55.02(H)** is hereby added as follows:

- (H) A late fee of five dollars (\$5.00) will be imposed on all licenses issued after August 15<sup>th</sup> and thereafter.

**ARTICLE II**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency. If any section, subsection, clause, phrase or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**ARTICLE III**

This Ordinance shall become effective immediately upon passage and publication according to law.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: None

Peter Gorbatuk, Municipal Clerk states the public hearing & adoption will be held at the March 25, 2015 council meeting.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-055**

**APPOINTMENT OF DEPUTY MUNICIPAL COURT ADMINISTRATOR**

**WHEREAS**, effective December 11, 2014 a vacancy occurred within the Borough of Englishtown for the position of part-time assistant Deputy Municipal Court Administrator; and

**WHEREAS**, the Borough of Englishtown is desirous of filling the position of Deputy Court Administrator within the Municipal Court; and

**WHEREAS**, the position was advertised and interviews were conducted by the Borough of Englishtown and the Monmouth County Vicinage to fill said position; and

**WHEREAS**, it is the recommendation of the Borough Administration, Finance and Personnel Committee in conjunction with Judge Newman and the Monmouth County Vicinage to appoint Lisa Langlois of Englishtown, N.J. to 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. That Lisa Langlois is hereby appointed as Deputy Municipal Court Administrator for the Borough of Englishtown, effective March 1, 2015.
2. That said position shall be part time, twenty five (25) hours per week and attendance at all court sessions.

- 3. Said position shall be paid \$14.00 per hour, payable semi-monthly per the salary ordinance.
- 4. Said appointment shall have a ninety (90) day probation period commencing May 29, 2015, at which time work performance shall be evaluated by Judge Newman.

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Superior Court of New Jersey Monmouth County Vicinage, Lisa Langlois, and Judge Newman.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2015-056**

**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 Department - 2015 LiveScan Hardware & Software  
 Maintenance Agreement ..... \$2,633.69

Services From:

Morphotrak  
 14 Columbia Circle Drive  
 Suite 102  
 Albany, N.Y. 12203

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-057**

**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 BVOO1 Trst & Crdtrs:

Tax Sale Certificate No. 14-00001  
Block 2, Lot 20.17  
17 Carriage Lane  
in the amount of \$5,853.57

**WHEREAS**, US Bank Cust BVOO1 Trst & Crdtrs, also paid \$3,500.00 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 \$9,353.57.

**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 \$9,353.57 to US Bank Cust BVOO1 Trst & Crdtrs 50 S. 16<sup>th</sup> Suite 2050 Philadelphia, PA 19102-2513.

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-058**

**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 Culmac Investors:

Tax Sale Certificate No. 10-00004  
Block 4, Lot 32  
24 Water Street  
in the amount of \$40,688.25

**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 \$40,688.25 to Culmac Investors Box 251 Monmouth Beach, N.J. 07750.

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-059**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT  
FOR THE RECONSTRUCTION OF PINE STREET  
FUNDED BY THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION (NJDOT) TRUST FUND**

**WHEREAS**, Englishtown Borough has received a grant from the NJDOT Trust Fund in the amount of \$160,000.00 for the project known as Reconstruction of Pine Street; and

**WHEREAS**, the Borough advertised for bids, and received proposals on October 31, 2014 at 11:00 AM, in the Borough's offices, for the Project; and

**WHEREAS**, S. Batata Construction, Inc. of Parlin, N.J. was awarded the contract in accordance with their bid per Resolution No. 2014-169 adopted on November 12, 2014.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Municipal Clerk are authorized to execute a contract with S. Batata Construction, Inc. of Parlin, N.J., in the amount of \$199,561.25 the total of the base bid, for the Reconstruction of Pine Street in a form consistent with the language of the bid proposal.

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

**BE IT FURTHER RESOLVED**, that the Clerk's Office is authorized to forward a copy of this Resolution to the Borough Attorney, the Borough Engineer, S. Batata Construction, Inc and the Borough's Chief Financial Officer.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-060**

**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 \$787,925.86 are hereby authorized to be paid on February 25, 2015.
2. The Borough Clerk is hereby directed to list on the page in the Minutes Book following the minutes of this meeting all of the said vouchers hereby authorized to be paid.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-061**

**AUTHORIZING FIRE DEPARTMENT AND FIRST AID SQUAD  
TO FUNDRAISE ON BOROUGH ROADWAYS**

**WHEREAS**, on February 24, 2015 the Borough of Englishtown received correspondence from the Executive Board of the Englishtown Fire Department requesting permission to allow their organization and the Englishtown/Manalapan First Aid Squad to conduct fundraising activities on Tennant Avenue/ Main Street (aka CR 522 & 527) and Main Street/Water Street (aka CR 522 & 527) Friday – Sunday from April through October, 2015, each on subsequent weekends; and

**WHEREAS**, pursuant to R.S.39:4-60, municipalities shall not authorize charitable organizations to solicit on any County highway or intersection of the County highway without the approval of the Board of Chosen Freeholders.

**NOW, THEREFORE BE IT RESOLVED**, that the above fundraising request is hereby authorized by the Mayor and Council of the Borough of Englishtown contingent upon the approval by the Board of Chosen Freeholders.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-062**

**APPROPRIATION RESERVE TRANSFER**

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the transfers in the amount of \$16,000.00 (Sixteen Thousand Dollars) be made in the 2014 budget.

**Current Fund:**

**From:** Police S&W \$16,000.00

|            |                      |             |              |
|------------|----------------------|-------------|--------------|
| <b>To:</b> | Legal Other Expenses | \$15,000.00 | Litigation   |
|            | Police Other Expense | 1,000.00    | Medical Exam |

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**Tax Collector's Report –**

**January 2015**

|                         |                     |
|-------------------------|---------------------|
| 2015 Taxes              | 416,262.49          |
| Outside Lien Redemption | 713.43              |
| <b>Net Receipts</b>     | <b>\$416,975.92</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.

C/Sarti states the Fire Department had to destroy a steel door to a borough business due to a broken water pipe. Recommends that an Ordinance be created to mandate that businesses have a knox box. The knox box is a rapid entry system that provides non-destructive emergency access to properties. Will get a sample ordinance from the Fire Marshall and it will be further discussed at the March workshop.

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.

**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, of N.J.S.A. 10:4-12b is required to discuss OPRA-Lindsey, 68 Main Street, and MacInnes litigation.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 25<sup>th</sup> day of February, 2015 pursuant to Section 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/Krawiec

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: None

The time being 7:30 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 7:59 P.M.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-063**

**APPOINTMENT OF BOROUGH SPECIAL PROSECUTOR**

**WHEREAS**, the Council of the Borough of Englishtown is knowledgeable that there is a need for the appointment of a Special Prosecutor to handle legal matters at a Police Disciplinary Hearing; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A. 40:11-1-et seq.) requires that the Resolution authorizing the appointment of an Attorney for "Professional Services" without competitive bids must be publicly advertised:

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

1. Otto Kostbar be appointed as the Special Prosecutor for the term of one year terminating December 31, 2015, subject to contract approval.
2. The said party be appointed above during the term of their appointment shall provide such legal services as may be approved by the Borough Council under and pursuant to law. Salary is \$130.00 per hour and is not to exceed \$10,000.00.
3. The Borough Clerk shall cause notice of the passage of this Resolution of Appointment to be published in the official newspapers of the Borough of Englishtown in accordance with the Local Public Contracts Law.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: C/Cooke

Absent: None

**Adjournment**

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

The time being 8:02 P.M.

March 25, 2015  
Approved by Governing Body

Peter Gerbatuk  
Municipal Clerk