

**June 24, 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
  - Accepting Credit Card Payments
  - Declaratory Judgement Actions
3. Adjournment

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

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

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

**Discussion Items:**

**Accepting Credit Card Payments:**

B/A Finger discussed the option of offering the residents to use credit cards as a form of payment. Two companies were researched and they both pass the convenience fee charge to the creditor, rather than to the municipality. The fee ranges from 2.45% to 2.95% of the total charged. Mayor and Council chose not to pursue this option at this time since there is not a high demand for the service.

**Declaratory Judgement Actions:**

Attorney Youssouf requests this discussion in Executive Session

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Krawiec. Passed unanimously. The time being 6:46 P.M.

**\*\* AGENDA \*\***

**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. Presentation of 2014 Audit by Robert Allison of Holman, Frenia, Allison, P.C.
5. Approval of Minutes
  - May 27, 2015 Minutes
  - May, 2015 Executive Session
6. Committee Reports
7. Correspondence
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. Old Business
  - A. Ordinance No. 2015-07 – PH & A  
Amending Official Drug Free Zone Map of the Borough of Englishtown.
  - B. Ordinance No. 2015-08– PH & A  
Amending & Supplementing Bond Ordinance 2015-05 Various Capital Improvements.
  - C. Ordinance No. 2015-09 – PH & A  
Bond Ordinance Providing for the Acquisition of a Leaf Machine for the Department of Public Works.
  - D. Ordinance No. 2015-10 – PH & A  
“Ordinance Establishing Limits for Salaries of the Employees of the Borough of Englishtown”

10. New Business:
  - A. Ordinance No. 2015-11 – First Reading and Introduction  
“An Ordinance Amending and Supplementing Chapter 2.130.18  
“Sign Regulations”
  - B. Resolution No. 2015-102  
Authorization of Services – DPW Dept.  
Truck Mounted Asphalt System
  - C. Resolution No. 2015-103  
Authorization of Services – Water Dept.  
Labor and Material to remove and replace a 4” Meter with remote
  - D. Resolution No. 2015-104  
Authorizing a Final Change Order for Reconstruction of Center Street
  - E. Resolution No. 2015-105  
2015 Designation of Salaries
  - F. Resolution No. 2015-106  
Appointing SEC Continuing Disclosure Agent and Authorizing Mayor to  
Sign Agreement (Phoenix Advisors, LLC)
  - G. Resolution No. 2015-107  
Authorizing Mayor to Sign Conducted Energy Device Assistance  
Program Participation Agreement
  - H. Resolution No. 2015-108  
Authorizing a Temporary Delay in the Mailing of Third Quarter  
Tax Bills 2015 Final/2016 Preliminary Bills
  - I. Resolution No. 2015-109  
Appointment of Deputy Municipal Clerk
  - J. Resolution No. 2015-110  
Acceptance of Probation Period for Deputy Municipal Court  
Administrator
  - K. Resolution No. 2015-111  
Reappointment of Tax Assessor (Mark Fitzpatrick)
  - L. Resolution No. 2015-112  
Release of Cash Bond for 25 Lasatta Avenue Road Opening
  - M. Resolution No. 2015-113  
Resolution Awarding a Contract for Demolition of 17 Main Street  
and 68 Main Street

- N. Resolution No. 2015-114  
Authorizing Execution of Rights-of –Way use Agreement with  
Cross River Fiber, Inc.
  - O. Resolution No. 2015-115  
Appointment of Public Works Part Time Laborer Robert J. Smith, III
  - P. Resolution No. 2015-116  
Authorizing Payment of Bills
- 11. Tax Collector’s Report – May 2015
  - 12. 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  
implies or mentioned, are to be brought to the full attention of the Council  
through an appointment and subsequent disclosure through the Personnel  
Committee.
  - 13. Executive Session
  - 14. Adjournment

The meeting was called to order by Mayor Reynolds at 6:47 P.M.

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

Also present, Peter Gorbatuk, Municipal Clerk, Laurie Finger, Administrator/CFO 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

Presentation of 2014 Audit by Robert Allison of Holman, Frenia, Allison, P.C.

Mayor Reynolds opens the floor to Robert Allison, Auditor of Holman, Frenia, Allison P.C. to discuss the 2014 Audit findings.

Informed Mayor and Council the Audit was completed on June 9<sup>th</sup>. Mr. Allison outlined the audit and reported that once again, the Borough received a rating of an “unmodified report” with a clean opinion, which is the highest opinion you can get.

Mr. Allison commented that there were no recommendations this year and the Borough CFO is doing a great job.

**Approval of Minutes –**

There being no further corrections, deletions or additions, a motion to approve the June 24<sup>th</sup> 2015 meeting minutes was offered by C/Robilotti and seconded by C/Krawiec.

Passed on the following roll call:

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**Committee Reports**

**Administration, Finance & Personnel**

Councilwoman Cooke – Absent, no report at this time.

**Public Utilities**

Councilwoman Robilotti reports:

- There are 104 delinquent accounts for the water department.

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

Councilman Wojyn reports:

- The Shade Tree Committee: No Report at this time.
- Recreation Committee: Sanford Park and Lake Weamaconk is in good order.

**Public Safety**

Councilwoman Krawiec reports:

- Reads Police Report on file in the Clerk's office.

**Legislative, Insurance & Licenses**

Councilman Sarti - Absent, no report at this time.

**Public Buildings & Grounds**

Councilman Rucker - no report at this time.

**Correspondence**

Municipal Clerk Peter Gorbatuk reports:

- Mayor and Councilmembers were sent the Monthly Budget Report for May on June 1<sup>st</sup>. The original copy is on file in the Clerk's Office.
- Rutgers Urban Forestry Program and the State of NJ Forestry Services have partnered to conduct a survey of ash trees in several NJ Municipalities with Englishtown being one of them. There will be no disruption to the Municipality. There will be up to three crews of two persons counting and measuring trees. The Clerk will advise the Police Department of this action.
- Please forward your reports to the Municipal Clerk.

**Public Portion – Agenda Items**

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

Mr. Burke – Englishtown would like to thank the Mayor and Council for allowing him the opportunity to save the Thompson Property at 68 Main Street, but was not successful in doing so.

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.

**Old Business**

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2015-07**

**PUBLIC HEARING AND ADOPTION**

**AN ORDINANCE ADOPTING THE AMENDED OFFICIAL DRUG FREE ZONE MAP OF  
THE BOROUGH OF ENGLISHTOWN**

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

**1. DRUG-FREE ZONES.**

- 1. Adoption of Map.** In accordance with the Monmouth County Prosecutor and pursuant to the authority of N.J.S.A. 2C:35-7.1, the Drug-Free Zone Map produced on or about April 28, 2015, by Thomas J. Herits, of Maser Consulting, consisting of one sheet, is hereby approved and adopted as the official finding and record depicting the location of the following areas within the Borough of Englishtown:
  - a. Any property which is used for school purposes and which is owned by or leased to any elementary or secondary school or school board;
  - b. All areas on or within one thousand (1,000) feet of such school property referenced in Paragraph a above;
  - c. Any property which is the site of a public housing facility, a public park, or a public building, as defined in N.J.S.A. 2C:35-7.1; and
  - d. All areas in, on, or within five hundred (500) feet of any public housing facility, any public park, or any public building, as referenced in Paragraph c above.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and publication in accordance with law.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
BOND ORDINANCE NO. 2015-08**

**PUBLIC HEARING AND ADOPTION**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING  
BOND ORDINANCE NUMBER 2012-05 (WHICH  
PROVIDES FOR VARIOUS 2012 CAPITAL  
IMPROVEMENTS) HERETOFORE FINALLY ADOPTED  
BY THE BOROUGH COUNCIL OF THE BOROUGH OF  
ENGLISHTOWN, IN THE COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY, ON JUNE 27, 2012, TO AMEND  
THE DESCRIPTION SET FORTH THEREIN**

**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.** Section 3(a)(ii) of Bond Ordinance Number 2012-05 finally adopted on June 27, 2012 by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough") entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN AND THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$595,600 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$235,000) AND AUTHORIZING THE ISSUANCE OF \$330,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to amend the description set forth therein, as follows:

“ . . .

- ii. Acquisition and installation, as \$56,000 \$53,200 \$2,800 5 years applicable of ten (10) portable radios and nine (9) Conducted Energy Devices (Tasers) for the Police Department, including all necessary related equipment and apparatus thereof; and

...”

**SECTION 2.** Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

**SECTION 3.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

**SECTION 4.** This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, if applicable, as provided by the Local Bond Law.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and publication in accordance with 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/Cooke and seconded by C/Sarti. Passed unanimously.

**Adoption**

A motion to adopt Ordinance No. 2015-08 above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
BOND ORDINANCE NO. 2015-09**

**PUBLIC HEARING AND ADOPTION**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A LEAF MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$40,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$38,000 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 \$40,000, which sum includes \$2,000 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 \$40,000 appropriation 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 \$38,000 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 \$38,000 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 the acquisition of a leaf machine for the Department of Public Works and all equipment, materials and accessories necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$38,000.

(c) The estimated cost of the improvement or purpose is equal to \$40,000.

**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, 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, 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 5 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 \$38,000 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 \$2,000 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 hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the

Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** 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 12.** 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.

**BE IT FURTHER ORDAINED,** that this Ordinance shall take effect upon final passage and publication in accordance with 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/Cooke and seconded by C/Sarti. Passed unanimously.

**Adoption**

A motion to adopt Ordinance No. 2015-08 above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**New Business**

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2015-011**

**FIRST READING & INTRODUCTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.130.18 “SIGN REGULATIONS” OF THE CODE OF THE BOROUGH OF ENGLISHTOWN ADDING NEW SECTION 2.130.18 Q MUNICIPAL EXEMPTION**

**ARTICLE 1**

Be it Hereby Ordained by the Mayor and Council of the Borough of Englishtown that Chapter 2.130.18 is hereby amended as follows:

{NEW SECTION} 2.130.18.Q “Municipal Exemption”: The Borough of Englishtown, its municipal departments and subdivisions, including the Board of Fire Commissioners of Fire District No. 1 Englishtown Borough are hereby exempted from any and all provisions of Chapter 2.130.18 “Sign Regulations” of the Code of the Borough of Englishtown.

**ARTICLE II**  
**SEVERABILITY**

Should a court of competent jurisdiction hold any portion, section or subsection of this ordinance invalid or unconstitutional, such provision, portion, section or subsection shall be deemed severable and shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

**ARTICLE III**

Effective

this Ordinance shall take effect upon final passage and publication in accordance with law.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

Public Hearing & Adoption will take place at the July 22, 2015 Council Meeting

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-102**

**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 Department Supervisor, Committee Chairperson(s) for Council approval; and

**WHEREAS**, the Chief Financial Officer certifies that appropriate funds are available for the following:

Truck Mounted Asphalt System for the Road Department ..... \$2,950.00

Services From:

Applique Technologies  
3300 Shafto Road, Suite 3  
Tinton Falls, NJ 07753

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-103**

**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:

Labor and Material to remove a 4” Hersey Compound and replace it with a 4” Neptune rebuilt Compound Meter with Remote Registers and Mounting of the Unit not to exceed..... \$3,100.00

Services From:

Allied Meter Service Inc.  
340 E. Broad Street  
PO Box 617  
Burlington, NJ 08016

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-104**

**AUTHORIZING A FINAL CHANGE ORDER FOR  
RECONSTRUCTION OF CENTER STREET**

**WHEREAS**, the Borough of Englishtown had previously awarded a contract for the Reconstruction of Center Street to Z Brothers Concrete Contractors, Inc. in the total amount of \$311,647.92; and

**WHEREAS**, Z Brothers Concrete Contractors, Inc., has submitted Change Order #1 and Final resulting in an adjusted contract price of \$218,791.30 or a decrease of \$92,856.62 below the original contract price; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Englishtown does hereby authorize Change Order #1 and Final decreasing the original amount of the contract by \$92,856.62 to \$218,791.30 awarded to Z Brothers Concrete Contractors, Inc. for the Reconstruction of Center Street.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the following: Borough’s Chief Financial Officer, and Z Brothers Concrete Contractors, Inc.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2015-105**

**2015 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 2015 unless otherwise indicated.

Position		2015 Annual Salary	
Governing Body			
	Mayor	\$ 4,000.00	
	Council	\$ 3,500.00	
Municipal Clerk	Peter Gorbatuk	\$ 52,431.64	
Deputy Municipal Clerk p/t	Christine Robbins	\$ 23,058.20 (resigned 5/15/15)	
Deputy Municipal Clerk p/t	Laurie Finger	\$ 7,500.00 (eff 7/1/15)	
Business Administrator	Laurie Finger	\$ 25,140.71	
Chief Financial Officer	Laurie Finger	\$ 25,140.71	
Finance Clerk	Jeanne Keevins	\$ 39,438.22	
Municipal Housing Liaison	Celia Hecht	\$ 563.08	
Court			
	Magistrate	Judge Newman	\$ 18,638.04
	Court Administrator	Patricia Marone	\$ 51,000.00

Deputy Court Admin	Lisa Langlois	\$	14.00 per hour (eff 3/1/15)	
Violations Clerk	Lisa Langlois	\$	12.24 per hour (1/1-2/28/15)	
Prosecutor	Richard Kelly	\$	350.00 per session	
Dept. Public Works-Level 1 DPW Foreman	Wayne Krawiec	\$	29,114.48	
		\$	3,995.22	\$ 33,109.70
Dept. Public Works p/t	Stanley Matthews	\$	11.29 per hour	
Dept. Public Works p/t	Theodore Gibson	\$	10.00 per hour (resigned 4/30/15)	
Dept. Public Works p/t	Robert Smith	\$	10.00 per hour (eff 6/1/15)	
Water Department Supervisor	Jim Mastrokalos	\$	15,394.07	
Water Department Clerk	Celia Hecht	\$	14,285.25	
Sewer Department Supervisor	Jim Mastrokalos	\$	15,394.07	
Sewer Department Clerk	Celia Hecht	\$	14,285.25	
Code Enforcement Officer Fire District Shared Service	Ed Miller	\$	5,979.54	
		\$	14,000.00	\$ 19,979.54
Housing Inspector Fire District Shared Service	John Marini	\$	7,123.48	
		\$	2,000.00	\$ 9,123.48
Zoning Officer	John Marini	\$	5,615.32	
Tax Department Tax Collector	Janice Garcia	\$	10,056.66	
Tax Clerk	Celia Hecht	\$	1,126.17	
Tax Assessor	Mark Fitzpatrick	\$	11,220.00	
Planning/Zoning Bd. Secretary	Celia Hecht	\$	3,003.29	
Shade Tree Commission Secretary	Christine Robbins	\$	903.80	

Emergency Management Coordinator	Peter S. Cooke Jr.	\$ 1,560.60
Police Lieutenant	Peter S. Cooke Jr.	\$ 86,433.60
Special Law Enforcement Officer-Class II	David Marino Jr.	\$ 12.49 per hour
Special Law Enforcement Officer-Class II	Adam Liotta	\$ 12.24 per hour
Offered By:	C/Robilotti	
Seconded By:	C/Krawiec	
Roll Call: Ayes:	C/Krawiec, C/Robilotti, C/Rucker, C/Wojyn	
Nays:	None	
Abstain:	None	
Absent:	C/Cooke, C/Sarti	

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-106**

**APPOINTING SEC CONTINUING DISCLOSURE AGENT  
AND AUTHORIZING MAYOR TO SIGN AGREEMENT**

**WHEREAS**, the governing body of the Borough of Englishtown on August 27, 2014 adopted Resolution #2014-146 entering into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"); and

**WHEREAS**, the governing body appointed Phoenix Advisors, LLC of Bordentown, NJ, a third-party disclosure-dissemination agent on August 27, 2014 to provide this service for the Borough; and

**WHEREAS**, it is in the best interest of the Borough of Englishtown to enter into an Agreement appointing Phoenix Advisors, LLC as the Independent Registered Municipal Advisor (IRMA) to file the necessary disclosure documents in accordance with the Security Exchange Commission (SEC) regulations for the year 2015;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, that Phoenix Advisors, LLC is hereby appointed as the Borough's Independent Registered Municipal Advisor (IRMA) and the Mayor is hereby authorized to sign the agreement for the year 2015.

**THEREFORE BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Boroughs Chief Financial Officer, and Phoenix Advisors, LLC.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-107**

**AUTHORIZING MAYOR TO SIGN CONDUCTED ENERGY DEVICE  
ASSISTANCE PROGRAM PARTICIPATION AGREEMENT**

**WHEREAS**, by Resolution No. 2014-1104 adopted on December 18, 2014 the Monmouth County Board of Chosen Freeholders authorized the execution of a Conducted Energy Device (CED) Assistance Program Participation Agreement between the County of Monmouth and the Borough of Englishtown; and,

**WHEREAS**, under this agreement the County will purchase the Conducted Energy Devices and related equipment and warranties for the Borough of Englishtown; and,

**WHEREAS**, a portion of the acquisition costs will be paid to the County by the Borough of Englishtown and the remainder will be paid to the County as a State Share under the Attorney General's CED Assistance Program.

**WHEREAS**, the Chief Financial Officer certifies that appropriate funds are available for the following: Borough of Englishtown's Share \$11,370.93.

**NOW, THEREFORE, BE IT RESOLVED** the Borough of Englishtown, will pay the County \$11,370.93 representing the Municipality's share of the total acquisition cost of \$18,790.74. Once the County has received the forgoing payment from the Municipality and also received the State Share payment in the amount of \$7,419.81, the County will purchase the items listed on the Municipal Approved Project Budget Form for the Municipality.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by Governing Body of the Borough of Englishtown the Mayor is hereby authorized to execute said Agreement.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-108**

**AUTHORIZING A TEMPORARY DELAY  
IN THE MAILING OF THIRD QUARTER TAX BILLS  
2015 FINAL/2016 PRELIMINARY BILLS**

**WHEREAS**, N.J.S.A. 54:4-66.3d requires final tax bills are to be mailed on or before June 14, 2015; and

**WHEREAS**, the Statement of State Aid has not yet been released due to the State of New Jersey 2015-2016 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.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-109**

**APPOINTMENT OF DEPUTY MUNICIPAL CLERK**

**WHEREAS**, effective May 15, 2015 a vacancy occurred within the Borough of Englishtown for the position of Deputy Municipal Clerk; and

**WHEREAS**, the Borough of Englishtown is desirous of filling the position of Deputy Municipal Clerk; and

**WHEREAS**, it is the recommendation of the Administration, Finance and Personnel Committee to appoint Laurie Finger, of Howell, New Jersey.

**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 Laurie Finger is hereby appointed as Deputy Municipal Clerk for the Borough of Englishtown, effective July 1, 2015 until December 31, 2015.
2. That said position shall be part-time, paid at \$7,500.00 annually, payable semi-monthly per the salary ordinance.

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Municipal Clerk and Laurie Finger.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-110**

**ACCEPTANCE OF PROBATION PERIOD FOR  
DEPUTY MUNICIPAL COURT ADMINISTRATOR**

**WHEREAS**, Lisa Langlois was appointed as Deputy Municipal Court Administrator by Resolution #2015-055 on February 25, 2015 with a ninety (90) day probation period commencing May 29, 2015, at which time work performance shall be evaluated by Judge Newman; and

**WHEREAS**, on May 12, 2015, Judge Newman submitted an evaluation of Lisa Langlois' work performance and recommends a permanent position as well as the following recommendation:

1. That Lisa Langlois continue towards pursuing her certification as a Certified Municipal Court Administrator by submitting a proposed final project idea within the next 12 months, no later than June 30, 2016.
2. That Lisa Langlois receive additional compensation in the amount of \$1,000 to her salary after successfully obtaining the Certification as Municipal Court Administrator.

**WHEREAS**, the governing body was made aware on May 27, 2015 of the probation period ending and agrees with Judge Newman's recommendations.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the recommendations listed above by Judge Newman are hereby accepted.

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Lisa Langlois, Englishtown Municipal Court Administrator Patricia Marone and Judge Newman.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-111**

**REAPPOINTMENT OF TAX ASSESSOR**

**WHEREAS**, the appointment within the Borough of Englishtown of Municipal Tax Assessor will expire on June 30, 2015; and

**WHEREAS**, there is a need to appoint a Tax Assessor for the Borough of Englishtown; and,

**WHEREAS**, currently the position is held by Mark Fitzpatrick of Neptune, New Jersey; and

**WHEREAS**, it is the recommendation of the Mayor and Council of the Borough of Englishtown to reappoint Mark Fitzpatrick as Municipal Tax Assessor commencing July 1, 2015 and expiring on June 30, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown that Mark Fitzpatrick be reappointed to the position of Municipal Tax Assessor pursuant to N.J.S.A. 40A:9-148 *et seq.*, for the Borough of Englishtown, commencing on July 1, 2015 and expiring on June 30, 2019.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the following: Borough's Chief Financial Officer and Mark Fitzpatrick.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Absent: None

Abstain: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN**

**RESOLUTION NO. 2015-112**

**RELEASE OF CASH BOND  
25 LASATTA AVENUE ROAD OPENING**

**WHEREAS**, on May 28, 2014 Mr. John Soares, was granted permission by the adoption of Resolution #2014-115 for the exemption from the road moratorium for a street opening permit located at 25 Lasatta Avenue for the purpose of a gas service installation to a new home; and

**WHEREAS**, the Borough Engineer recommended 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, and;

**WHEREAS**, Mr. Soars posted a \$3,000.00 cash bond on June 24, 2014 and also complied with the Borough Engineer’s requirements as indicated in a memo received on May 26, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Englishtown authorize the Borough Chief Financial Officer to release the \$3,000.00 cash bond to Mr. John Soares.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Borough’s Chief Financial Officer and Mr. John Soares.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-113**

**RESOLUTION AWARDING A CONTRACT FOR DEMOLITION OF 17 MAIN  
STREET AND 68 MAIN STREET**

**WHEREAS**, Englishtown Borough has determined the need to have two homes in the Borough be taken down and;

**WHEREAS**, the Borough advertised for bids, and received proposals on May 20, 2015 at 11:00 AM in the Borough’s offices, for the Project; and

**WHEREAS**, Caravella Contracting of E. Hanover appears after careful review of all of the bids submitted, to be the lowest responsible bidder with a low bid of \$39,988.00, with \$24,470.00 for 17 Main Street and \$15,384.00 for 68 Main Street; and

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council awards a contract to, Caravella Contracting of E. Hanover, New Jersey, in an amount not to exceed \$39,988.00, the total bid, for the demolition of both properties.

**BE IT FURTHER RESOLVED**, that the award of the contract is conditioned upon the Borough Attorney's review and approval of the bid documents and contract, and certification by the Borough's Chief Financial Officer has certified the availability of funds for this project.

**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, Caravella Contracting of E. Hanover NJ, and the Borough's Chief Financial Officer.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-114**

**RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE  
AGREEMENT WITH CROSS RIVER FIBER, INC.**

**WHEREAS**, Cross River Fiber, Inc. (Cross River" is a public utility and telecommunications carrier as defined by N.J.S.A. 48:2-13; and

**WHEREAS**, Cross River is authorized to provide service by the New Jersey Board of Public Utilities and the Federal Communications Commissions; and

**WHEREAS**, Cross River is seeking to install telecommunications facilities on utility poles or within underground conduits located in the public right – of - way in the Borough of Englishtown in order to provide telecommunications services to the public, and to operate, maintain and repair facilities; and

**WHEREAS**, N.J.S.A. 48:17-10 through 48:17-12 permits municipalities to enter into a right-of-way agreement with a telecommunications carrier; and

**WHEREAS**, the Borough of Englishtown desires to enter into a rights'-of-way use agreement with Cross River that sets forth the terms of use, occupancy and manner in which Cross River will utilize the Borough of Englishtown rights –of-way use agreement; and

**WHEREAS**, the use agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms; and

**WHEREAS**, annexed hereto is a copy of the use agreement to be entered into by and between the Borough of Englishtown and Cross River;

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Absent: None

Abstain: C/Cooke, C/Sarti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-115**

**APPOINTMENT OF PUBLIC WORKS PART TIME LABORER**

**WHEREAS**, there is a need to hire a part time public works laborer; and

**WHEREAS**, the business administrator and public works supervisor have recommended Robert J. Smith of Morganville., N.J. for the position and have offered him a conditional offer of employment, Resolution No. 2015-095, on May 27, 2015; and

**WHEREAS**, the appointment was conditional upon the successful passing of a background check and fingerprinting, both of which have been met; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Robert J. Smith III is hereby appointed part time public works laborer for the Borough of Englishtown as follows:

1. Appointment is effective July 1, 2015.
2. Salary is effective July 1, 2015 in the amount of \$10.00 per hour, paid semi-monthly per the salary ordinance.
3. Hours are not to exceed 25 hours per week.
4. That said appointment is probationary for ninety days, culminating on September 28, 2015.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Public Works Supervisor, and Robert J. Smith III.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2015-116**

**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 \$583,277.38 are hereby authorized to be paid on June 24, 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/Krawiec, C/Robilotti, C/Rucker, C/Wojyn  
 Nays: None  
 Abstain: None  
 Absent: C/Cooke, C/Sarti

**Tax Collector's Report –**

**May 2015**

2015 Taxes	\$923,669.76
<u>Interest</u>	<u>560.98</u>
<b>Net Receipts</b>	<b>\$924,230.74</b>

**Public Portion**

John Hoben from Englishtown Commons would like to know what the Borough will be doing to alleviate the clogged basins and pipes so water can flow unrestricted? Mayor Reynolds said he will contact County Engineer Joe Ettore to discuss this issue.

### **Executive Session**

#### **RESOLUTION OF THE BOROUGH OF ENGLISHTOWN MAYOR AND COUNCIL FOR A CLOSED OR EXECUTIVE SESSION PURSUANT TO N.J.S.A. 10:4-13**

**WHEREAS**, N.J.S.A. 10:4-12b provides that a public body may exclude the public from that portion of a meeting at which the body discusses:

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee, employed or appointed by the public body;
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

**WHEREAS**, N.J.S.A. 10:4-13 provides that a public body may not exclude the public from any meeting to discuss any matters described in N.J.S.A. 10:4-12 until the public body has adopted a resolution at a meeting to which the public shall be admitted, stating the general nature of the subject to be discussed and stating as precisely as possible, the time and when the circumstances under which the discussion conducted in a closed session of the public body can be disclosed to the public; and

**WHEREAS**, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7, 8, of N.J.S.A. 10:4-12b is required to discuss, declaratory action, tax appeals, fees, employee, and potential litigation.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 24<sup>th</sup> day of June, 2015 pursuant to Section 7, 8, of the Open Public Meetings Act.

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

The time being 7:17 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 8:14 P.M.

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

**RESOLUTION NO. 2015-117**

**2014 AUDIT OF THE BOROUGH OF ENGLISHTOWN  
DIVISION OF LOCAL GOVERNMENT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of the New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW THEREFORE BE IT RESOLVED**, that the governing body of the Borough of Englishtown, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Cooke, C/Sarti

### **Adjournment**

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

The time being 8:14 P.M.