

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

**November 23, 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:
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:30 P.M.

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Sarti

Absent: C/Rucker, C/Wojyn

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

**Discussion Items:**

No Discussion Items at this time.

**Adjournment**

There being no business a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Sarti. Passed unanimously. The time being 6:31 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. Committee Reports
5. Correspondence
6. 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.
7. Old Business:
  - A. Ordinance No. 2015-17 PH & A  
Ordinance Amending Chapter 1.33, entitled "POLICE DEPARTMENT" of the Code of the Borough of Englishtown
8. New Business
  - A. Resolution No. 2015-155  
Sale and Issuance of General Obligation Refunding Bonds
  - B. Resolution No. 2015-156  
Cancelling a General Capital Reserve Balance
  - C. Resolution No. 2015-157  
Authorization of Services Over \$2625 COAH Certification Agreement 5<sup>th</sup> Housing Rehabilitation Unit
  - D. Resolution No. 2015-158  
Authorization of Services Over \$2625 Annual Contribution for Englishtown/Manalapan First Aid Squad for 2015
  - E. Resolution No. 2015-159  
Appointment of Special Law Enforcement Class II Officer Michael L.Makwinski

- F.     Resolution No. 2015-160  
Appointment of Special Law Enforcement Class II Officer  
Katelyn N. Kwiecinski
  
- G.     Resolution No. 2015-161  
Bills List
  
- 9.     Tax Collectors Report – October 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 6.35 P.M.

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

Also present, Peter Gorbatuk, Municipal Clerk, Laurie Finger, 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.

### **Committee Reports**

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

Councilman Sarti reports:

- No report at this time.

#### **Public Utilities**

Councilwoman Robilotti reports:

- No report at this time.

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

Councilman Wojyn is absent this evening

**Public Safety**

Councilwoman Krawiec reports:

- No report at this time

**Public Buildings & Grounds**

Councilman Rucker is absent this evening.

**Administration, Finance & Personnel**

Councilwoman Cooke reports:

- Budgets are due back to the CFO by the end of this month. Asked Council Chairs to meet with their department to review their budget request.

**Correspondence:**

Peter Gorbatuk, Municipal Clerk reports:

- Forward any reports to the Clerk.

**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.

**Old Business**

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2015-17**

**PUBLIC HEARING & ADOPTION**

**AN ORDINANCE OF THE BOROUGH OF ENGLISHTOWN AMENDING CHAPTER  
1.33, ENTITLED “POLICE DEPARTMENT”**

**NOW THEREFORE BE IT ORDAINED** by the Borough Council of the Borough of Englishtown that **Chapter 1.33, entitled “POLICE DEPARTMENT”** of the Code of the Borough of Englishtown is hereby amended as follows:

- A. Section 1.33.37, entitled Special Duty Assignments paragraph 5** shall be amended as follows:

Paragraph 5 shall read:

The charges for such services shall be \$90.00 per hour, including a rate of \$75.00 per hour for the officer, and \$15.00 administrative fee to be retained by the Borough.

**II. BE IT FURTHER ORDAINED THAT:**

- A. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.
- B. If any section, subsection, sentence, 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.
- C. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

**New Business**

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-155**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN,  
IN THE COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY AUTHORIZING CERTAIN ACTIONS  
NECESSARY IN CONNECTION WITH THE SALE AND  
ISSUANCE OF NOT TO EXCEED \$162,000 AGGREGATE  
PRINCIPAL AMOUNT OF GENERAL OBLIGATION  
REFUNDING BONDS AND AUTHORIZING THE  
APPROPRIATE OFFICIALS TO DO ALL ACTS AND  
THINGS DEEMED NECESSARY AND ADVISABLE IN  
CONNECTION WITH THE SALE, ISSUANCE AND  
DELIVERY OF SAID BONDS**

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law") the Borough Council of the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"), has heretofore adopted a refunding bond ordinance on September 21, 2015 (the "Refunding Bond Ordinance") authorizing bonds to pay amounts owing to BTR Englishtown LLC, a taxpayer (the "Taxpayer"), for taxes levied on property located at 28 Harrison Avenue, in the Borough, shown on the Tax Map of the Borough as Block 14, Lots 6 and 18, for the tax years 2013 and 2014; and

WHEREAS, it is necessary to issue the hereinafter defined Bonds, on a private placement basis, pursuant to said Refunding Bond Ordinance in the aggregate principal amount of not to exceed \$162,000 to provide (i) paying tax appeal settlements with a taxpayer for tax years 2013 and 2014 in the amount of \$154,124.63, plus all costs associated with such appeal and the issuance of the Refunding Bonds, and (ii) paying the costs of issuance relating to the Refunding Bonds, including but not limited to, printing, advertising, accounting, financial and legal services, rating agency fees, underwriter's discount, and bond insurance premiums, if any; and

WHEREAS, the Borough Council now desires and finds it necessary to issue the General Obligation Refunding Bonds, Series 2015 in the aggregate principal amount not to exceed \$162,000 (the "Bonds"), and it is deemed advisable and in the best interests of the Borough to provide for the form, sale, maturity dates and other matters in connection with such authorization, sale, issuance and delivery of the Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

SECTION 1. Authority for Resolution. Pursuant to the provisions of the Local Bond Law, the Borough Council has heretofore adopted the above-referenced Refunding Bond Ordinance that authorizes the issuance of the Bonds in the aggregate principal amount not to exceed \$162,000, and the Borough Council hereby determines to issue, pursuant to this resolution and the above-referenced Refunding Bond Ordinance, the Bonds of the Borough in an aggregate principal amount not to exceed \$162,000 as described below in Section 2.

SECTION 2. Authorization of the Bonds. In accordance with the Local Bond Law, and for the purpose of providing funds to (i) pay tax appeal settlements with a Taxpayer for tax years 2013 and 2014 in the amount of \$154,124.63, as a result of the tax appeal, plus all costs associated with such appeal and the issuance of the Refunding Bonds, and (ii) pay the allocable portion of the costs of issuance relating to the Refunding Bonds, including but not limited to, printing, advertising, accounting, financial and legal services, rating agency fees, underwriter's discount, and bond insurance premiums, if any, there shall be issued Bonds of the Borough in an aggregate principal amount not to exceed \$162,000, pursuant to the above-referenced bond ordinance and this Resolution.

SECTION 3. Details of the Bonds. The Bonds shall be payable with respect to principal and interest in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, shall be issued in a form to be designated by the Mayor and/or Chief Financial Officer of the Borough, and shall be issued in the form provided in Section 7 of this Resolution, with such omissions, insertions and variations as are properly required. The Bonds shall be dated, shall mature in each of the years, shall bear interest from their date of issuance and shall contain such other terms, including but not limited to redemption provisions, as shall be determined by the Mayor and/or Chief Financial Officer of the Borough, upon the advice of Archer & Greiner P.C., Red Bank, New Jersey, Bond Counsel to the Borough ("Bond Counsel"). The Bonds shall be numbered consecutively from "GOR-1" upwards.

The Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of issuance, until such Bonds shall be paid or discharged as shall be set forth in the applicable Purchase Agreement to be dated the date of the sale and award of the Bonds by and between the Borough and the hereinafter defined Initial Purchaser of the Bonds to be determined by the Mayor and/or Chief Financial Officer of the Borough (the "Purchase Agreement").

In the event that the Borough is the Initial Purchaser and subsequently thereafter assigns the Bonds to any entity other than the Borough, the Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of assignment, until such Bonds shall be paid or discharged as shall be set forth in an assignment certificate to be dated the date of the assignment of the Bonds by and between the Borough, as Initial Purchaser, and the hereinafter defined Secondary Purchaser of the Bonds to be determined by the Mayor and/or Chief Financial Officer of the Borough (the "Assignment Certificate").

Subject to the limitations of the Local Bond Law, all matters in connection with the sale and issuance of the Bonds shall be determined by the Mayor and/or Chief Financial Officer, including but not limited to, the following:

(a) the initial purchasers, on a private placement basis, which may include but are not limited to, the Borough (collectively, the "Initial Purchaser") and the purchase price thereof;

(b) the secondary purchasers or assignees, to the extent that the Borough is the Initial Purchaser (collectively, the "Secondary Purchaser") and the purchase price and interest rates thereof;

(c) the principal amount of the Bonds to be issued, provided that such amount shall not exceed \$162,000;

(d) the date of the Bonds, the maturity dates (provided such bonds mature within not to exceed three (3) years from the date of issuance), interest payment dates, record dates and the principal amount of maturity of the Bonds;

(e) the interest rates on the Bonds;

(f) the denomination or denominations of and the manner of numbering and lettering of the Bonds; provided that all Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;

(g) provisions for the sale or exchange of the Bonds and for the delivery thereof;

(h) the redemption provisions for the Bonds;

(i) direction for the application and investment of the proceeds of the Bonds;

and

(j) any other provisions deemed advisable by the Mayor and/or Chief Financial Officer, upon the advice of Bond Counsel, which are not inconsistent with the provisions of the Local Bond Law.

The Mayor and/or Chief Financial Officer shall execute a certificate evidencing the determinations or other actions taken and any such certificate shall be conclusive evidence of the actions or determinations of the Mayor and/or Chief Financial Officer as to the matters stated therein.

SECTION 4. Payment of the Bonds. The principal of the Bonds, when due, shall be payable upon presentation and surrender thereof to the Chief Financial Officer of the Borough at Borough Hall, 15 Main Street Englishtown, New Jersey 07726, acting in the capacity of Paying Agent or the principal corporate trust office of any paying agent duly appointed by the Borough (collectively, the "Paying Agent").

SECTION 5. Execution of the Bonds. The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the Borough and the seal of the Borough shall be affixed, imprinted or reproduced thereon and attested to by the manual signature of the Borough Clerk. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes. In addition, any Bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been officers.

SECTION 6. Registration of the Bonds. The Paying Agent shall also maintain and keep books for the registration and transfer of the Bonds. The Paying Agent shall also act as agent for the Borough with respect to the transfer or exchange of any of the Bonds.

SECTION 7. Form of the Bonds. Subject to the provisions of this Resolution, the Bonds shall be in the form set forth in Exhibit A attached hereto, with such additions, deletions, omissions, endorsements and variations (including those required by the Initial Purchaser, if applicable) as may be required or permitted by this Resolution or the above-referenced Refunding Bond Ordinance or as may be consistent with this Resolution and the above-referenced Refunding Bond Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may be necessary for the Borough to market the Bonds, upon advice of Bond Counsel.

SECTION 8. Assignment Certificate. Subject to the provisions of this Resolution and provided that the Borough is the Initial Purchaser, the terms of the assignment of the Bonds to the Secondary Purchaser shall be determined by the Assignment Certificate in the form set forth in Exhibit B attached hereto, with such additions, deletions, omissions, endorsements and variations (including those required by the Secondary Purchaser, if applicable) as may be required or permitted by this Resolution or as may be consistent with this Resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may be necessary for the Borough to market the Bonds, upon advice of Bond Counsel.

SECTION 9. Application of Proceeds of the Bonds. From the proceeds of the sale of the Bonds, the following amounts, if stated herein, shall simultaneously with the issuance of such Bonds (or as soon as practicable thereafter) be paid by the Borough as follows:

(a) To the payees designated by the Mayor and/or Chief Financial Officer of the Borough, amounts representing the costs associated with the appeal and Settlement and the costs of issuance for the Bonds;

(b) To the Borough, an amount representing accrued interest, if applicable, on the Bonds from the Issue Date to the date of delivery thereof and payment therefor, such amount to be used for the payment of interest on the Bonds as the same shall become due and payable on the first Interest Payment Date; and

(c) To the Taxpayer, an amount equal to \$154,124.63 to provide for the payment of the Settlement for tax years 2013 and 2014.

SECTION 10. Award of Bonds. The Mayor and/or the Chief Financial Officer are each hereby authorized and directed, in consultation with Bond Counsel, to negotiate and approve the terms of the Purchase Agreement with the Initial Purchaser for the purchase of the Bonds. The Bonds are hereby authorized to be sold to the Initial Purchaser designated by the Mayor and/or Chief Financial Officer of the Borough in accordance with the terms of the Purchase Agreement. The Mayor and/or Chief Financial Officer of the Borough are each hereby authorized and directed to execute and deliver the Purchase Agreement on behalf of the Borough.

SECTION 11. Delivery of Bonds. The Bonds, in registered form shall, as soon as practicable, be prepared, executed and delivered in definitive form to the Initial Purchaser at the expense of the Borough, upon payment in full of the purchase price for the Bonds.

SECTION 12. Actions to be Taken on Behalf of the Borough. The various officers of the Borough are hereby authorized and directed to do all matters necessary, useful, convenient or desirable to accomplish the (a) sale, issuance and delivery of the Bonds to the Initial Purchaser as promptly as possible, in accordance with the provisions hereof, and (b) execution of the closing documents necessary in connection with the sale, issuance and delivery of the Bonds.

The Initial Purchaser, the Borough's auditor (the "Auditor") and Bond Counsel, are each hereby authorized to prepare and arrange for the printing or reproduction of the Bonds, and any such actions heretofore taken by such Initial Purchaser, Auditor and Bond Counsel are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 13. Auditor. The Borough hereby authorizes the Auditor to circulate the financial statements of and any other financial information concerning the Borough that is necessary in connection with the marketing, sale and issuance of the Bonds.

SECTION 14. Authorizations. The Mayor and/or Chief Financial Officer of the Borough are each hereby authorized and directed to determine all matters in connection with the Bonds (including any matters set forth herein) not determined by this or a subsequent resolution, all in consultation with Bond Counsel, and the manual or facsimile signature of the Mayor and/or

Chief Financial Officer of the Borough upon the Bonds and any other documents shall be conclusive as to all such determinations. The Mayor and/or Chief Financial Officer of the Borough shall report in writing to the governing body at the next meeting thereof as to the principal amounts, maturities and numbers of the Bonds so delivered, which report shall be entered in the minutes of the governing body. The Mayor, the Chief Financial Officer of the Borough, the Borough Clerk and any other Borough officer, official or professional, including Bond Counsel and the Auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Bonds, including the Bonds, the Purchase Agreement and the Assignment Certificate and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds, and all such actions or inactions by the aforesaid Borough officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 15. Pledge of Borough. The full faith and credit of the Borough are hereby pledged for the payment of the principal of and interest on the Bonds. The Bonds shall be direct obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

SECTION 16. Tax Covenant. The Borough hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of the Bonds or take any other action (or refrain from taking such action) which would cause the Bonds to be “arbitrage bonds” within the meaning of the Internal Revenue Code of 1986, as amended and supplemented, or under any similar statutory provision or any rule or regulation promulgated thereunder (the “Code”), or would cause interest on the Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Bonds.

The Chief Financial Officer of the Borough is hereby further authorized and directed to establish an Investment Rebate Account (the “Rebate Account”) and provide for the deposit therein, for delivery to the United States Treasury of “excess investment earnings,” as may from time to time be required by Section 148 of the Code, all as may be set forth in a letter or letters of instruction to the Borough submitted by Bond Counsel in connection with the Bonds.

SECTION 17. Effective Date. This Resolution shall take effect immediately after adoption in accordance with the provisions of the Local Bond Law.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-156**

**RESOLUTION CANCELING A GENERAL CAPITAL RESERVE BALANCE**

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

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

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

| <u>Ord No.</u>                        | <u>Date Auth.</u> | <u>Project</u>                   | <u>Amount Canceled<br/>Unfunded</u> |
|---------------------------------------|-------------------|----------------------------------|-------------------------------------|
| 2010-04                               | 05/23/2012        | Tax Appeal Refunding Bond        | \$ 5,852.29                         |
| 2012-05                               | 06/27/2012        | Reconstruction of LaSatta Avenue | 218,484.05                          |
| 2012-14                               | 12/17/2012        | Municipal Building Roof          | 1,135.69                            |
| 2013-02                               | 03/18/2013        | Municipal Building Roof          | 4,102.00                            |
| <b>Total Reserve Balance Canceled</b> |                   |                                  | <b><u>\$ 229,574.03</u></b>         |

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-157**

**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 situations; 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:

5<sup>th</sup> Housing Rehabilitation Unit (of 7) per the COAH Certification Agreement - \$23,100.00

Services From:

Monmouth County Treasurer  
Community Development Program  
One East Main Street  
Freehold, N.J. 07728

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-158**

**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 situations; 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:

Englishtown/Manalapan First Aid Squad 2015 Annual Contribution - \$10,000.00

Services From:

Englishtown/Manalapan First Aid Squad

P.O. Box 294  
11 Sanford Avenue  
Englishtown, N.J. 07726

**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/Sarti

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-159**

**APPOINTMENT OF SPECIAL LAW  
ENFORCEMENT CLASS II OFFICER**

**WHEREAS**, there is a need to hire a special law enforcement Class II officer; and

**WHEREAS**, the public safety committee has recommended Michael L. Makwinski of Millstone Township, N.J. for the position and have offered him a conditional offer of employment, Resolution No. 2015-146, on October 28, 2015; and

**WHEREAS**, the appointment was conditional upon Michael L. Makwinski passing a physical examination, psychological evaluation and firearms qualification, all of which have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Michael L. Makwinski is hereby appointed special law enforcement Class II officer for the Borough of Englishtown as follows:

1. Appointment is effective November 12, 2015.
2. Salary is effective November 12, 2015 in the amount of \$12.00 per hour, paid semi-monthly per the salary ordinance.
3. That said appointment is probationary for one year and said probation shall culminate on November 12, 2016.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Lieutenant Cooke, Police Commissioner and Michael L. Makwinski.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

Oath of office is given to Class II Officer at this time by C/President Krawiec

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-160**

**APPOINTMENT OF SPECIAL LAW  
ENFORCEMENT CLASS II OFFICER**

**WHEREAS**, there is a need to hire a special law enforcement Class II officer; and

**WHEREAS**, the public safety committee has recommended Katelyn N. Kwiecinski of Keyport Borough, N.J. for the position and have offered him a conditional offer of employment, Resolution No. 2015-147, on October 28, 2015; and

**WHEREAS**, the appointment was conditional upon Katelyn N. Kwiecinski passing a physical examination, psychological evaluation and firearms qualification, all of which have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Katelyn N. Kwiecinski is hereby appointed special law enforcement Class II officer for the Borough of Englishtown as follows:

1. Appointment is effective November 12, 2015.
2. Salary is effective November 12, 2015 in the amount of \$12.00 per hour, paid semi-monthly per the salary ordinance.
3. That said appointment is probationary for one year and said probation shall culminate on November 12, 2016.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Lieutenant Cooke, Police Commissioner and Katelyn N. Kwiecinski.

Offered By: C/Krawiec

Seconded By: C/Sarti

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

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

Oath of office is given to Class II Officer at this time by C/President Krawiec

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-161**

**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 \$573,908.05 are hereby authorized to be paid on November 23, 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/Sarti

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

**Tax Collector's Report –****October 2015**

|                     |                     |
|---------------------|---------------------|
| 2015 Taxes          | 410,927.98          |
| Redemption          | 10,418.09           |
| <u>Interest</u>     | <u>373.01</u>       |
| <b>Net Receipts</b> | <b>\$422,494.91</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.

Robert Lancsak, 20 Harrison Avenue, Englishtown

- Asked for an update on the ongoing noise coming from the Recording Studio. It seems they comply after hours with noise, but it is loud during regular hours. Mayor Reynolds says we would need a decibel level to see if they are in violation and we do not have that in our Ordinance. We will look into this.

There being no further questions or comments, a motion to close the public portion was offered by C/Robilotti and seconded by C/Krawiec

Mayor Reynolds stated at this time there have been two employees Riced for this meeting to discuss an incident that happened in their department. Both have chosen to be heard in public session. Present are Celia Hecht, Water/Sewer Clerk and Jim Mastrokalos, Water/Sewer Superintendent.

C/Robilotti asked Jim Mastrokalos questions regarding procedures within the Water/Sewer Department, in particular about:

1. Contracts based on the size of the meter and bulk water supply.
2. Water service on Wilson Avenue
3. Involvement/Interaction with the Water/Sewer Clerk.
4. Would like updated quarterly reports to Council outlining the performance & usage of water by gallons. Consumed vs. Billed vs. Pumped

Jim Mastrokalos explained the water contract with Brandywine Assisted Living. A minimum base rate is calculated and then an additional amount is charged based upon the size of the meter and capacity used. The Bulk Supply of water is sold to the Reese property, which goes to Manalapan.

Jim Mastrokalos explained that he is the technical resource to the Water/Sewer Department and when abnormal situations arise, he is contacted by the staff.

C/Cooke conveyed concern that due to the absence of a manager, there is a need to establish roles for everyone. Need to define the problems and come up with a way to fix them. Who is going to make sure that next year the water rate increase is not forgotten about? Jim Mastrokalos said that he has no problem taking the responsibility to administer the department in consultation with the CFO.

There being no questions or comments, a motion to close the public portion was offered by C/Krawiec and seconded by C/Robilotti. 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 Personnel Adam Liotta, Lois Langlois**

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

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

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

**WHEREAS**, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7, of N.J.S.A. 10:4-12b is required to Personnel Adam Liotta, and Lois Langlois

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 23<sup>rd</sup> day of November 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/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker, C/Wojyn

The time being 7:30 P.M.

There being action at this time to be taken out of Executive Session, a motion to return to open session was offered by C/Sarti, seconded by C/Cooke. Passed unanimously.

The time being 7:53 P.M.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-162**

**APPOINTMENT OF  
FULL TIME POLICE OFFICER**

**WHEREAS**, there is a need to hire a full time police officer; and

**WHEREAS**, the public safety committee has recommended Adam Christopher Liotta of Jackson N.J. for the position.

**WHEREAS**, Adam Christopher Liotta is eligible for enrollment into PFRS;  
and

**WHEREAS**, Adam Christopher Liotta will be sworn in by the Municipal Clerk on November 24, 2015 as a full time officer for the Borough of Englishtown.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Adam C/Liotta is hereby appointed police officer for the Borough of Englishtown as follows:

1. Appointment is effective November 24, 2015.

2. Salary is effective November 24, 2015 in the amount of \$38,382.00 per annum, paid semi-monthly per the salary ordinance.
3. That said appointment is probationary for one year and said probation shall culminate on November 24, 2016.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Lieutenant Cooke, Police Commissioner and Adam Christopher Liotta.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

There being further reason to go back into Executive Session, a motion to return to closed session was offered by C/Robilotti, seconded by C/Krawiec. Passed unanimously.

The time being 7:55 P.M.

There being no further business in Executive Session, a motion to return to open session was offered by C/Krawiec, seconded by C/Cooke.

The time being 8:48 P.M.

### **Adjournment**

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

The time being 8:49 P.M.

December 14, 2015 \_\_\_\_\_  
Approved by Governing Body

*Peter Gorbatak*  
\_\_\_\_\_  
Municipal Clerk