

**October 28, 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:
  - Borough of Englishtown Fire District Audit Presentation
  - No Parking Signs on Gordons Corner Road
  - 2016 Meeting Schedule
3. Adjournment

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

Roll Call: Present: C/Krawiec, C/Rucker, C/Sarti, C/Wojyn

Absent: C/Robilotti

Late: C/Cooke arrived at 6:38 P.M.

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

**Discussion Items:**

**Borough of Englishtown Fire District Audit Presentation:**

Ronald Petrics of Withum, Smith and Brown presented the Fire District 2014 Audit to Mayor and Council. The financial performance and financial activities of the District was explained. The amount of levy to be raised has been pretty consistent from year to year. The District's records are in excellent shape and no material weaknesses are present.

**No Parking Signs of Gordons Corner Road:**

Lt Cooke recommends getting new signs to be posted at the entrances of the Borough. We already have an Ordinance in effect 2.121.07.

**2016 Meeting Schedule:**

Reviewed by Mayor and Council and decided to cancel the 1<sup>st</sup> meeting in November 2016. If any action is needed, a special meeting can be called. The December 2016 Monday meeting is changed to Tuesday, December 13<sup>th</sup>..

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Krawiec, seconded by C/Wojyn. Passed unanimously. The time being 6:47 P.M.

**October 28, 2015**

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**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
  - Borough of Englishtown Fire District Audit Report Presentation by Ronald C. Petrics of Withum, Smith & Brown
  - No Parking Signs on Gordons Corner Road
  - 2016 Meeting Schedule
3. Adjournment

**\*\* 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. Approval of Minutes
  - September 21, 2015
  - September 21, 2015 Executive Session
5. Committee Reports
6. Correspondence
7. Open Public Portion/Limited to Agenda Items Only  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
8. Old Business:
  - A. Ordinance No. 2015-15 – Public Hearing & Adoption  
Amending and Supplementing Chapter 2.121 Entitled “Vehicles & Traffic”

9. New Business
  - A. Ordinance No. 2015-16  
Ordinance Amending & Supplementing Bond Ord. 2015-05 (Which provides for various 2012 Capital Improvements)
  - B. Resolution No. 2015-141  
Amending the 2015 Capital Budget
  - C. Resolution No. 2015-142  
Authorizing Refund of Tax Sale Certificate
  - D. Resolution No. 2015-143  
Authorization of Services Over \$2,625.00  
Repair Water Leaks-Wood & Hospitality and Wood & Northgate
  - E. Resolution No. 2015-144  
Authorization of Services Over \$2,625.00  
Water Treatment Plant Testing
  - F. Resolution No. 2015-145  
Authorizing Change Order Number 1 and Final-Caravella Demolition Inc.
  - G. Resolution No. 2015-146  
Conditional Offer of Employment Special Law Enforcement Class II Officer Michael L. Makwinski
  - H. Resolution No. 2015-147  
Conditional Offer of Employment Special Law Enforcement Class II Officer Katelyn N. Kwiecinski
  - I. Resolution No. 2015-148  
Payment of Borough Bills
10. Tax Collector's Report – September
11. Public Portion  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
12. Executive Session
13. Adjournment

The meeting was called to order by Mayor Reynolds at 6:58 P.M.

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

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.

### **Approval of Minutes –**

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

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

### **Committee Reports:**

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

Councilman Sarti reports:

The Borough received notification of the 2016 JIF refund in the amount of \$6,812.33 which will be applied to the 2016 invoice.

#### **Public Utilities**

Councilwoman Robilotti is absent; no report.

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

Councilman Wojyn reports:

- 2015 Shade Tree Annual Report has been submitted to the State. Eric Mann, Wayne Krawiec, David Cuciti, and Greg Wojyn have met CEU requirements. The Englishtown Shade Tree Commission is now eligible for State Grants.
- The cost for demolition of 68 Main Street will be placed as a lien on the property.
- The owner of the barn located on County Road 522 / Tennent Avenue is scheduled for Court in mid - November.
- The property owner of 2 Park Avenue also has a Court date in mid – November.
- The demolition at 17 Main Street has been complete.

- Code Enforcement Officer Ed Miller has reported on sound levels at the Industrial Park in the evening hours following a noise complaint in October, it was determined that there was nothing out of the ordinary during his visit. It is the recommendation of Ed Miller to revise the existing code to cover a decibel level. Our current Ordinance could be considered vague if challenged. A decibel meter will need to be purchased and schooling will be necessary for proper operation.
- Annual Halloween Party will be held on Friday October 30<sup>th</sup> from 6:00 – 8:00 P.M. at the Englishtown Firehouse on 3 Main Street. Children 10 years or older will be required to pay \$3.00.
- Wooden planks need to be repaired / replaced to the dock at Lake Weamaconk. I will speak to the DPW.
- Scarecrow contest was not possible due to the inability of obtaining sponsors.
- I, along with a dozen or so people witnessed the open house at the Village Inn during a demonstration of how soups and breads were cooked in the 18<sup>th</sup> Century. We should as a council bring awareness to this landmark in the Borough. I will be reaching out to our school system and encourage them to schedule field trips to the Inn.

### **Public Safety**

Councilwoman Krawiec reports the following:

- Reads Police Report for September
- Conditional offer of employment Resolution is on the agenda for 2 Class II Certified Special Law Enforcement Officers
- The Department has been invited to apply for a five thousand dollar “Drive Sober or Get Pulled Over Grant”
- Lt. Cooke also reports crimes of opportunity in the area. Entering of unlocked homes and cars. A reminder to all to lock your homes and cars. Our detective has teamed up with Manalapan as they have experienced the same. Many leads so far, currently two individuals have been arrested with more arrests coming.
- Update on Corporal MacInnes condition. He has been seen by his Doctor who is recommending two more weeks of physical therapy. His next appointment is November 11<sup>th</sup>.

### **Public Buildings & Grounds**

Councilman Rucker has no report at this time.

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

Councilwoman Cooke reports:

- Attended the demolition of both properties and commented that the company (Caravella Construction) was professional and they really knew what they were doing.
- DPW would like to remove the tree in the front of the Municipal Building and replace it with a fountain or flowers etc. Mayor Reynolds would like a couple of options with costs. C/Wojyn would like the tree to be assessed first by Bill Brash our tree expert.



Main Street (CR 522 – 527) from Main Street going East into parking lot  
Parking Lot East of Main Street @ Intersection With Main & onto Northbound Main Street

\*Change: Sign to read 7:00 A.M. – 7:00 P.M.

**Public Hearing**

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

C/Krawiec asks Lt. Cooke for clarification of the Ordinance, which he then explains.

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

**Adoption**

A motion to adopt Ordinance No. 2015-15 above titled, was offered by C/Krawiec and seconded by C/Cooke. Passed on the following roll call:

Offered By: C/Krawiec

Seconded By: C/Cooke

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

**New Business**

Lt. Cooke asks if the listed Resolutions for the conditional offers of employment can be presented at this time with Mayor Reynolds responding in the affirmative.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-146**

**CONDITIONAL OFFER OF EMPLOYMENT FOR SPECIAL LAW  
ENFORCEMENT CLASS II OFFICER**

**WHEREAS**, it is the recommendation of Lt. Cooke and the Police Commission to make a conditional offer of employment to Michael L. Makwinski of Millstone Township, N.J. for the position of Special Law Enforcement Class II Officer for the Englishtown Police Department; and

**WHEREAS**, that the following appointment is conditional upon the successful passing of a physical examination, psychological evaluation and firearms qualification; and

**WHEREAS**, said appointments shall be in accordance with any existing laws or policies regulating said office; and

**WHEREAS**, the date of hire shall be determined by Lt. Cooke and the salary shall be at the rate of \$12.00 per hour.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown that Lt. Cooke is authorized to offer a conditional offer of employment to Michael L. Makwinski for the position of Special Law Enforcement Class II Officer and the following appointment is conditional upon successfully passing a physical examination, psychological evaluation and firearms qualification.

Offered by: C/Krawiec

Seconded by: C/Sarti

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

Nays: None

Abstain: None

Absent: C/Robilotti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-147**

**CONDITIONAL OFFER OF EMPLOYMENT FOR SPECIAL LAW  
ENFORCEMENT CLASS II OFFICER**

**WHEREAS**, it is the recommendation of Lt. Cooke and the Police Commission to make a conditional offer of employment to Katelyn N. Kwiecinski of Keyport Borough, N.J. for the position of Special Law Enforcement Class II Officer for the Englishtown Police Department; and

**WHEREAS**, that the following appointment is conditional upon the successful passing of a physical examination, psychological evaluation and firearms qualification; and

**WHEREAS**, said appointments shall be in accordance with any existing laws or policies regulating said office; and

**WHEREAS**, the date of hire shall be determined by Lt. Cooke and the salary shall be at the rate of \$12.00 per hour.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown that Lt. Cooke is authorized to offer a conditional offer of employment to Katelyn N. Kwiecinski for the position of Special Law Enforcement Class II Officer and the following appointment is conditional upon successfully passing a physical examination, psychological evaluation and firearms qualification.

Offered by: C/Krawiec

Seconded by: C/Cooke

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

Nays: None

Abstain: None  
Absent: C/Robilotti

Back to regular order of business

Mayor Reynolds Introduces Ordinance by Title 2015-16

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION  
ORDINANCE NUMBER 2015-16**

**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, AS AMENDED AND  
SUPPLEMENTED HERETOFORE ON JUNE 24, 2015,  
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, as amended and supplemented heretofore on June 24, 2015, 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 applicable of twelve (12) Portable Radios, twelve (12) Conducted Energy Devices (Tasers) and twelve (12) Body Worn Cameras for the Police Department, including all necessary related equipment and apparatus thereof; and
- |          |          |         |         |
|----------|----------|---------|---------|
| \$56,000 | \$53,200 | \$2,800 | 5 years |
|----------|----------|---------|---------|

...”

**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.

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti

Peter Gorbatuk, Municipal Clerk states the public hearing & adoption will be held at the November 9, 2015 meeting.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-141**

**RESOLUTION AMENDING THE 2015 CAPITAL BUDGET**

**WHEREAS,** the Borough Council of the Borough of Englishtown desires to Amend the 2015 Capital Budget of said municipality by inserting or correcting therein as shown in such budget for following reason:

**Tax Appeal Refunding Bond**

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

**SECTION 1.** The 2015 Capital Budget of the Borough of Englishtown is hereby amended by changing and adding thereto a schedule to read as follows:

**Amendment No. 2  
2015 Capital Budget of the  
Borough of Englishtown  
County of Monmouth, New Jersey**

**Method of Financing**

Project No.	Estimated Total Cost	Capital Imp Fund	Grants in Aid and Other Funds	General Bond
(02) Tax Appeal Refund Bond	\$162,000.00	\$ 0.00	\$ 0.00	\$162,000.00

**SECTION 2.** The Clerk is authorized and directed to file a certified copy of this resolution with the Borough Chief Financial Officer, Borough Auditor and one (1) certified copies to the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects.

Offered by: C/Krawiec

Seconded by: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-142**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS,** the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to US Bank Cust/FNA Jersey BOI., LLC:

Tax Sale Certificate No. 14-00005

Block 6, Lot 8

13 Wilson Avenue

in the amount of \$16,118.09

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$16,118.09 to US Bank Cust/FNA Jersey BOI.,LLC 2 Liberty Place 50 S. 16<sup>th</sup> Street Suite 1950 Philadelphia, PA 19102.

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

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-143**

**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:

Repair of a Water Leak on Wood & Hospitality Ave. and Wood & Northgate for the Water Department \$17,581.81

Services From:

B&W Construction Company of NJ Inc.  
PO Box 574  
South River, NJ 08882

**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 is approved for the purchase or order.

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-144**

**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:

Water Treatment Plant Testing for the Water Department ..... \$3,000.00

Services From:

A.C. Schultes, Inc.  
664 South Evergreen Avenue  
Woodbury Heights, NJ 08097

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

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-145**

**AUTHORIZING CHANGE ORDER NO. 1 AND FINAL**

**WHEREAS**, the Borough of Englishtown had previously awarded a contract (by Resolution 2015-113) to Caravella Demolition Inc. of E. Hanover in the amount of \$39,988.00 for the demolition of 17 Main Street and 68 Main Street; and

**WHEREAS**, Caravella Demolition Inc., has submitted a change Order #1 and Final resulting in an adjusted contract price of \$42,838.00 or an increase of \$2,850.00 over the original contract price; and

**WHEREAS**, the Local Public Contracts Law Rules, specifically N.J.A.C. 5:30-11.3, provided that the Governing Body may issue change orders; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Englishtown does hereby authorize Change Order #1 and Final, increasing the original amount of the contract by \$2,850.00 to \$42,838.00 awarded to Caravella Demolition Inc. for the demolition of 17 Main Street and 68 Main Street.

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

Offered By: C/Krawiec

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-148**

**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 \$669,216.98 are hereby authorized to be paid on October 28, 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/Krawiec

Seconded by: C/Cooke

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

**Tax Collector's Report**

**September, 2015**

2016 Taxes	1.78
2015 Taxes	70,065.80
Interest	1,157.26
<u>Duplicate Bill Fee</u>	<u>10.00</u>
Net Receipts	71,234.84

**Public Portion**

Mayor Reynolds opens the floor to the public for discussion on anything they wish to bring to the attention to the governing body.

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

**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: Personnel

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

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

**WHEREAS**, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7, of N.J.S.A. 10:4-12b is required to discuss personnel procedure, authorization of settlement BTR.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 21<sup>th</sup> day of September, 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/Wojyn

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Robilotti

The time being 7:20 P.M.

There being no further business in Executive Session, a motion to return to open session was offered by C/Wojyn, seconded by C/Sarti. Passed unanimously.

The time being 7:54 P.M.

### **Adjournment**

Offered By: C/Sarti

Seconded By: C/Wojyn

Passed Unanimously

The time being 7:55 P.M.

December 14, 2015

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Approved by Governing Body

*Peter Gorbatuk*

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Municipal Clerk