

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

**September 21, 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
  - No Parking Signs on Gordons Corner Road
  - Reorganization Meeting 2016
  - Best Practices Check List
  - Discussion 2 Park Avenue
  - Tom Herits Report Dated August 31, 2015 “Thompson Garage” at 19 Tennent Avenue
  - Route 522 & 527 Traffic Patterns as Discussed with Monmouth County Engineering Department
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:33 P.M.

Roll Call: Present: C/Robilotti, C/Rucker, C/ Sarti, C/Wojyn.

Absent: C/Krawiec

Late: C/Cooke arrived at 6:40 P.M.

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

**Discussion Items:**

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

Mayor Reynolds stated that a resident requested to have “No Parking Signs” placed on Gordon’s Corner Road. Since this is County Road permission will be needed from the County as well. The Municipal Clerk was asked to check if a Boro Ordinance already exists for “Parking Restrictions on Gordon’s Corner Road.

**Reorganization Meeting 2016:**

Mayor and Council discussed when to hold the 2016 Reorganization Meeting and agreed upon Saturday, January 2, 2016 at 9:00 A.M.

**Best Practices Check List:**

CFO Laurie Finger reviews the Best Practices Inventory Checklist items with Mayor and Council and stated that the Borough answered “NO” to five (5) questions. A score of 90% was achieved and the Borough will be receiving 100% State Aid for 2015.

**Discussion on 2 Park Avenue:**

On 3/9/15, this property had a fire which left the building unable to be occupied due to the damage caused by the fire. Mayor Reynolds stated Fire Marshal/Code Official Edward Miller sent a letter and summons on 9/16/2015 to the owner of the property requiring an appearance on 10/7/15 in Englishtown Municipal Court for noncompliance to secure an unoccupied building.

**Tom Herits (Borough Engineer) Report Dated August 31, 2015**

**“Thompson Garage” @ 19 Tennent Avenue:**

The Barn is an unsafe structure at the present time. If fixed by Mr. Thompson, it must meet current Building Codes. Mayor Reynolds stated that if it is not fixed, it has to be taken down.

**Route 522 & 527 Traffic Patterns as Discussed with Monmouth County Engineering Department:**

On September 16<sup>th</sup> Mayor Reynolds, Tom Herits (Borough Engineer), Peter Gorbatak Municipal Clerk, and Lt. Peter Cooke attended a meeting in Freehold with the County Engineer. Modern Traffic lights and minor road widening at Route 522 & 527 intersections are in the plans, however it could take up to 2-3 years to complete. In the meantime, the County will continue to monitor and adjust our existing traffic lights.

Mayor and Council discussed the hours for “No Right Hand Turns” at Tennent Avenue & Route 522. It was agreed that the “No Right Hand Turns” shall be 7:00 A.M. – 7:00 P.M. Signs will be posted by Monmouth County.

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Robiloti, seconded by C/Sarti. Passed unanimously. The time being 6:57 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. Approval of Minutes
  - August 26, 2015
  - August 26, 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 Boro 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. 2015-12 – Public Hearing & Adoption  
Amending & Supplementing Chapter 2.126 (Water) of the “Code of the Borough of Englishtown, New Jersey
  - B. Ordinance No. 2015-13 – Public Hearing & Adoption  
Ordinance Amending & Supplementing Chapter 2.126 (Sewer) of the “Code of the Borough of Englishtown, New Jersey.
  - C. Ordinance No. 2015-14 – Public Hearing & Adoption  
Refunding Bond Ordinance for the Purpose of Paying Amounts Owing to a Taxpayer for Taxes Levied and Appropriating the Proceeds to such Purpose.
9. New Business:
  - D. Resolution No. 2015-138  
Regretfully Accepting the Resignation of Special Law Enforcement Officer David Marino, Jr.
  - E. Resolution No. 2015-139  
Authorizing an Accelerated Tax Sale to be Held in Accordance to the Rules and Regulations Pursuant to N.J.S.A. 54:5-19
  - F. Resolution No. 2015-140  
Payment of Borough Bills
10. Tax Collector's Report – August
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/Robilotti, C/Rucker, C/Sarti, C/Wojyn  
Absent: C/Krawiec

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 August 26, 2015 meeting minutes was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

C/Cooke wished to make a correction to the August 26, 2015 Executive Session Minutes and will discuss it in Executive Session.

### **Committee Reports**

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

Councilman Sarti has no report at this time.

#### **Public Utilities**

Councilwoman Robilotti has no report at this time.

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

Councilman Wojyn reports:

- Would like to commend our First Responders, Reverend Jacobs of the Assembly of God and our American Legion for an outstanding 9/11 Memorial Service, complete with 3 bag pipe players. Also a big thank you to Chief Sarti and Lt.Cooke.
- Annual Halloween Party will be held at the Fire House on Friday October 30<sup>th</sup> from 6:00 – 8:00 P.M. Scarecrows will be in the area of the Municipal Building secured to the trees.

- **Code Enforcement:**  
Houses at 2 Park Avenue, 68 Main and 17 Main have all been addressed in our workshop.
- **Tree Committee:**  
Thanked CFO Finger for closing out the Tree Grants with the State. The last of our grant money for planting trees has been received, as well as the grant money to complete our Community Forestry Management Plan.

### **Public Safety**

Councilwoman Krawiec is absent, report given by Lt. Cooke:

- Reads Police Report (on file in Clerk's office).
- Interviews for two open Class II Special Law Enforcement Officer were conducted on Monday and Tuesday September 14 & 15. The interviews resulted in several candidates being invited to complete a background packet for possible employment at this time. Those who were not selected will be ranked and placed on a list for consideration when a position opens up in the future.
- Corporal MacInnes is currently out of work indefinitely due to an on the job injury which occurred while he was dealing with an emotionally disturbed person. Cpl MacInnes has a follow-up doctor's appointment scheduled for this Wednesday and we should know more about the length of time that he will be out.

### **Public Buildings & Grounds**

Councilman Rucker has no report at this time.

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

Councilwoman Cooke reports:

- Employee Jeanne Keevins has successfully finished her requirements for Deputy Registrar is doing the job well.

### **Correspondence:**

Peter Gorbatuk, Municipal Clerk reports:

- The August Budget report was sent to the Mayor and Council on September 1<sup>st</sup>. and the original is on file in the Clerk's office.

### **Public Portion – Agenda Items**

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

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

**Old Business**

**BOROUGH OF ENGLISHTOWN                      PUBLIC HEARING & ADOPTION  
ORDINANCE NO. 2015-012**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.126 (WATER) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.126 be amended and supplemented as follows:

1. Section 2.126.07 (Installation fees), Subsection A of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

A. Taps.

(1) For all taps on installations from the main to the curb stop made by the Water Department, the owner shall be charged the following amounts, to be paid to the Water Department at the time of the issuance of the permit:

\$2,869.00 (two thousand, eight hundred and sixty-nine dollars)  
per E.D.U.

2. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed

3. This Ordinance shall take effect following final adoption and publication pursuant thereto.

**Public Hearing**

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

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

**Adoption**

A motion to adopt Ordinance No. 2015-12 above titled, was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

Offered By:            C/Robilotti

Seconded By:        C/Sarti

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

**BOROUGH OF ENGLISHTOWN PUBLIC HEARING & ADOPTION  
ORDINANCE NO. 2015-13**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.106 (SEWERS) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, NEW JERSEY”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the following section of Chapter 2.106 be amended and supplemented as follows:

1. Article I – Installation and Use, Section 2.106.2 (Connection of Future Structures), Subsection B of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

B. The owner of every residential house, building and/or structure hereafter constructed, modified or improved in the Borough of Englishtown, which may be occupied or used by human beings, shall, in connection with the sewer system of the Borough of Englishtown is made on or after September 23rd, 2015, be charged a connection fee of \$909.00 (nine hundred and nine dollars).

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall take effect upon final adoption and publication pursuant to law.

**Public Hearing**

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

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

**Adoption**

A motion to adopt Ordinance No. 2015-13 above titled, was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

Offered By: C/Cooke

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2015-014**

**PUBLIC HEARING & ADOPTION**

**REFUNDING BOND ORDINANCE AUTHORIZING THE  
ISSUANCE OF NOT TO EXCEED \$162,000 AGGREGATE  
PRINCIPAL AMOUNT OF REFUNDING BONDS OR  
BOND ANTICIPATION NOTES BY THE BOROUGH OF  
ENGLISHTOWN, IN THE COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY FOR THE PURPOSE OF  
PAYING AMOUNTS OWING TO A TAXPAYER FOR  
TAXES LEVIED IN THE BOROUGH AND  
APPROPRIATING THE PROCEEDS OF SUCH  
REFUNDING BONDS OR BOND ANTICIPATION  
NOTES TO SUCH PURPOSE**

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 of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough") has determined that Refunding Bonds or Bond Anticipation Notes can be issued to pay amounts owing to BTR Englishtown LLC, a 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. Such amounts represent tax payments and are not representative of tax credits; and

WHEREAS, the Borough has determined to provide for the \$154,124.63 of the payment of tax appeal settlements with a taxpayer for tax years 2013 and 2014 (the "Settlement"), plus all costs associated with such appeals and the issuance of the hereinafter defined Refunding Bonds or Bond Anticipation Notes through the issuance by the Borough of Refunding Bonds or Bond Anticipation Notes in an aggregate principal amount not to exceed \$162,000, as provided in this refunding bond ordinance.

**NOW, THEREFORE, 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. In order to finance the purposes described in Section 2 hereof, negotiable Refunding Bonds or Bond Anticipation Notes of the Borough are hereby authorized to be issued in an aggregate principal amount not to exceed \$162,000 (the "Refunding Bonds" or "Bond Anticipation Notes"). The proceeds of the Refunding Bonds or Bond Anticipation Notes are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Refunding Bonds or Bond Anticipation Notes are to be issued are (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 or Bond Anticipation Notes, including but not limited to, printing, advertising, accounting, financial and legal services, rating agency fees, underwriter's discount, and bond insurance premiums, if any.

(b) The aggregate cost of issuing the Refunding Bonds or Bond Anticipation Notes and all costs associated with the aforesaid tax appeal judgments and settlements, as provided by N.J.S.A. 40A:2-51(b), shall not exceed \$7,875.37, which amount includes all items described in Section 2(a)(ii) hereof. Such amount is included in the maximum authorized aggregate principal amount of Refunding Bonds or Bond Anticipation Notes set forth in Section 1 hereof.

Section 3. Only with respect to the Refunding Bonds, any further provisions as to terms of sale, deposit, security regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Borough adopted prior to the issuance of the Refunding Bonds.

Section 4. The Borough Council hereby delegates to the Chief Financial Officer of the Borough the power to sell the Refunding Bonds or Bond Anticipation Notes on a negotiated basis, to determine the terms of the Refunding Bonds or Bond Anticipation Notes and to perform such other actions and make such other determinations, subject to, if applicable, the limitations to be set forth in a subsequent resolution of the Borough.

Section 5. The Borough Council hereby authorizes and delegates to the Chief Financial Officer, in consultation with Archer & Greiner P.C., Bond Counsel to the Borough ("Bond Counsel"), the authority to negotiate, approve the terms of and to execute on behalf of the Borough a Bond or Note Purchase Agreement, if applicable, for the purchase and sale of the Refunding Bonds or Bond Anticipation Notes.

Section 6. Only with respect to the Refunding Bonds, all other matters relating to the Refunding Bonds shall be performed or determined by subsequent resolution of the Borough, or the performance or determination thereof shall be delegated by resolution of the Borough to a financial officer of the Borough.

Section 7. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption hereof, together with the statement signed by the Chief Financial Officer of the Borough required by N.J.S.A. 40A:2-55.

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 Refunding Bonds or Bond Anticipation Notes authorized by this refunding bond ordinance. The Refunding Bonds or Bond Anticipation Notes shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable

property within the Borough for the payment of the Refunding Bonds or Bond Anticipation Notes and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this refunding bond ordinance, the Borough Clerk is hereby authorized and directed to publish a summary of this refunding bond ordinance, together with the "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date of the public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance. The Clerk is hereby authorized and directed to set the date of the public hearing for this refunding bond ordinance for September 21, 2015.

Section 10. After final adoption of this refunding bond ordinance by the Borough Council, and approval by the Mayor, the Borough Clerk is hereby directed to publish a summary of this refunding bond ordinance, as finally adopted, together with the "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds or Bond Anticipation Notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. The purpose of the issuance of the Refunding Bonds or Bond Anticipation Notes is to pay amounts owing to a taxpayer for taxes levied in the Borough and resulting from various tax appeal settlements. Such amounts represent tax payments and are not representative of tax credits.

Section 13. 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 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 \$162,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 14. 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 15. The Borough hereby declares the intent of the Borough to issue the bonds or Bond Anticipation Notes in the amount authorized in Section 1 of this bond ordinance and to use proceeds to payor reimburse expenditures for the costs of the purposes described in Section 2 of this bond ordinance. This Section 15 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 16. 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 17. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided in the Local Bond Law, but not prior to the time that the consent of the Local Finance Board in the Division of Local Government Services, New Jersey Department of Community Affairs has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by N.J.S.A. 40A:2-55.

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/Robiloti, and seconded by C/Cooke. Passed unanimously.



Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Peter Gorbatuk, Municipal Clerk states the public hearing & adoption will be held at the October 28, 2015 meeting.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-138**

**RESOLUTION REGRETFULLY ACCEPTING THE  
RESIGNATION OF DAVID MARINO, JR.**

**WHEREAS**, David Marino, Jr. served as a Special Law Enforcement Officer Class II for the Borough of Englishtown; and

**WHEREAS**, David Marino, Jr. did tender his resignation to the Englishtown Borough Council on August 26, 2015 with his last day of employment being September 7, 2015.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Englishtown Borough Council regretfully accepts the resignation of Davis Marino, Jr.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer and Lt. Cooke

Offered by: C/Robilotti

Seconded by: C/Sarti

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-139**

**RESOLUTION AUTHORIZING AN ACCELERATED TAX SALE  
TO BE HELD IN ACCORDANCE TO THE RULES AND REGULATIONS  
PURSUANT TO N.J.S.A. 54:5-19**

**WHEREAS**, according to the amended regulations set forth in N.J.S.A. 54:5-19 et seq., all taxes and municipal water and sewer, and other lienable charges payable through the eleventh day of the eleventh month of the current fiscal year shall be subject to tax sale and offered for sale of lien to the lowest bidder or highest premium bidder at a tax sale to be held on December 16, 2015 at 11:00 A.M., at the Borough of Englishtown Municipal Building, 15 Main Street Englishtown, New Jersey; and

**WHEREAS**, there are delinquencies appearing in the records of the Borough of Englishtown for monies levied on the owners of record as they appear in the official tax list filed in the office of the Collector of Taxes of the Borough of Englishtown, as well as listings from the Borough of Englishtown Municipal Water and Sewer Department.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth State of New Jersey that the Tax Collector of the municipality be and is hereby authorized, to hold a Tax Sale for taxes, water and sewer arrears for properties located in our municipality on December 16, 2015, with official notices of sale being advertised and notice the owners of record according to the requirement of N.J.S.A. 54:5-19 et seq.

Offered By: C/Robilotti

Seconded By: C/Sarti

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2015-140**

**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 \$837,049.71 are hereby authorized to be paid on September 21, 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/Sarti

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

Nays: None

Abstain: None

Absent: C/Krawiec

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held September 21, 2015.

### **Tax Collector's Report**

**August, 2015**

|                           |              |
|---------------------------|--------------|
| 2016 Taxes                | 1,566.40     |
| 2015 Taxes                | 835,289.80   |
| Interest                  | 183.51       |
| <u>Duplicate Bill Fee</u> | <u>10.00</u> |
| Net Receipts              | 837,049.71   |

### **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.

Harold Burrows, 38 Tennent Avenue, Englishtown

- Mentions that some people are not aware of the right hand turn sign at the corner of Tennent and Main.
- Commented that he knows of a person who waited over two hours to be heard in municipal court for a Borough Alarm Violation. Lt. stated that the State of New Jersey determines if a court appearance is required, not the Borough. Attorney Youssouf will look into this.

Robert Lancsak, 20 Harrison Avenue, Englishtown

- Asked for more police presence on Harrison Avenue once the sign change on Tennent and Main Street goes into effect, as more cars will be using this side road to avoid the traffic light.

- Currently experiencing a problem with noise from the Industrial Park. The Police have been very helpful, however the Recording Studio is so loud, he hears and feels bass vibrations in his living room even with doors and windows shut. Was wondering when the Baseball Batting Cage business was added in December 2014, could some of the walls been taken down that created an increase in the sound level? Lt. Cooke said we do not have an Ordinance based on decibels, therefore it is the subjective judgement of the Officer. Mayor Reynolds asked that the Construction Office files be reviewed to determine if there was a change to the interior/exterior wall. Possibly things were done without approved. The Municipal Clerk will look into this.

Harold Burrows, 38 Tennent Avenue, Englishtown would like to point out one more items and that would be Yard Sale Signs, is there an Ordinance for them? The Clerk 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/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 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 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/Robilotti

Seconded By: C/Wojyn

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

The time being 7:37 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 7:40 P.M.

**Approval of Executive Session Minutes as Amended –**

There being no further corrections, deletions or additions, a motion to approve the August 26, 2015 Executive Session Meeting Minutes as Amended was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

**Adjournment**

Offered By: C/Cooke

Seconded By: C/Sarti

Passed Unanimously

The time being 7:42 P.M.

October 28, 2015  
Approved by Governing Body

*Peter Gorbatuk*

\_\_\_\_\_  
Municipal Clerk