

Minutes, February 24, 2016  
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**\*\* WORKSHOP AGENDA \*\***  
**February 24, 2016**  
**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
  - Women's History Month Celebration Discussion – March
  - WMUA
3. Adjournment

The meeting was called to order by Council President Wojyn at 6:32 P.M.

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

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

**Discussion Items:**

**Women's History Month Celebration Discussion:**

C/Cooke said that she reached out to the community for a candidate to be recognized during Women's History Month and offers to the Council Pepsi Gonzales. She is a caring individual most deserving to be recognized who has helped many needy people in our community with food, clothing and furniture.

Attorney Youssouf arrives at 6:37 P.M.

**WMUA:**

Mayor Reynolds stated that the Borough received notification of a rate increase from the WMUA effective 1<sup>st</sup> quarter 2016. The last increase from the WMUA was in 2006 raising the sewer rate from \$116.25 to \$118.09 for the 1<sup>st</sup> quarter and then to \$119.00 for the 2<sup>nd</sup> quarter. This new rate increase is an additional \$6.66 per quarter. Mayor Reynolds commented on the impact to the Sewer surplus balance and recommended a \$10.00 increase per quarter to the Borough's sewer rates in order to maintain the surplus. The water and sewer infrastructure in town is aging and we are experiencing problems with the sewer lines and need to be prepared financially for emergencies and/or any major capital improvements projects. CFO Laurie Finger suggests the rate increase be effective for 3<sup>rd</sup> quarter 2016 and that an Ordinance be prepared for introduction at the next Council meeting. Council agreed. Mayor Reynolds asked the Clerk to see if there is State or Federal Aid available to upgrade Water & Sewer Systems.

**Adjournment**

There being no further business a motion to adjourn the workshop was offered by C/Cooke, seconded by C/Wojyn. Passed unanimously. The time being 6:39 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
  - January 27, 2016
  - January 27, 2016 Executive Session
5. Committee Reports
6. Correspondence
7. Presentations:
  - Manalapan-Englishtown Community Alliance
  - 2016 Budget Presentation by CFO Laurie Finger
8. Open Public Portion/Limited to Agenda Items Only  
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.
9. New Business:
  - A. Ordinance 2016-01- First Reading & Introduction  
Amending & Supplementing C-2.121 Vehicles & Traffic of the Code of The Borough of Englishtown / Adding New Section 2.121.13 Traffic Control Standards & Requirements for Construction & Road Repairs in The Borough of Englishtown
  - B. Resolution No. 2016-053  
Authorizing Employees to Carry Over Remaining Vacation Time to the Year 2016
  - C. Resolution No. 2016-054  
Authorizing Employees to Bank Remaining 2015 Sick Leave Time

- D. Resolution No. 2016-055  
Resolution Regretfully Accepting the Resignation of Kayla Santiago
  - E. Resolution No. 2016-056  
Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Spraying
  - F. Resolution No. 2016-057  
Authorizing the Signing of Professional Contracts
  - G. Resolution No. 2016-058  
Appropriation Reserve Transfer
  - H. Resolution No. 2016-059  
Amend 2016 Temporary Operating Budget
  - I. Resolution No. 2016-060  
Granting Approval for Raffle Application No. RA 2016-01 Battle Ground Historical Society
  - J. Resolution No. 2016-61  
Authorizing Payment of Borough Bills
- 10. Tax Collector's Report – January 2016
  - 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 7:13 P.M.

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

Also present, CFO Laurie Finger, Municipal Clerk Peter Gorbatuk and 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, 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 corrections, deletions or additions, a motion to approve the January 27, 2016 meeting minutes and executive was offered by C/Krawiec and seconded by C/Cooke. Passed on the following roll call:

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

**Committee Reports**

**Administration, Finance & Personnel**

Councilwoman Cooke reports:

- Will interview Pepsi for the next meeting.
- CFO Finger will present the budget this evening.
- Park Avenue structure will be boarded up at a cost of \$730.00.
- Sewer pipe at Carriage Lane has been unclogged problem resolved.

**Public Utilities**

Councilwoman Robilotti is absent; no report at this evening.

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

Councilman Wojyn reports:

- Trying to resolve the Barn issue on Tennent Avenue being handled by Code Official.
- Easter Egg Hunt scheduled for March 19<sup>th</sup> with a rain date of March 26.

**Public Safety**

Councilwoman Krawiec reports:

- Reads aloud January Police activity report; on file in the Municipal Clerks Office for review.

**Legislative, Insurance & Licenses**

Councilman Sarti reports:

- Battleground Historical Society is on the agenda this evening requesting a Raffle License.

**Public Buildings & Grounds**

Councilman Rucker is absent, no report this evening

**Correspondence**

Peter Gorbatuk, Municipal Clerk reports at this time:

- The Monthly Budget Report for January 2016 was sent to Mayor and Council on January 30<sup>th</sup>.
- Clerk placed in Council folders a report from Western Monmouth Emergency Medical Services from John Cuccia. This report is for January 2016. Clerk asks Council if monthly or quarterly would be sufficient? Quarterly is the response.
- Public Officials Risk Management Seminar for March. Please review and let the Clerk know if you would like to attend. C/Krawiec asked if they can take the course on line. Clerk to advise.
- Monmouth County is offering free flu vaccines. Call the Department of Health @ 732-431-7456 for further information.
- 2016 Campaign Contribution Notice was placed in Council folders.
- Pass your committee reports to the Municipal Clerk.

**Presentation: Manalapan-Englishtown Community Alliance**

Members of the Manalapan-Englishtown Community Alliance discussed a new program that they initiated called “Project Zero” and asked the Governing Body for their support. The Mayor and Councilmembers commended the Alliance for their continued dedication to the community and supports “Project Zero”.

**Presentation: 2016 Municipal Budget**

CFO Finger presented the 2016 Municipal Budget to Council with the following memo for discussion:

**The 2016 Municipal Budget Complies with the LEVY CAP & APPROPRIATION CAP.**

<u>Notes:</u>	<u>2016 penny</u> = \$24,058.30	<u>2015 penny</u> = \$23,985.07
	<u>2016 surplus balance</u> = \$59,299.36	<u>2015 surplus balance</u> = \$47,056.73
	Available Surplus \$317,299.36	Available Surplus \$372,056.73
	Utilized \$258,000	Utilized \$325,000

Reason for reduction in Surplus: 3 new Municipal Liens \$11,000  
 Lower added/omitted taxes  
 \$1,775 in 2015 as compared to \$43,600 in 2014

**The Value of the Penny increased \$73.23**

**Analysis of Tax Levy CAP:**

***Tax Levy Cap Bank is balanced.***

Total Allowable Tax Levy CAP = \$1,456,487

2016 Budget Tax Levy CAP is \$1,493,126

We needed to use ALL (\$22,258) from the 2014 Levy Cap Bank and \$10,699 from the 2015 Levy Cap Bank to balance. Amount left in 2014-2016 Levy CAP Bank is \$28,734

**Revenues**

• Reduction in Surplus Anticipated	\$67,000		
		<u>2015 Budget</u>	<u>2016 Budget</u>
• Increase in Sewer Utility Surplus	\$15,700	\$16,800	\$32,500
• Increase in General Capital Surplus*	\$55,000	\$25,000	\$80,000

\*in 2015 canceled capital ordinances (available to offset debt service \$255,445)

**Expenditures**

Included in this budget are Increases for:

- 2% Salary \$ 4,695
- Contractual Salaries \$34,000 PBA 2% and steps plus 3<sup>rd</sup> Class II Officer
- Deputy Court Admin F/T \$17,100 part time to fulltime
- Health Insurance & Waivers \$30,000 new full time status and 5.84% increase
- Pension \$ 7,100 PFRS & PERS
- Debt-Tax Appeal \$25,000 payable 2016-2018

Included in this budget are decreases for:

- Administrator Salary \$12,600
- Deputy Clerk Salary \$ 6,425
- Aid to Ambulance \$10,000
- Capital Items \$16,600
- Various depts \$ 1,570

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

This Budget represents an increase in spending by \$75,194 and an increase of revenue by \$22,015

Amount to be Raised by Taxation is \$1,493,126.07 divided by \$24,058.30 (value of penny) equals a **TAX RATE INCREASE of 3 cents**

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

**Public Portion – Agenda Items**

Mayor Reynolds opens the floor to the public for discussion limited to agenda items only. Motion made by C/Sarti, Second by C/Cooke

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

**New Business**

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION  
ORDINANCE NO. 2016-01**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.121  
“VEHICLES AND TRAFFIC” OF THE CODE OF THE BOROUGH OF  
ENGLISHTOWN ADDING NEW SECTION 2.121.13 “TRAFFIC CONTROL  
STANDARDS AND REQUIREMENTS FOR CONSTRUCTION AND ROAD  
REPAIRS IN THE BOROUGH OF ENGLISHTOWN”

BE it Hereby Ordained by the Mayor and Council of the Borough of  
Englishtown that Chapter 2.121 of the Code of the Borough of Englishtown is hereby  
amended as follows:

**ARTICLE I**

**{New Section} 2.121.13 TRAFFIC CONTROL STANDARDS AND REQUIREMENTS FOR CONSTRUCTION AND ROAD REPAIRS**

**LEGISLATIVE FINDINGS:** The Mayor and Council of the Borough of Englishtown hereby find and declare that problems of traffic control occur when traffic must be moved through or around street construction, maintenance operations and utility work, above and below ground, which requires blocking of streets, sidewalks and obstructing the normal flow of traffic, and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace and welfare, it is necessary to enact such guiding principles whereas the aforementioned potential problems may be prevented and avoided.

**PURPOSE:** The purpose of this Section is to establish controls and regulations directed toward the safe and expeditious movement of traffic through construction and maintenance zones throughout the Borough of Englishtown; to provide for the safety of Borough Police Department personnel and to provide for compensation of Police Department personnel performing these assignments. The provisions of this ordinance shall apply to all assignments that originate from a request for assistance or aid by any Chief Law Enforcement Officer or appropriate authority of a bona fide state, county or municipal police department in the State of New Jersey; regardless of the geographic location of the assignment being inside, contiguous or extraterritorial to the Borough of Englishtown, provided the entity making the request for assistance or aid agrees to make the payment required by this ordinance.

**ARTICLE II**

**A. Adoption of standards:** The Mayor and Council of the Borough of Englishtown hereby adopt the current Manual on Uniform Traffic Control Devices, Millennium Edition, as published by the American Traffic Safety Services Association (ATSSA), hereinafter referred to as the "MUTCD", except as hereby supplemented and amended as it controls and regulates whenever construction, maintenance operations or utility work obstructs the normal flow of traffic. A person, contractor or utility that fails to comply with provisions of the MUTCD which performing such work is in violation of this article.

**B. Preconstruction meetings:** It shall be the responsibility of the person, contractor or utility wishing to conduct work on, under or above the roadway to contact the Borough Police Department and schedule a preconstruction meeting and to submit plans for the safe movement of traffic during the period of construction. Persons wishing or intending to perform the above described work within the Borough shall enter into a written agreement with the Borough providing for special extra duty assignment of police department personnel which agreement shall specify the current rates of compensation, fees, hours and meal brakes for officers and a cancellation policy. The police department shall have the authority to dictate the number of police officers required to ensure the same movement of traffic in the construction zone. Any person who fails to comply with

this provision and whose plans are not approved by the police department is in violation of this ordinance and is subject to the penalties set forth in this ordinance

**C. Hazardous conditions:** The person, contractor or utility shall provide the Police Department with at least two emergency contact telephone numbers in case of an emergency at the site. This information shall be provided prior to the commencement of work.

**D. Hours of road work:** Construction, maintenance operations of utility work on any public street or road in the Borough shall not commence prior to 8:00 a.m. and shall terminate at 5:00 p.m. The time limits set forth herein may be adjusted by the Police Department in emergency and / or extraordinary situations.

**E. Road closing and detours:** Road closings and detours shall not be permitted unless prior approval of the closing and detour is granted by the Police Department.

**F. Police traffic directions / off duty law enforcement officers:** Off duty police officers shall be posted at all construction or maintenance sites when required or determined to be necessary by the Police Department. No work shall be commenced until such officers are on location.

**G. Stop work:** The Police Department shall have the authority to stop work in order to abate any nuisance or safety hazard that may arise at the construction or repair site and / or for any violation of the terms of this ordinance.

**H. Site preparation:** No materials, vehicles or equipment shall be placed in the public right of way or sidewalks until all required warning signs, lights, devices and pavement markings have been installed.

### **ARTICLE III**

#### **A. Payment for services of off duty law enforcement officers:**

1. All requests for the services of off-duty police officers shall be submitted to the Police Department and the selection and assignment of off-duty officers shall be at the discretion of the Police Department. Wages earned by off-duty Borough Police Officers for outside employment shall not be applied toward the pension benefits of law enforcement officers so employed, nor shall hours worked for outside employment be considered in any way as compensable as overtime.

2. Payment for all off-duty police officers working highway / street details shall be paid at the rate established by Borough ordinance.

3. Persons requesting the services of off-duty police officers for the purposes stated herein shall submit an estimate of the number of hours such law enforcement services are required. Payments for the services to be rendered, based on said estimate, shall be deposited in an escrow account with the Chief Finance Officer of the Borough.

4. In the event the funds deposited in said escrow account become depleted, services of off-duty officers shall cease until the escrow account is replenished in the manner prescribed above.
5. The person requesting such services shall be responsible for ensuring that sufficient funds remain in the escrow account in order to avoid any interruption of services.
6. The pre- payment requirement shall not apply in cases of utility emergencies, i.e. gas main leaks, downed power lines, telephone pole damage etc. In such cases the utility will be billed for all services rendered.

#### **ARTICLE IV**

#### **VIOLATIONS AND PENALTIES**

- A. Any person, contractor or utility who violates the terms and provisions of this ordinance shall be, upon conviction thereof for the first offense, subject to a fine of not less than \$1,000.00 not more than \$2,500.00 and may be imprisoned in the county jail for a term not exceeding 90 days, or both. Upon a second conviction the fine shall be not less than \$2,500.00 and imprisonment in the county jail for a term of 90 days.
- B. A separate offense shall be deemed committed on each day on which a violation occurs or continues

#### **SEVERABILITY**

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

#### **ARTICLE V**

#### **EFFECTIVE DATE**

This ordinance amendment shall take effect upon final passage and after publication as required by law

Offered By: C/Cooke

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Robilotti, C/Rucker

Peter Gorbatuk Municipal Clerk states the Public Hearing and Adoption will be held at the March 23<sup>rd</sup> meeting.

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-053**

**AUTHORIZING BOROUGH EMPLOYEES TO CARRY OVER  
REMAINING VACATION TIME TO THE YEAR 2016**

**WHEREAS**, several Borough employees have not used all of their allowed vacation time; and

**WHEREAS**, pursuant to Section 3.2 of the Personnel Policy, employees may carry over a maximum of five (5) unused vacation days into the next calendar year ; and

**WHEREAS**, the department heads state that the remaining vacation time is as follows:

Celia Hecht	4.5 Vacation Days Remaining
Peter Gorbatuk	5 Vacation Days Remaining
Jeanne Keevins	3 Vacation Days Remaining
Wayne Krawiec	5 Vacation Days Remaining

**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 personnel will be allowed to carry their remaining vacation time from 2015 over to the year 2016.

**BE IT FURTHER RESOLVED** a certified true copy of this Resolution be forwarded to Celia Hecht, Peter Gorbatuk, Jeanne Keevins, Wayne Krawiec and the Borough Auditor.

Offered By: C/Cooke

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-054**

**AUTHORIZING BOROUGH EMPLOYEES TO BANK  
REMAINING 2015 SICK LEAVE TIME**

**WHEREAS**, several Borough employees have not used all of their allowed sick time in the year 2015; and

**WHEREAS**, pursuant to Section 3.4 of the Personnel Policy, earned but unused sick leave may accumulate, however in no event shall accrued sick leave exceed 20 days; and

**WHEREAS**, the department heads state that the 2015 unused sick leave time is as follows:

Celia Hecht	7 Sick Days Remaining
Jeanne Keevins	6 Sick Days Remaining
Patricia Marone	10.5 Sick Days Remaining
Peter Gorbatuk	4.5 Sick Days Remaining

**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 personnel will be allowed to bank their remaining 2015 sick time.

**BE IT FURTHER RESOLVED** a certified true copy of this Resolution be forwarded to Celia Hecht, Jeanne Keevins, Patricia Marone, Peter Gorbatuk, and the Borough Auditor.

Offered By: C/Krawiec

Seconded By: C/Sarti

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-055**

**RESOLUTION REGRETFULLY ACCEPTING THE  
RESIGNATION OF KAYLA SANTIAGO**

**WHEREAS**, Kayla Santiago served as a full time police officer for the Borough of Englishtown; and

**WHEREAS**, Kayla Santiago did tender her resignation to the Englishtown Borough Council on February 4, 2016 with her last day of employment being February 21, 2016.

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

1. The Englishtown Borough Council regrestfully accepts the resignation of Kayla Santiago.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer.

Offered by: C/Krawiec

Seconded by: C/Cooke

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-056**

**AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION  
TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE  
BOROUGH OF ENGLISHTOWN**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

**WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

**WHEREAS**, prior to conducting aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

**WHEREAS**, the Borough of Englishtown is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and
  - b. Such operations will be performed in compliance with applicable Federal and State regulations; and
  - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

Offered By: C/Krawiec

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-057**

**AUTHORIZING SIGNING OF PROFESSIONAL CONTRACTS**

**WHEREAS**, professional contracts have been submitted to the Municipal Clerk of the Borough of Englishtown and forwarded to the Borough Attorney for review; and  
**WHEREAS**, the Municipal Attorney has reviewed said contracts and has found them to be in compliance with statutory requirements; and

**WHEREAS**, the members of Council hereby approve the following contracts.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute the contracts for professional services for:

Bond Counsel	John M. Cantalupo of Archer & Greiner
Auditor	Robert W. Allison of Holman, Frenia, Allison P.A.
Engineer	Thomas J. Herits of Maser Consulting
Attorney	Joseph Youssef, Esquire
Prosecutor	Richard Kelly
Co-Prosecutor	Michael D. Fitzgerald
Public Defender	Christopher K. Koutsouris

Offered By: C/Krawiec

Seconded By: C/Sarti

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-058**

**APPROPRIATION RESERVE TRANSFER**

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the transfers in the amount of \$14,400.00 (Fourteen Thousand Four Hundred Dollars) be made in the 2015 budget.

**Current Fund:**

<b>From:</b>	General Admin S&W	\$1,500.00	
	Municipal Clerk &W	3,000.00	
	Police S&W	5,000.00	
	Streets & Roads Other Expense	2,900.00	
	Solid Waste Other Expense	2,000.00	
<b>To:</b>	Legal Services Other Expense	\$5,000.00	Litigation
	Snow Removal S&W	1,000.00	Snow Overtime
	Snow Removal Other Expense	7,500.00	Snow Material
	Celebration Other Expense	900.00	Special Events Trust

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-059**

**2016 TEMPORARY OPERATING BUDGET**

**WHEREAS**, Section 40A:4-19 of the revised Statutes of the State of New Jersey provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2015 Municipal Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the Director of the Division of Local Government Services authorized in Local Finance Notice 2015-27 dated December 22, 2015 that the Governing Body may, by resolution, adopt by March 18, 2016 to increase it's temporary budget by 1/12<sup>th</sup>; and

**WHEREAS**, the total appropriations in the 2015 Municipal Budget, exclusive of any appropriations made for interest and debt redemption charges, Capital Improvement Fund, Public Assistance, is \$3,036,737.92 and

**WHEREAS**, 1/12<sup>th</sup> of the total appropriations in the 2015 Municipal Budget, exclusive of any appropriations made for interest and debt redemption charges, Capital Improvement Fund, Public Assistance, in said 2015 Municipal Budget is \$253,060.61; and

**WHEREAS**, the 2016 temporary operating budget was adopted by Resolution Number 2016-014, adopted on January 2, 2016 in the amount of \$797,143.00;

**NOW, THEREFORE BE IT RESOLVED**, that the total 2016 temporary operating budget be increased to the amount of \$1,050,202.00 and attached appropriations be made.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be transmitted to the Chief Financial Officer for her records.

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Robilotti, C/Rucker

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-060**

**RESOLUTION OF THE MAYOR AND GOVERNING BODY  
GRANTING APPROVAL FOR RAFFLE APPLICATION NO. RA 2015-01**

**WHEREAS**, the Battleground Historical Society has applied to the Governing Body of the Borough of Englishtown for a raffle license for February 3, 2016; and

**WHEREAS**, the Battleground Historical Society has paid all the proper fees to the Borough of Englishtown and submitted the proper fees to be forwarded to the Legalized Games of Chance Control Commission; and

**WHEREAS**, the Mayor and Governing Body of the Borough of Englishtown finds that the Battleground Historical Society is a qualified applicant and the members of the Battleground Historical Society are designated to conduct games of chance and are of good moral character and said members have never been convicted of a crime to the best of the Council's knowledge; and

**WHEREAS**, said games are to be conducted by the rules set forth by the Legalized Games of Chance Control Commission and the entire net proceeds are to be disposed of for a purpose permitted by the Raffle Licensing Law Act of 1954; and

**WHEREAS**, there is satisfactory proof that the Battleground Historical Society will not make payment for the conducting of the game or assisting therein, except to the extent allowed by law; and

**WHEREAS**, The Battleground Historical Society has stated that any rental to be paid for raffle equipment does conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor, should there be one, has been approved by the Control Commission; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Raffle Application No. RA2014-02 for the Battleground Historical Society be approved as required by N.J.A.C. 13:47-4.11 and forwarded to the Legal Games of Chance Control Commission as prescribed by N.J.A.C. 13:47-4.3 (b); and

**BE IT FURTHER RESOLVED**, that a copy of Raffle License RA2016-01 be forwarded by the Municipal Clerk to the Legalized Games of Chance Control Commission for their review and determination; and

**BE IT FURTHER RESOLVED**, on the fifteenth day after Raffle Application No. RA2016-01 has been forwarded to the Legalized Games of Chance Control Commission with no objections received, Raffle License No. RA2016-01 may be issued to the Battleground Historical Society and copies of said license shall be distributed to the Licensee, the Municipal Clerk, and the Borough of Englishtown Police Dept.

Offered By: C/Sarti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-061**

**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 \$723,824.21 are hereby authorized to be paid on February 24, 2016.
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/Sarti, C/Wojyn  
Nays: None  
Abstain: None  
Absent: C/Robilotti, C/Rucker

**Tax Collector's Report**

**January 2016**

2017 Taxes Year	0.00
2015 Taxes Year	243,807.00
Outside Lien Redemption	0.00
Interest	0.00
Cost of Sale	0.00
Duplicate Bill Fee	5.00
Return Check Fee	0.00
<u>MUA Tax Sale</u>	<u>0.00</u>
<b>Net Receipts</b>	<b>\$243,812.18</b>

**Public Portion**

Motion to open Public Portion by C/Sarti, seconded by C/Wojyn

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/Krawiec and seconded by C/Cooke. Passed unanimously.

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

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2016-062**

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

**WHEREAS**, on February 24, 2016 the Borough of Englishtown received correspondence from the Executive Board of the Englishtown Fire Department requesting permission to allow their organization and the Englishtown/Manalapan First Aid Squad to conduct fundraising activities on Tennant Avenue/ Main Street (aka CR 522 & 527) and Main Street/Water Street (aka CR 522 & 527) Friday – Sunday from April through October, 2016, each on subsequent weekends; and

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

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

Offered By: C/Krawiec

Seconded By: C/Cooke

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

Nays: None

Abstain: C/Sarti

Absent: C/Robilotti, C/Rucker

### **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: Litigation Potential

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 Sections 8 of N.J.S.A. 10:4-12b is required to discuss attorney performance.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the public be excluded from this portion of the public meeting convened on the 27<sup>th</sup>. day of January, 2016 pursuant to Section 8 of the Open Public Meetings Act.

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

Offered By: C/Sarti

Seconded By: C/Wojyn

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

Nays: None

Abstain: C/Sarti

Absent: C/Robilotti, C/Rucker

The time being 7:33 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. Passed unanimously.

The time being 8:05 P.M.

### **Adjournment**

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

The time being 8:06 P.M.

March 23, 2016

*Peter Gorbatuk*

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Approved by Governing Body

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Municipal Clerk