

**** WORKSHOP AGENDA ****

March 23, 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
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:31 P.M.

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

Absent: *C/Sarti (arrives at 6:51 P.M.), C/Rucker

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

Adjournment

There being no discussion items on the Workshop Agenda, Mayor Reynolds asks for a motion to close the workshop meeting. Offered by C/ Robilotti, seconded by C/Krawiec. Passed unanimously. The time being 6:32 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. Women's History Month Celebration – Pepsi Gonzales
5. Approval of Minutes
 - February 24, 2016
 - February 24, 2016 Executive Session
6. Committee Reports
7. Correspondence
8. Open Public Portion/Limited to Agenda Items Only

Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.

9. Old Business

- A. Ordinance No. 2016-01 – Public Hearing & Adoption
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

10. New Business:

- A. Ordinance No. 2016-02 – First Reading & Introduction
Ordinance Amending Sewer Rates for the Borough of
Englishtown
- B. Ordinance No. 2016-03 – First Reading & Introduction
Ordinance to Exceed the Municipal Budget Appropriation Limits and to
Establish a CAP Bank (N.J.S.A. 40A: 4-45.14)
- C. Resolution No. 2016-063
Introducing the Municipal Budget of the Borough of Englishtown,
County of Monmouth, for the Fiscal Year 2016
- D. Resolution No. 2016-064
Requesting DCA to Review 2016 Municipal Budget
- E. Resolution No. 2016-065
Emergency Temporary Appropriation
- F. Resolution No. 2016-066
Authorizing Municipal Lien for Securing the Premises Located at
2 Park Avenue
- G. Resolution No. 2016-067
Authorizing Municipal Lien for the Condemnation of Unsafe
Structures Located at 68 Main Street
- H. Resolution No. 2016-068
Authorization of Services Over \$2,625.00-(10 LEA Body Worn
Video Cameras)
- I. Resolution No. 2016-069
Authorization of Services Over \$2,625.00-Curb Stop on Park
Avenue for Water Department

- J. Resolution No. 2016-070
Authorization of Services Over \$2,625.00-Repair Water Main Break 78 Harrison Avenue

 - K. Resolution No. 2016-071
Authorization of Services Over \$2,625.00-Repair Broken Sewer Lateral 25 Lasatta Avenue

 - L. Resolution No. 2016-072
Authorizing Payment of Borough Bills
- 11. Tax Collector's Report – February 2016

 - 12. Public Portion
Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implies or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.

 - 13. Executive Session

 - 14. Adjournment

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

Roll Call: Present: C/Cooke, C/Krawiec, C/Robilotti, C/Wojyn
Absent: *C/Sarti (arrives at 6:51 P.M.), C/Rucker,

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

There was a moment of silence and salute to the flag.

Women's History Month Celebration – Pepsi Gonzales

Councilwoman Maryanne Krawiec reads a Proclamation acknowledging and honoring Pepsi Gonzales for her dedicated service helping many needy people in our community with food, clothing and furniture.

Mayor Reynolds announces a short break for some refreshments. Time being 6:35 PM.

Back in session at 6:50 P.M.

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the February 24, 2016 meeting minutes and executive session minutes was offered by C/Wojyn and seconded by C/Krawiec. Passed on the following roll call:

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

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke reports:

- 2015 Audit will be conducted during the last two weeks in April
- Easter Egg Hunt cost was a little over \$100.00 and a fine time was had by all.

Public Utilities

Councilwoman Robilotti has nothing to report at this time.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Wojyn reports:

- The house at 2 Park Avenue has been boarded up.

Public Safety

Councilwoman Krawiec reports:

- Reads aloud February 2016 Police activity report and is on file in the Municipal Clerks Office for review.

Legislative, Insurance & Licenses –

Councilman Sarti has nothing to report at this time.

Public Buildings & Grounds

Councilman Rucker is absent; no report this evening.

Correspondence

Municipal Clerk Peter Gorbatuk reports:

- The Monthly Budget Report for February 2016 was sent to Mayor and Council on March 5th, 2016.
- Anyone filing for Municipal Offices, the deadline is April 4th at 4:00 PM.
- Sent via e-mail to Councilmembers the “On Line Training Instructions” for elected officials 2016 credit.
- I will be on vacation from March 28 April 4, returning to work on April 5th.
- 2016 Project Zero Fun / Run will be held on April 30, 2016 at the Manalapan Recreation Center 9:30 A.M. Flyer is posted.
- Financial Disclosure Statements are to be filed April 1st through April 30th.

Public Portion – Agenda Items

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

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

Old Business

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NO. 2016-01**

PUBLIC HEARING & ADOPTION

**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

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

Public Hearing

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

C/Robilotti commented that language should be added clarifying how police officers are paid for municipal infrastructure jobs to avoid future problems. Lt. Cooke explained that the vendor doing the work in town is invoiced at the road job rate, This ordinance only applies to outside contracts, not municipal work being performed by municipal employees.

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

Adoption

A motion to adopt Ordinance No. 2016-01 above titled, was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

New Business

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2016-02**

FIRST READING & INTRODUCTION

Ordinance Amending Sewer Rates for the Borough of Englishtown

Be It Ordained, the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey as follows:

Section I. Section 2.106-12 of the Ordinance entitled as above is hereby amended to read as follows:

Section 2.106-12. The annual sewer rates effective June 1, 2016 shall be as follows:

<u>Types of Service</u>	<u>Domestic Consumer Units</u>	<u>Quarterly Charges</u>	<u>Annual Charges</u>
Single-Family Dwellings	1	129.00	516.00
Single-Family Dwellings (with Garbage Disposal)	1-1/4	161.25	645.00
Apartments or Multifamily Dwellings (Each Unit Charge)	1	129.00	516.00
Single-Family Dwellings (With Business Use)	2	258.00	1,032.00
Single-Family Dwelling (With Medical or Dental Office)	2-1/2	322.50	1,290.00
Service Station	1	129.00	516.00
Service Station (With Car Wash Facilities)	2	258.00	1,290.00
Diner; Tavern; Restaurant (For Each Seating Capacity of 50 or Part Thereof)	3	387.00	1,548.00
Swim Club	6	774.00	3,096.00
School (For Each 28 Students and Faculty Thereof)	1	129.00	516.00
Churches; Clubs; Non- Profit Organizations	1	129.00	516.00
Hospitals and Nursing Homes (For Each 5 Patients And Staff Facilities)	1	129.00	516.00
Public Buildings	1	129.00	516.00
Supermarkets (For Each 6 Employees)	1	129.00	516.00

<u>Types of Service</u>	<u>Domestic Consumer Units</u>	<u>Quarterly Charges</u>	<u>Annual Charges</u>
<u>BUSINESS (COMMERCIAL)</u>			
For Each Commercial Unit Utilized by a Separate Owner Or Tenant or for First 4 Fixture Units or Less	1	129.00	516.00
For Each 2 Additional Fixture Units or Less (Whichever of the Above is Greater)	1	129.00	516.00
Industrial Plants (For Each 5 Employees)	1	129.00	516.00
Laundromat (For Each 3 Machines)	1	129.00	516.00
Water Plants (For Each 100,000 Gallons Discharged Per Quarter)	1	129.00	516.00

Section II. Any Ordinance or part thereof inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section III. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

C/Robilotti asked what the bulk rate being billed by the WMUA is. CFO Finger responded \$317.32 per year, per edu. CFO Finger provided a copy of the WMUA Resolution increasing the sewer rates.

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2016-03**

FIRST READING & INTRODUCTION

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Englishtown in the County of Monmouth find it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determine that a 3.5% increase in the budget for said year, amounting to \$62,952.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Englishtown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Englishtown shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$62,952.23 and that the CY 2016 municipal budget for the Borough of Englishtown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

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

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-063**

**RESOLUTION INTRODUCING THE MUNICIPAL BUDGET
OF THE BOROUGH OF ENGLISHTOWN, COUNTY OF MONMOUTH,
FOR FISCAL YEAR 2016,
WITH STATEMENTS OF REVENUES AND APPROPRIATIONS
WHICH SHALL CONSTITUTE THE LOCAL BUDGET FOR THE YEAR 2016**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal budget for the year 2016.

BE IT FURTHER RESOLVED, that the said budget be published in The Asbury Park Press in the issue of April 11, 2016.

The Governing Body of the Borough of Englishtown does hereby approve the following as the budget for the year 2016:

- | | | |
|----|--|-----------------|
| 1. | Appropriation within "Caps"
Municipal purposes (Item H-1, Sheet 19)
(N.J.S. 40a:4-45.2) | \$ 1,870,980.00 |
| 2. | Appropriations excluded from "Caps"
Municipal purposes (Item H-2, Sheet 28)
(N.J.S. 40a:4-45.3 as amended) | \$ 380,219.55 |
| | Total general appropriations excluded
from "Caps" (Item 0, Sheet 29) | \$ 380,219.55 |
| 3. | Reserve for uncollected taxes (Item M,
sheet 29) - based on estimated 98.19% of
tax collections | \$ 105,834.07 |
| 4. | Total general appropriations
(Item 9, Sheet 29) | \$ 2,357,033.62 |

5. Less: Anticipated revenues other than current property tax (Item 5, Sheet 11) (i.e. surplus, misc. revenues and receipts from delinquent taxes) \$ 863,907.55

6. Difference: Amount to be raised by taxes for support of Municipal Budget (As Follows)
 - A. Local tax for Municipal purposes including reserve for uncollected taxes (Item 6 (A), Sheet 11) \$1,493,126.07

Notice is hereby given that the Budget and Tax Resolution is approved by the Mayor and Council of the Borough of Englishtown, County of Monmouth on March 23, 2016.

A hearing on the Budget and Tax Resolution will be held at 15 Main Street, Englishtown, NJ 07726 on April 27, 2016 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year may be presented by taxpayers or other interested persons.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-064**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
REQUESTING DCA TO REVIEW 2016 MUNICIPAL BUDGET**

WHEREAS, the Borough of Englishtown is eligible for local self-examination of the 2016 Municipal Budget; and

WHEREAS, the Mayor and Council of the Borough of Englishtown in the County of Monmouth conducted an accelerated tax sale in 2015; and

WHEREAS, the Mayor and Council of the Borough of Englishtown in the County of Monmouth plans to conduct another accelerated tax sale in 2016 which then disqualifies the municipality for self-examination of the 2016 Municipal Budget in accordance with N.J.A.C. 5:30-7.5;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Englishtown hereby requests the State of New Jersey, Division of Local Government Services to review its 2016 Municipal Budget.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-065**

EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergent condition has arisen with respect to the need for various operating expenses prior to the adoption of the 2016 Budget and no adequate provision has been made in the 2016 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L.1951 (N.J.S.A.40A:4-20) including this resolution total \$176,300.00

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A-20:

1. Emergency temporary appropriations be and the same is hereby made in the amount of \$176,300.00 as per attached sheet.
2. Said emergency temporary appropriations will be provided for in the 2016 budgets.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-066**

**AUTHORIZING MUNICIPAL LIEN FOR SECURING
THE PREMESIS LOCATED AT 2 PARK AVENUE**

WHEREAS, on March 9, 2015 a fire broke out at the house located at 2 Park Avenue, Block 21, Lot 1 owned by Magda Yacob which left the 2 story residential building unable to be occupied; and

WHEREAS, the Borough of Englishtown Fire Marshal/Code Official inspected the property and declared the house unsafe and uninhabitable in accordance with the provisions of N.J.S.A. 40:48-2.3; and

WHEREAS, on March 10, 2015 a Notice of Unsafe Structure was issued by the Construction Department and ordered to board up all openings to prevent unauthorized entry; and

WHEREAS, on September 16, 2015 , a letter and summons was issued to Magda Yacob requiring the appearance in Englishtown Municipal Court on October 7, 2015 for noncompliance to secure an unsafe unoccupied building; and

WHEREAS, Magda Yacob failed to comply with the order and the building remains unsafe and unoccupied; and

WHEREAS, on January 27, 2016 the governing body passed Resolution #2016-052 authorizing the solicitation of quotes for securing the premises located at 2 Park Avenue

WHEREAS, on February 23, 2016 the Borough of Englishtown incurred \$730.00 of expenses from Bailey's Restoration to secure the unsafe structure by boarding up all openings located at 2 Park Avenue;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that a Municipal Lien in the amount of \$730.00 be placed on Block 21, Lot 1 located at 2 Park Avenue to secure the unsafe structure.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-067**

**AUTHORIZING MUNICIPAL LIEN
FOR THE CONDEMNATION OF UNSAFE
STRUCTURES LOCATED AT 68 MAIN STREET**

WHEREAS, on April 24, 2013 the Borough of Englishtown passed Resolution No. 2013-078 entitled "Declaring 68 Main Street Unfit for Human Habitation, Occupancy or Use" in accordance with the provisions of N.J.S.A. 40:48-2.3; and

WHEREAS, on December 19, 2014 , it was mandated by Court Order that the owner of the property, had until March 1, 2015 to either rehabilitate the unfit structures located on the property or demolish them; and

WHEREAS, on January 28, 2015 the Borough of Englishtown passed Resolution No. 2015-053 authorizing the Borough Engineer to prepare bid specifications, advertise and receive bids for the removal of hazards and the demolition of the unfit structures at 68 Main Street in the case the property owner does not comply with the court ordered date of March 1, 2015; and

WHEREAS, on June 24, 2015 the Borough of Englishtown passed Resolution No. 2015-113 awarding the bid to Caravella Contracting of E. Hanover for the demolition of unfit structures located at 68 Main Street in the amount of \$18,876.00 due to the property owner being in noncompliance of the court order; and

WHEREAS, the Borough of Englishtown has incurred \$11,711.98 of legal expenses and \$2,095.00 of engineering expenses associated with the unfit structures located at 68 Main Street;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that a Municipal Lien in the amount of \$32,682.98 be placed on Block 9, Lot 13 located at 68 Main Street for the condemnation of unsafe structures.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-068**

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:

10 LEA BODY WORN VIDEO CAMERAS + S/H
Police Department..... \$12,523.99

Services From:

VIEVU
645 Elliot Ave. W. Suite 370
Seattle, Washington. 98119

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-069**

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:

Brenner Drainage & Excavating, Inc.
Curb Stop on Park Avenue for Water Department..... \$4,773.00

Services From:

Brenner Drainage & Excavating Inc.
205 Dey Grove Road
Monroe Township, NJ 08831

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

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-070**

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 Water Main Break at 78 Harrison Avenue
Maintenance of Equip. Account, Water Operating Budget.....\$10,985.24

Services From:

B&W Construction Co 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(s) is approved for the purchase or order.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-071**

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 Broken Sewer Lateral 25 Lasatta Ave.
Maintenance of Equip. Account, Sewer Operating Budget..... \$13,550.42

Services From:

B&W Construction Co 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(s) is approved for the purchase or order.

Offered By: C/Krawiec

Seconded By: C/Sarti

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-072**

**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 \$628,490.46 are hereby authorized to be paid on March 23, 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/Robilotti

Seconded by: C/Krawiec

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

Nays: None

Abstain: None

Absent: C/Rucker

At this time Mayor Reynolds adds the following Resolution.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-073**

**RESOLUTION REGRETFULLY ACCEPTING THE
RESIGNATION OF RUDOLPH RUCKER**

WHEREAS, Rudolph Rucker is serving as a Councilman for the Borough of Englishtown; and

WHEREAS, Rudolph Rucker has tendered his resignation to the Englishtown Borough Council on March 23, 2016 from the elected position of Councilman of the Borough, effective March 23, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that the resignation of Rudolph Rucker from the elected position of Councilman of the Borough of Englishtown is hereby regretfully accepted by the Borough.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Borough Clerk, Borough Auditor, Borough Attorney, and Rudolph Rucker

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Tax Collector's Report

February 2016

2016 Taxes	\$1,075,116.09
2015 Taxes	0.00
<u>Interest</u>	<u>275.00</u>
Total Disbursements	\$1,075,391.19

Public Portion

Motion to open Public Portion by C/Robilotti, seconded by C/Krawiec

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

Wayne Krawiec, DPW Foreman informed the members of Council of his intention of retirement this year.

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

Executive Session

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

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 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 27th. 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/Krawiec

Seconded By: C/Wojyn

Passed unanimously

The time being 7:22 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 7:43 P.M.

Adjournment

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

The time being 7:44 P.M.

April 27, 2016

Approved by Governing Body

Peter Gorbatak

Municipal Clerk