

Minutes, May 25, 2016
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**** WORKSHOP AGENDA ****
May 25, 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
 - Telephone System
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:32 P.M.

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

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

Discussion Items:

Telephone System

Mayor Reynolds reviews where we left off from the discussion last month. Charlie Kowalski of The Leader Group addressed the wiring/power issue on the phones with a UPS. A three button module is included in his quote to allow three key office personnel to see all extensions, and a trainer for training sessions.

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/Sarti. Passed unanimously. The time being 6:46 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. Proclamation Proclaiming Supporting the "Click It or Ticket Mobilization of May 23 – June 5, 2016

5. Approval of Minutes
 - April 27, 2016
 - April 27, 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. 2016-04 – Public Hearing & Adoption
Bond Ordinance Providing Various 2016 Capital Improvements by and in the Borough of Englishtown
10. New Business:
 - A. Ordinance No. 2016-05 – First Reading & Introduction
Ordinance Establishing Limits for Salaries of the Employees of the Borough of Englishtown, County of Monmouth, State of N.J.
 - B. Resolution No. 2016-080
Authorizing a Change Order for the Reconstruction of Pine Street Number 1 and Final
 - C. Resolution No. 2016-081
Resolution Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
 - D. Resolution No. 2016-082
Authorizing the Filing of a Recycling Tonnage Grant
 - E. Resolution No. 2016-083
Resolution Certifying a Submission of Expenditures for Recycling Taxes Paid in 2015
 - F. Resolution No. 2016-084
Appointment of Rabies Clinic Workers
 - G. Resolution No. 2016-085
Authorization of Services over \$2625.00 Police Dispatch Shared Services Agreement

- H. Resolution No. 2016-086
Authorization of Purchases Over \$2625.00 Police Dept. – Patrol Vehicle – 2014 Dodge Charger 2nd Installment

 - I. Resolution No. 2016-087
Authorizing Refund of Tax Sale Certificate & Refund of Premium at Tax Sale. Cert No. 15-00007

 - J. Resolution No. 2016-088
Authorizing Refund of Tax Sale Certificate & Refund of Premium at Tax Sale. Cert No. 15-00009

 - K. Resolution No. 2016-089
Authorizing Payment of Borough Bills
- 11. Tax Collector’s Report – April 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 implied 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 6:49 P.M.

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

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.

At this time Mayor Reynolds read a Proclamation Proclaiming support for the “CLICK IT OR TICKET” mobilization of May 23 – June 5, 2016

Approval of Minutes

There being no corrections, deletions or additions, a motion to approve the April 27, 2016 meeting minutes and executive session minutes was offered by C/Robilotti and seconded by C/Wojyn. Passed on the following roll call:

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

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke reports:

- The Deputy Court Administrator had emergency surgery and will be returning to work on the 13th of June.
- Has spoken to DPW to address Monument Park and uncut grass for the Memorial Day Parade at 68 Main Street going forward. There will also be some repairs on the dock at Lake Weamaconk. There will be a cleaning of the dock and will look into ways to deter the amount of geese at the lake.

Public Utilities

Councilwoman Robilotti has nothing to report at this time on Water.

- As a member of the Planning Board, Rick's Saddle Shop Sign has been approved.

Legislative, Insurance & Licenses

Councilman Sarti has nothing to report at this time as Chairperson

- However as Co-Chairperson of Public Safety C/Sarti reported the Police Activity Report for April 2016 and a copy of which is on file in the Clerk's office.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Wojyn reports:

- The Memorial Day Parade will be Monday May 30th at 2:00 PM.
- The current status of 2 Park Avenue is still being looked into.

Public Safety

Councilwoman Krawiec is absent.

Public Buildings & Grounds

Councilman Mann has no report at this time.

Correspondence

Municipal Clerk Peter Gorbatuk reports:

- Primary Election is June 7th from 6:00 AM – 8:00 PM.
- Rabies Clinic is June 14th from 6:00 PM – 7:30 PM at the DPW garage.
- The Monthly Budget report for April 2016 was sent to Mayor and Council on April 30, 2016.

At this time Mayor Reynolds makes adjustments to Committee Assignments making C/Mann the Chairperson of Code Enforcement and Co-Chair of Public Works. C/Wojyn is now the Chairperson of Public Works and Co-Chair of Code Enforcement.

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/Mann.

Harold Burrows of 38 Tennent Avenue feels there is too much effort on “CLICK IT OR TICKET” and more effort should be spent on cell phone use when driving. Lt. Cooke explains “CLICK IT OR TICKET” is a federally funded program and during vehicle stops other infractions are addressed.

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

Old Business

**BOROUGH OF ENGLISHTOWN
ORDINANCE NUMBER 2016-04**

PUBLIC HEARING & ADOPTION

**BOND ORDINANCE PROVIDING VARIOUS 2016
CAPITAL IMPROVEMENTS, BY AND IN THE
BOROUGH OF ENGLISHTOWN, IN THE COUNTY
OF MONMOUTH, STATE OF NEW JERSEY;
APPROPRIATING \$245,000 THEREFOR
(INCLUDING A GRANT IN THE AMOUNT OF
\$124,100) AND AUTHORIZING THE ISSUANCE OF
\$97,250 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF**

**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. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$245,000, which sum includes \$124,100 as the amount of a grant received or expected to be received from the New Jersey Department of Transportation (the “Grant”) and \$23,650 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$245,000 appropriation not provided for by application hereunder of the Grant or said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$97,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$97,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following:

| Description | Appropriation | Authorization | Down Payment | Useful Life |
|--|---|---------------|--------------|-------------|
| i. Various Roadway Improvements To The Entire Lengths Or Portions, As Applicable, Of Various Roads Within The Borough, Including But Not Limited To, Carriage Lane. Said Improvements Shall Include But Are Not Limited To, As Applicable, Milling, Paving, Joint Stabilization, Construction, Reconstruction And Resurfacing The Roadways, The Repairing And/Or Installation Of Curbs, Sidewalks, Culverts And Driveway Aprons, The Acquisition And Installation Of Various Signage And Various Equipment, Drainage Work, Roadway Painting, Landscaping And Aesthetic Improvements, And Also Including, As Applicable, All Engineering And Design Work, Surveying, Construction Planning, Preparation Of Plans And Specifications, Permits, Bid Documents, Construction Inspection And Contract Administration; and | \$225,000 (including a \$124,100 Grant received or expected to be received from the New Jersey Department of Transportation) | \$89,650 | \$11,250 | 20 years |
| ii. Acquisition And Installation, As Applicable, Of Various Equipment, Including, But Not Limited To, A Line Striper For The Department Of Public Works And Improvements To Telephone System For The Municipal Building, Including All Necessary Computer Software And Hardware, Related Equipment And | \$20,000 | \$7,600 | \$12,400 | 7 years |

| Description | Appropriation | Authorization | Down Payment | Useful Life |
|--|------------------|-----------------|-----------------|-------------|
| Apparatus, As Applicable, Associated With Each Of Same. | | | | |
| TOTALS | <u>\$245,000</u> | <u>\$97,250</u> | <u>\$23,650</u> | |

(b) The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$97,250.

(d) The aggregate estimated cost of said improvements or purposes is \$245,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the aggregate amount of \$97,250 and the aggregate down payments for said purposes in the amount of \$23,650.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. 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 6. The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 18.98 years.

(c) 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 that 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 \$97,250 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$70,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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 bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 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 10. 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 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

Public Hearing

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

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

Adoption

A motion to adopt Ordinance No. 2016-04 above titled, was offered by C/Robilotti and seconded by C/Sarti. Passed on the following roll call:

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

New Business

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2016-05**

**ORDINANCE ESTABLISHING LIMITS FOR SALARIES OF THE EMPLOYEES
OF THE BOROUGH OF ENGLISHTOWN, COUNTY OF MONMOUTH,
STATE OF 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 changes shall be incorporated into Chapter 1.37 of the Code of the Borough of Englishtown entitled “Salaries and Compensation”

Section I: The annual salary ranges are established as follows, and the Borough Chief Financial Officer is hereby authorized to transfer such sums of money from such payroll from the time as directed by Salary Resolution of the Governing Body.

| <u>POSITION</u> | <u>SALARIES</u> | |
|---|-----------------|----------------|
| | <u>MINIMUM</u> | <u>MAXIMUM</u> |
| DEPUTY MUNICIPAL COURT ADMINISTRATOR | \$18,000.00 | \$45,000.00 |

Section II: Salaries shall be set forth by Resolution of Mayor and Council within the aforementioned salary guidelines.

Section III: Payment of salaries shall be in equal semi-monthly or other installments as the Mayor and Council may from time to time resolve.

Section IV: All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section V: This ordinance shall take effect upon its passage and publication according to law.

Offered by: C/Robilotti

Seconded by: C/Sarti

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2016-080**

**AUTHORIZING A CHANGE ORDER
 FOR THE RECONSTRUCTION OF PINE STREET NO. 1 AND FINAL**

WHEREAS, the Borough of Englishtown had previously awarded a contract on November 12, 2014 to S. Batata Construction, Inc. of Parlin N.J. in the amount of \$199,561.25 for Reconstruction of Pine Street; and

WHEREAS, S. Batata Construction, Inc. has submitted a change order #1 and Final resulting in an adjusted contract price of \$179,899.36 for a decrease of \$19,661.89 under the original contract price; and

WHEREAS, the Local Public Contracts Law Rules, specifically N.J.A.C. 5:34-52, provided that the Governing Body may issue change orders, which do not increase or decrease the contract amount by more than 20%.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englishtown does hereby authorize Change Order #1 and Final decreasing the original amount of the contract by \$19,661.89 to \$179,889.36 awarded to S. Batata Construction, Inc. for the Reconstruction of Pine Street Project.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: C/Krawiec

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-081**

**RESOLUTION REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION
NJSA 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of The Borough of Englishtown, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00, which is now available from the 2016 Click It or Ticket Mobilization Grant in the amount of \$5,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$5,000.00 is hereby appropriated under the caption 2016 Click It or Ticket Mobilization Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from The New Jersey Division of Highway Traffic Safety (DHTS) 2016 Click It or Ticket Mobilization Grant Program.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-082**

AUTHORIZING THE FILING OF A RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C.102, has established a recycling fund from which tonnage grants may be made to Municipalities in order to encourage local source separation and recycling programs;

WHEREAS, it is the intent and spirit of the Mandatory Source Separation And Recycling Act to use the tonnage grants to develop new Municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on Municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the Municipality; and

WHEREAS, a resolution authorizing this Municipality to apply for such tonnage grants will memorialize the commitment of this Municipality to recycling and to indicate the assent of Englishtown Borough to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and recycling requirements; and

WHEREAS, such a Resolution should designate Daniel Megill the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown that Englishtown hereby endorses the submission of a Municipal recycling tonnage grant application to the New Jersey Department Of Environmental Protection, Office Of Recycling.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-083**

**RESOLUTION CERTIFYING A SUBMISSION OF EXPENDITURES FOR
RECYCLING TAXES PAID IN 2015**

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility, (with certain exceptions), a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the Local Public Contracts Law, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality, except that all grant monies received by the municipality shall be expended only for its recycling programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Borough of Englishtown hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2015 in the amount of \$2,596.39. Documentation supporting this submission is available at the Municipal Building, 15 Main Street, Englishtown, N.J. 07726, and shall be maintained for no less than five (5) years from this date.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-084**

APPOINTMENT OF RABIES CLINIC WORKERS

WHEREAS, there is a need within the Borough of Englishtown for the position of Rabies Clinic Worker; and

WHEREAS, it is the wishes of the Governing Body to fill said positions.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey as follows:

1. Borough Employees, Peter Gorbatuk, Jeanne Keevins and Celia Hecht are hereby appointed as Rabies Clinic Workers for the Rabies Clinic to be held June 14, 2016.
2. Each Rabies Clinic Worker will be paid \$50.00 for said clinic.

BE IT FUTHER RESOLVED that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Peter Gorbatuk, Jeanne Keevins and Celia Hecht.

Offered By: C/Cooke

Seconded By: C/Mann

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2016-085**

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:

Police Dept. – Police Dispatch Shared Services Agreement.....\$52,031.22

Services From:

Monmouth County Treasurer
 Sheriff's Office
 P.O. Box 5007
 Freehold, N.J. 07728

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

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-086**

AUTHORIZATION OF PURCHASES OVER \$2625.00

WHEREAS, the Borough of Englishtown Council requires that purchases and services over \$2,625.00 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:

Police Dept. – Patrol Vehicle - \$19,000.00
2014 Dodge Charger – 2nd Installment

Services From: Ford Motor Credit
P.O. Box 1739
MD 7500
Dearborn, MI 48121-1739

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-087**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE
& REFUND OF PREMIUM PAID AT TAX SALE**

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to US Bank Cust Phoenix Funding:

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Tax Sale Certificate No. 15-00007
Block 21, Lot 1
2 Park Avenue
in the amount of \$15,877.15

WHEREAS, US Bank Cust Phoenix Funding, also paid \$17,000.00 as a premium to obtain Tax Sale Certificate; and

WHEREAS, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$32,877.15.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$32,877.15 to US Bank Cust Phoenix Funding 2 Liberty Place 50 S 16th street Suite 2050 Philadelphia, PA 19102

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

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-088**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE
& REFUND OF PREMIUM PAID AT TAX SALE**

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to US Bank Cust Phoenix Funding:

Tax Sale Certificate No. 15-00009
Block 26.02, Lot 33
55 Heritage Drive
in the amount of \$7,534.66

WHEREAS, US Bank Cust Phoenix Funding, also paid \$29,000.00 as a premium to obtain Tax Sale Certificate; and

WHEREAS, the above-mentioned certificate has been voided by the tax collector and the holder is also entitled to a refund of the premium paid to obtain said certificate for a total refund amount of \$36,534.66.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$36,534.66 to US Bank Cust Phoenix Funding 2 Liberty Place 50 S 16th street Suite 2050 Philadelphia, PA 19102

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

Offered By: C/Robilotti

Seconded By: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-089**

**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 \$789,917.81 are hereby authorized to be paid on May 25, 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/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2016-090**

AUTHORIZATION OF PURCHASES OVER \$2625.00

WHEREAS, the Borough of Englishtown Council requires that purchases and services over \$2,625.00 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:

Capital Trust Fund - Telephone Equipment CY 2016.....\$9,841.00
Avaya Phone System

Services From:

TLG – The Leader Group
810 Mayo Drive
Toms River
New Jersey 08753

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/Cooke

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

Tax Collector’s Report

| | April 2016 |
|---------------------|-------------------|
| 2016 Taxes | \$33,350.20 |
| <u>Interest</u> | <u>425.81</u> |
| Total Disbursements | \$33,781.01 |

Public Portion

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

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

Robert Lanosak Jr. of 20 Harrison Avenue is looking for an update to the noise complaint. Mayor Reynolds states he has met with the Construction Department, Code Enforcement Officer Ed Miller and is waiting for the outcome from the meeting held with Zoning officer/Housing Inspector John Marini and the owner of the Industrial Park.

John Cuccia, President of the Englishtown-Manalapan First Aid Squad, Inc. (EMFAS) Briefs Mayor and Council of where they are after one year.

There being no further questions or comments, a motion to close the public portion was offered by C/Robilotti and seconded by C/Sarti. 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 25th. day of May, 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/Mann

Seconded By: C/Cooke

Passed unanimously

The time being 7:48 P.M.

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

The time being 8:05 P.M.

C/Wojyn has two air conditioning work orders that need attention for the Municipal Building. C/Mann to call Hutchinson for clarification.

Adjournment

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

The time being 8:12 P.M.

July 27, 2016

Approved by Governing Body

Peter Gorbaturk
Municipal Clerk