

January 25, 2017

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 – March
 - Verizon Upgrade Request
3. Adjournment

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

Roll Call: C/Cooke, C/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn

Discussion Items:

Woman's History Month Celebration Discussion:

C/Krawiec has come up with a nominee of Cindy Parker – Pastor at First Presbyterian Church. C/Cooke mentions that she has done a lot for Englishtown and is a good nominee. Mayor Reynolds asks for any other nominations. With there being no other nominations the Council unanimously agrees to honor Cindy Parker during Woman's History Month in March.

Verizon Upgrade Request

Mayor Reynolds mentions that Verizon has requested the approval from the Borough of Englishtown to do an upgrade to enhance wireless service. There will not be any cost to the Borough to do the upgrade. All agree and a Resolution will be added at the end of the meeting.

C/Robilotti inquired about backup employees concerning the Borough website, sign, telephones, etc. Currently Lt. Cooke is the backup to the website.

C/Wojyn added that he will speak to DPW Supervisor Dan Megill to review safety measures with the department. Also to make sure they have a copy of the Personnel Policy. C/Wojyn also asks about the Laundromat Parking Lot in town and Lt. Cooke responds by saying traffic safety is his department and he will address this.

Mayor Reynolds asks C/Mann if a letter has gone out to the Wood Avenue resident concerning the right of way issue? C/Mann responds not to his knowledge. Mayor Reynolds will look into this.

Adjournment

There being no further business a motion to adjourn the workshop was offered by C/Robilotti, Seconded by C/Krawiec. Passed unanimously. The time being 6:42.

**** 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 January Radon Action Month
5. Approval of Minutes

December 13, 2016 Meeting
January 3, 2017 Reorganization Meeting
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. New Business:
 - A. Resolution No. 2017-042
Approval to Submit a Grant Application & Execute a Grant Contract with the New Jersey Department of Transportation for the Reconstruction of Hamilton Avenue (Street)
 - B. Resolution No. 2017-043
Approval to Submit a Grant Application & Execute a Grant Contract with the New Jersey Department of Transportation for the Pedestrian Improvements to Conover Street, Park Avenue and Station Street
 - C. Resolution No. 2017-044
Appointment of Municipal Magistrate

- D. Resolution No. 2017-045
Appointment of Emergency Management Coordinator
 - E. Resolution No. 2017-046
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale Block 4, Lot 21
 - F. Resolution No. 2017-047
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale Block 23, Lot 7.02
 - G. Resolution No. 2017-048
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale Block 2 Lot 6
 - I. Resolution No. 2017-049
Resolution Establishing Interest Charge for Delinquent Sewer Charges
 - J. Resolution No. 2017-050
Authorization of Services Edmunds & Associates Software Maintenance
 - K. Resolution No. 2017-051
Authorizing Purchase of Ammunition for Police Department – Eagle Point Gun Shop
 - L. Resolution No. 2017-052
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale Block 6 Lot 8
 - M. Resolution No. 2017-053
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale Block 6 Lot 14.56
 - N. Resolution No. 2017-054 Payment of Borough Bills
Authorizing the Payment of Borough Bills
- 10. Tax Collector's Report – November 2016
December 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 6:43 P.M.

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

Also present, CFO Laurie Finger, Municipal Clerk Peter Gorbatuk

Mayor Reynolds stated pursuant to N.J.S.A. 10 4-6 notification of this meeting has been (1) Published in the Asbury Park Press and the News Transcript the Official Newspapers of the Borough, (2) Posted to the Public at Borough Hall, (3) Copy has been filed with the Municipal Clerk, (4) Copy of this agenda and the Sunshine Statement has been filed with the Mayor and Council. Thus this meeting tonight is deemed in compliance with the Open Public Meetings Act.

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

At this time Mayor Reynolds reads aloud a Proclamation Supporting “Radon Action Awareness Month” and, also a Proclamation of appreciation for Ari Solomon for his years of service to the Manalapan-Englishtown community Alliance to Prevent Alcoholism and Drug Abuse.

Approval of Minutes –

There being no corrections, deletions or additions, a motion to approve the December 13, 2016 meeting minutes and the January 3, 2017 minutes was offered by C/Robilotti and seconded by C/Cooke. Passed on the following roll call:

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

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke reports:

- The open Deputy Court Clerk position has not been filled and at this time would like to pursue a Violations Clerk part - time position instead with a 25 hour work week and a salary range of 9 to 12 dollars per hour. We would also like to advertise locally instead of through the court system. Will need to discuss this with Judge Newman.

Mayor Reynolds acknowledges and welcomes a few attendees from the Manalapan – Englishtown Community Alliance to Prevent Alcoholism and Drug Abuse

Public Utilities

Councilwoman Robilotti reports:

- Attended the Governing Body Members and Newly Elected Officials Seminar on Saturday January 21st 2017 at Brookdale Community College with C/Eric Mann it was a very informative seminar. This seminar was offered by Monmouth County Freeholder John P. Curley
- The 2017 Planning Board Reorganization Meeting was held last night.
- Water / Sewer change coming soon as residents can sign up to have e-mail bills.
- **Code Enforcement, Public Health, Welfare & Public Events**

Councilman Wojyn reports: Nothing to report at this time

Public Safety

Councilwoman Krawiec reports:

- Reads aloud December and 2016 annual Police activity report; on file in the Municipal Clerks Office for review.

Legislative, Insurance & Licenses -

Councilman Mann reports:

- Shade Tree Commission meeting dates have been set for 2017.
- Has attended the Governing Body Members and Newly Elected Seminar as well and it was informative.

Public Buildings & Grounds

Councilman Marter reports: Nothing to report at this time.

Correspondence

Peter Gorbatuk, Municipal Clerk reports at this time:

- The Monthly Budget Report for December 2016 and is on file in the Municipal Clerks office.
- Reminds Mayor and Council of the elected official attendance policy.
- Pass your committee reports to the Municipal Clerk.

Public Portion – Agenda Items

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

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

New Business

BOROUGH OF ENGLISHTOWN

RESOLUTION NO. 2017-042

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF

TRANSPORTATION FOR THE RECONSTRUCTION OF HAMILTON AVENUE (STREET)

NOW, THEREFORE, BE IT RESOLVED that Council of Englishtown Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Reconstruction of Hamilton Avenue (Street) to the New Jersey Department of Transportation on behalf of Englishtown Borough.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Englishtown Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Offered by: C/Robilotti

Seconded by: C/Wojyn

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-043**

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PEDESTRIAN IMPROVEMENTS TO CONOVER STREET, PARK AVENUE AND STATION STREET PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Englishtown Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2017-Pedestrian Improvements to Conover Street, Park Avenue and Station Street project of to the New Jersey Department of Transportation on behalf of Englishtown Borough.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Englishtown Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Offered by: C/Robilotti

Seconded by: C/Wojyn

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-044**

APPOINTMENT OF MUNICIPAL MAGISTRATE

WHEREAS, on January 3, 2017 at the Borough's annual reorganization meeting, the Governing Body adopted a Resolution reappointing James M. Newman to the office of Municipal Court Judge; and

WHEREAS, said Resolution of appointment contained an inadvertent error in that the appointment was for only one year; and;

WHEREAS, N.J.S.A. 2B:12-4a. requires that *"Each judge of a municipal court shall serve a term of three years from the date of appointment and until a successor is appointed."*; and

WHEREAS, it is necessary and proper to amend the Resolution of appointment to comply with State law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that the Resolution reappointing James M. Newman, J.M.C. to the office of Municipal Judge of the Borough of Englishtown is hereby amended to a full term of Three (3) years as required by N.J.S.A. 2B:12-4.a, and ending December 31, 2019.

NOW, THEREFORE BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to Judge James M. Newman, and the Borough Chief Financial Officer.

Offered by: C/Robilotti

Seconded by: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017- 045**

APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, on January 3, 2017 at the Borough's annual reorganization meeting, the Governing Body adopted a Resolution reappointing Peter S. Cooke to the office of Municipal Court Judge; and

WHEREAS, said Resolution of appointment contained an inadvertent error in that the appointment was for only one year and should have been for a three year term; and.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown that Peter S. Cooke, Jr. Englishtown, N.J. 07726, is hereby appointed Emergency Management Coordinator for the Borough of Englishtown effective January 3, 2017 for a term of three (3) years ending December 31, 2019.

NOW, THEREFORE BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to Peter S. Cooke, Jr., Borough Chief Financial Officer, and the Monmouth County Office of Emergency Management.

Offered By: C/Robilotti

Seconded By: C/Krawiec

Roll Call: Ayes: C/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn

Nays: None

Abstain: C/Cooke

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-046**

**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 Trystone Capital Assets, LLC 575 Route 70 2nd Floor PO Box 1030 Brick, N.J. 08723:

Tax Sale Certificate No. 16-00006

Block 4, Lot 21

37 Main Street

in the amount of \$8,245.16

WHEREAS, Trystone Capital Assets, LLC 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 \$37,245.16.

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 \$37,245.16 to Trystone Capital Assets, LLC 575 Route 70, 2nd Floor, PO Box 1030 Brick, NJ 08723.

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: CKrawiec

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Mann, C/Marter, C/Robilotte, C/Wojyn
Nays: None
Abstain: None
Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-047**

**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 Trystone Capital Assets, LLC 575 Route 70 2nd Floor PO Box 1030 Brick, N.J. 08723:

Tax Sale Certificate No. 16-00011
Block 23, Lot 7.02
25 Park Avenue
in the amount of \$204.92

WHEREAS, Trystone Capital Assets, LLC also paid \$700.00 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 \$904.92.

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 \$904.92 to Trystone Capital Assets, LLC 575 Route 70, 2nd Floor, PO Box 1030 Brick, NJ 08723.

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/Mann

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-048**

**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 Trystone Capital Assets, LLC 575 Route 70 2nd Floor PO Box 1030 Brick, N.J. 08723:

Tax Sale Certificate No. 16-00001
Block 2, Lot 6
14 Lasatta Avenue
in the amount of \$214.80

WHEREAS, Trystone Capital Assets, LLC also paid \$700.00 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 \$914.80.

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 \$914.80 to Trystone Capital Assets, LLC 575 Route 70, 2nd Floor, PO Box 1030 Brick, NJ 08723.

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/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-049**

**RESOLUTION ESTABLISHING INTEREST CHARGE
FOR DELINQUENT WATER, SEWER, OR MUNICIPAL CHARGES**

WHEREAS, N.J.S.A. 54:4-67, defines the rate of interest a municipality may impose for municipal charges.

NOW, THEREFORE, BE IT RESOLVED that interest be charged for non-payment of sewer charges as follows: In the event that water, sewer or municipal charges are not received within ten (10) days, the Tax Collector is hereby authorized to charge interest at the rate of 18% on all such delinquent payments from date that the same were first due. Those with a delinquency in excess of \$10,000.00 who fail to pay the delinquency prior to the end of the calendar year, will be assessed an additional penalty of 6% (As per N.J.S.A. 54:4-67, "Delinquency" means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years). Water, Sewer, or Municipal Charges are considered a municipal lien, equal to a tax lien, and shall be treated as such by enforcement at tax sale if necessary.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector, and the Chief Financial Officer.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-050**

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:

Software Maintenance for Finance, Tax, Animal & Water Sewer
Departments.....\$10,259.00

Services From:

Edmunds & Associates
301 – A Tilton Road
Northfield, NJ 08225

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/Mann, C/Marter, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-051**

AUTHORIZATION OF PURCHASES

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 was 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 Ammunition \$4,483.30

Purchased From:

Eagle Point Gun Shop
TJ Morris & Son
1707 Third Street
Thorofare, N.J. 08086

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/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn
Nays: None
Abstain: None
Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-052**

**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 FWDSL & Associates LP 17 W Cliff Street, Somerville, N.J 08876:

Tax Sale Certificate No. 16-00011
Block 6, Lot 8
13 Wilson Avenue
in the amount of \$1,626.53

WHEREAS, FWDSL & Associates LP also paid \$11,500.00 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 \$13,126.53.

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 \$13,126.53 to FWDSL & Associates LP 17 W Cliff Street, Somerville, N.J. 08876.

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/Marter

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn
Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-053**

**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 TWR CST for Ebury Fund 2 LLC PO Box 54908, New Orleans:

Tax Sale Certificate No. 16-00008
Block 6 Lot 14.56
56 Oxford Ct.
in the amount of \$136.68

WHEREAS, TWR CST for Ebury Fund 2 LLC also paid \$5,000.00 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 \$5,136.68.

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 \$5,136.68 to TWR CST for Ebury Fund 2 LLC PO Box 54908 New Orleans, LA 70154

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/Krawiec

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn

Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-054**

**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 \$578,942.06 are hereby authorized to be paid on January 25, 2017.
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/Mann, C/Marter, C/Robilotti, C/Wojyn
 Nays: None
 Abstain: None
 Absent: None

At this time CFO Laurie Finger amends the bills list by \$19,000.00 to Ford Motor Credit.

Tax Collector's Report

November 2016

2017 Taxes Year	\$3,764.20
2016 Taxes Year	1,180,398.25
2015 Taxes Year	.00
Outside Lien Redemption	0.00
Interest	1,345.89
Cost of Sale	888.32
Duplicate Bill Fee	35.00
Return Check Fee	00.00
<u>MUA Tax Sale</u>	<u>668.67</u>
Total Disbursements	\$1,187,100.33

December 2016

2017 Taxes	\$10,290.56
2016 Taxes	59,015.18
2015 Taxes	.00
Tax Sale Premium	71,600.00
Interest	1,084.32
Cost of Sale	1,092.24

Duplicate Bill Fee	10.00
Net Receipts	143,092.30
W/S at Tax Sale	5,779.08
Paid to W/S	(5,779.08)
<u>Total Disbursements</u>	<u>143,092.30</u>
Net Disbursements	\$143,092.30

Public Portion

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

Representatives from the Manalapan / Englishtown Drug Alliance Thanks the Mayor and Council for their support.

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. 2017-055**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF ENGLISHTOWN/VERIZON WIRELESS**

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, (Verizon Wireless?) is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of Englishtown; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown, County of Monmouth State of New Jersey That:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way.
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to

beginning construction, and shall obtain any applicable permits that may be required by the Borough of Englishtown.

- C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Englishtown, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Englishtown.
- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Englishtown as an additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Borough of Englishtown nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on the account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Borough of Englishtown by the Borough Council of the Borough of Englishtown and attested to by the Borough of Englishtown Clerk who shall affix the Borough of Englishtown Seal thereto.
- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of Englishtown by parties that have the lawful right to maintain such poles.

NOW, THEREFORE BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to Verizon Wireless, and the CFO Borough of Englishtown.

Offered By: C/Robilotti

Seconded By: C/Marter

Roll Call: Ayes: C/Cooke, C/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn

Nays: None

Abstain: None

Absent: None

Executive Session

No Executive Session held this evening.

Adjournment

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

The time being 7:14 P.M.

February 22, 2017

Approved by Governing Body

Peter Gorbatuk

Municipal Clerk