

**** WORKSHOP AGENDA ****

July 26, 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
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:38 P.M.

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

Also present, Peter Gorbaturk, Municipal Clerk, Laurie Finger, CFO and Joseph Youssef, Borough Attorney

Discussion Items: Mayor Reynolds opens saying there are no Discussion Items on the Workshop Agenda. We will proceed into the Regularly Scheduled Meeting.

AMENDED

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**** 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. Presentation: 2016 Audit by Matthew Holman of Holman, Frenia, & Allison, P.C.
5. Approval of Minutes
 - June 28, 2017 Meeting
 - June 28, 2017 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. New Business:
 - A. Resolution No. 2017-107
Authorizing Refund of Tax Sale Certificate & Refund of Premium Paid at Tax Sale. Block 3, Lot 1
 - B. Resolution No. 2017-108
2016 Audit of the Borough of Englishtown Division of Local Government
 - C. Resolution No. 2017-109
Resolution Regretfully Accepting the Resignation of Michael P. Macinnes
 - D. Resolution No. 2017-110
Resolution for the Removal of Probation Period for Police Officer Ryan Carideo
 - E. Resolution No. 2017-111
Payment of Borough Bills
 - F. Resolution No. 2017-112
Appointment of Animal Control Officer
10. Tax Collector's Report – June - 2017
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

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

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

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

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

Presentation of the 2016 Audit

Mr. Anthony Mannino of Holman, Frenia, & Allison, P.C. represented the firm in place of Mr. Matthew Holman who was scheduled to be the presenter.

Mr. Mannino informed Mayor and Council that the Borough once again, received a rating of an "unmodified report" with a clean opinion. There were no internal control deficiencies and No Recommendations & Findings. Everything went very smoothly.

Mr. Mannino proceeded with explaining the financial statements to Council and commented that ALL funds experienced an increase in surplus. He then answered questions from the governing body members.

C/Cooke arrives at 6:38 during the Audit Presentation.

Approval of Minutes

There being no corrections, deletions or additions, a motion to approve the June 28, 2017 meeting minutes and executive session minutes was offered by C/Robilotti and seconded by C/Mann. Passed on the following roll call:

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

Committee Reports

Administration, Finance & Personnel

Councilwoman Cooke reports:

- Mentions the passing of Helen Strong who was the Founder of the Memorial Day Parade, 9/11 Ceremony, Founder of the Recreation Committee, former Councilwoman. She dedicated countless hours to the Borough of Englishtown. Flowers were sent using the Mayors fund on behalf of Englishtown.

Public Utilities

Councilwoman Robilotti has nothing to report at this time.

Public Buildings & Grounds

Councilman Wojyn reports:

- Questions the status of the Civil War Cemetery on Water Street. Attorney Youssouf sent a letter to the property owner. Mayor and Council discuss the probability of obtaining ownership of the property. Attorney Youssouf will send another letter offering \$1.00 with the Borough to maintain this small, but historic piece of property.
- Although the Department of Public Works has seen many purchases of various pieces of equipment over the past 1 to 2 years, there is a current need for a Dump Truck. The old Dump Truck will be costly to repair and may not make it through the winter. Council agrees to purchase a Dump Truck. A Bond Ordinance will be introduced at the August 23rd Council Meeting.

Public Safety

Councilwoman Krawiec is absent at this time.

Legislative, Insurance & Licenses

Councilman Marter reports:

- Reads the Police Activity Report for May and June.
- Currently working on a new Borough Website.

Code Enforcement, Public Health, Welfare & Public Events

Councilman Mann reports:

- Code Enforcement Officer Ed Miller is working on the time line of the Tennant Avenue Barn.
- The Borough is in receipt of a final report on the noise issue at the recording studio which is not in violation; the music is within legal limits. A letter from Robert Lancsak the neighbor still believes they are in violation. Mayor Reynolds will speak to the owner Bashkar Hilari of the Englishtown Industrial Park again.

Correspondence:

Municipal Clerk Peter Gorbatuk reports:

- The Monthly Budget Report for June 2017 was sent to Mayor and Council on July 1, 2017 and is on file in the Clerk's Office.
- Reminds Mayor and Council to remain after the meeting to sign the Group Affidavit concerning the 2016 Annual Audit.
- Tax Collector Janice Garcia would like to inform Mayor and Council the grace period for the 3rd Quarter payments on taxes has been extended to August 14th, 2017.
- The Microphone in Council Chambers needs to be repaired, and will be fixed in a couple of days.

- We will need to add a Resolution at the end of the meeting to extend the agreement with the Englishtown/Manalapan First Aid Squad.
- Please pass your committee reports to the Municipal Clerk.

At this time Lt. Peter Cooke reads a letter of Commendation from a local resident for Patrolman Ryan P. Carideo and Detective-Corporal Alexander M. Dinicola III on their quick action on the night of June 22, 2017. A call was received from a resident about suspicious persons on their property. Within 12 hours two people were identified and given summons. Congratulations for a professional job by both Officers.

Public Portion – Agenda Items

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

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

New Business

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2017-107

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 Stuart Lasher PO Box 83 Milltown, NJ 08850:

Tax Sale Certificate No. 15-00001
Block 3, Lot 1
22 Northgate Drive
in the amount of \$1,716.11

WHEREAS, Stuart Lasher PO Box 83 Milltown, NJ 08850 also paid \$1,400.00 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 \$3,116.11.

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 \$3,116.11 to Stuart Lasher PO Box 83 Milltown, NJ 08850

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-108**

**2016 AUDIT OF THE BOROUGH OF ENGLISHTOWN
DIVISION OF LOCAL GOVERNMENT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of the New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor

and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE BE IT RESOLVED, that the governing body of the Borough of Englishtown, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Offered by: C/Robilotti

Seconded by: C/Cooke

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-109**

**RESOLUTION REGRETFULLY ACCEPTING THE
RESIGNATION OF MICHAEL P. MACINNES**

WHEREAS, Michael P. Macinnes has served as a Policeman for the for the Borough of Englishtown for many years; and

WHEREAS, Michael P. Macinnes started his employment January 8, 2003 in the Police Department of the Borough of Englishtown and;

WHEREAS, Michael P. Macinnes did tender his resignation to Lt. Peter Cooke on July 11, 2017 with his last day of employment being July 31, 2017.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Englishtown Borough Council regretfully accepts the resignation of Michael P. Macinnes.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer and Police Lt. Peter Cooke.

Offered by: C/Robilotti

Seconded by: C/Marter

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

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-110**

**REMOVAL OF PROBATION PERIOD FOR POLICE OFFICER
RYAN CARIDEO**

WHEREAS, Ryan Carideo was appointed as a full time police officer on July 28, 2016; and

WHEREAS, there was a probationary period for one year from the date of hire; and

WHEREAS, it is the recommendation of Lt. Peter Cooke to remove the Probation Period effective July 28, 2017 as this has been fulfilled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey to remove the Probationary Period for Police Officer Ryan Carideo.

BE IT FURTHER RESOLVED, that a certified true copy of this resolution be forwarded to the Chief Financial Officer, Lieutenant Peter Cooke, Police Commissioner and Police Officer Ryan Carideo.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-111**

**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 \$554,000.62 are hereby authorized to be paid on July 26, 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/Cooke

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

Nays: None

Abstain: None

Absent: C/Krawiec

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-112**

APPOINTMENT OF ANIMAL CONTROL OFFICER

WHEREAS, the Mayor and Council of the Borough of Englishtown are knowledgeable that there is a need for an Animal Control Officer to perform Animal Control services within the Borough of Englishtown.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown as follows:

1. Jan (John) E. Bilyk (d/b/a Whisper Acres) of Jackson, N.J. is a certified animal control officer who will perform all duties required of the position and outlined in the contract.
2. The Mayor and Municipal Clerk are authorized to execute a 1-year agreement between Jan E. Bilyk (d/b/a Whisper Acres) and the Borough of Englishtown for Animal Control Services for a one-year period commencing March 1, 2017 through February 28, 2018 at an annual compensation of fourteen hundred dollars (\$1400.00).

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute the contract with Jan (John) E. Bilyk (d/b/a Whisper Acres) of Jackson, N.J for Animal Control Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Borough of Englishtown Chief Financial Officer and Jan (John) E. Bilyk (d/b/a Whisper Acres).

Offered By: C/Robilotti

Seconded By: C/Marter

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

Nays: None

Abstain: None
Absent: C/Krawiec

Mayor Reynolds at this time adds the following resolution which is added to tonight's agenda.

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-113**

**AUTHORIZING MAYOR AND COUNCIL OF THE BOROUGH OF
ENGLISHTOWN TO EXTEND THE AGREEMENT WITH ENGLISHTOWN-
MANALAPAN FIRST AID SQUAD, INC., AND WESTERN MONMOUTH
EMERGENCY MEDICAL SERVICES INC.**

WHEREAS, the agreement between the parties expired on April 30, 2017; and

WHEREAS, the governing body of the Borough of Englishtown and Western Monmouth Emergency Medical Services Inc. (WMEMS) wish to have a 90 day extension on this agreement to terminate July 30, 2017; and

WHEREAS, within this 90 day extension and before July 30, 2017a new agreement has not been submitted to the Borough of Englishtown and reviewed by the Borough Attorney.

WHEREAS, the governing body of the Borough of Englishtown and Western Monmouth Emergency Medical Services Inc. (WMEMS) wish a second extension of this agreement to October 31, 2017 with review by the Borough Attorney.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Englishtown, County of Monmouth, State of New Jersey, that the extension be granted.

Offered By: C/Robilotti

Seconded By: C/Cooke

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

Tax Collectors Report

June 2017

2017 Taxes	\$10,218.18
2016 Taxes	250.00
Interest	143.71
<u>Total Disbursements</u>	<u>\$10,611.89</u>
Net Disbursements	\$10,611.89

Public Portion

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

Mr. Harold Burrows, 38 Tennent points out to Mayor and Council and also Lt. Cooke about illegal cell phone use of people driving in their cars. Lt. Cooke replies the officers are actively pursuing this.

There is an increase of traffic (large trucks) going down Irving Place. Lt Cooke explains that is due to the removal of signs during the Community Development Block Grant project which is presently halted. The signs will be put back up by the Department of Public Works until the project resumes.

There being no questions or comments, a motion to close the public portion was offered by C/Robilotti and seconded by C/Marter. 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, Lawyer Client Privilege Material. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;

1. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
2. 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;
3. Any collective bargaining agreement or terms and conditions related thereto;
4. Any matter involving the purchase, lease or acquisition or real property with public funds;
5. Any tactics and techniques utilized in protecting the public safety and property;
6. 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;
7. 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;
8. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

WHEREAS, N.J.S.A. 10:4-13 provides that a public body may not exclude the public from any meeting to discuss any matters described in N.J.S.A. 10:4-12 until the public body has adopted a resolution at a meeting to which the public shall be admitted, stating the general nature of the subject to be discussed and stating as precisely as possible, the time and when the circumstances under which the discussion conducted in a closed session of the public body can be disclosed to the public; and

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 7, of N.J.S.A. 10:4-12b is required to discuss Litigation, Contracts, and Personnel.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 25th day of March, 2015 pursuant to Section 7 of the Open Public Meetings Act.

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

Offered By: C/Robilotti

Seconded By: C/Marter

Passed unanimously

The time being 7:37 P.M.

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

The time being 7:56 P.M.

Mayor Reynolds addresses Patricia Kelich 6 Terrace Drive, concerning the property next to her house. The Borough is going through the legal process to take down the barn and clean up the premises.

Adjournment

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

The time being 8:05 P.M.

August 23, 2017 .

Approved by Governing Body

Peter Gorbaturk .

Municipal Clerk