

**** WORKSHOP AGENDA ****

September 27, 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:
 - 2017 Best Practices
3. Adjournment

The meeting was called to order by Mayor Reynolds at 6:36 P.M.

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

Absent: C/Mann (Arrived at 7:26 P.M.)

2017 Best Practices – CFO Laurie Finger:

CFO Laurie Finger indicated that in accordance with LFN 2017-14 the completed Best Practices Inventory Checklist must be an agenda item for discussion at a Municipal Governing Body and recorded into the minutes prior to October 20th. The Inventory contains 25 questions (reduced from last year's 30). All of the questions have already been asked in prior years' inventories. Municipalities must receive positive credit on a minimum of 21 questions in order to receive 100% State Aid this year.

Mayor and Council reviewed the 2017 Best Practices Inventory Checklist that was presented by CFO Laurie Finger. The Borough of Englishtown obtained a score of 100%.

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 6:39 P.M.

**** WORKSHOP AGENDA ****

September 27, 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

- 2017 Best Practices

3. Adjournment

**** AGENDA ****

Regular Meeting of the Mayor and Council of the Borough of Englishtown, 15 Main Street, Englishtown, New Jersey 07726.

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Moment of Silence and Salute to the Flag
4. Approval of Minutes
 - August 23, 2017
 - August 23, 2017 Executive Session
5. Committee Reports
6. Correspondence
7. 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.
8. Old Business
 - A. Ordinance No. 2017-04 Public Hearing & Adoption
Bond Ordinance Providing for the Acquisition of a Dump Truck for the Department of Public Works, by and in the Borough of Englishtown in the County of Monmouth, State of New Jersey; appropriating \$65,000 Therefore and Authorizing the Issuance of \$25,000 Bonds or Notes of the Borough to Finance Part of the Cost Therefore
9. New Business:
 - A. Ordinance No. 2017-05– First Reading & Introduction
An Ordinance Amending and Supplementing Chapter 2.126 (WATER) of the “Code of the Borough of Englishtown, New Jersey”
 - B. Ordinance No. 2017-06– First Reading & Introduction
An Ordinance Amending and Supplementing Chapter 2.106 (SEWERS) of the “Code of the Borough of Englishtown, New Jersey”

- C. Resolution No. 2017-122
Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Hamilton Street Reconstruction Project

- E. Resolution No. 2017-123
Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the for the 2018 Safe Streets to Transit Program

- F. Resolution No. 2017-124
A Resolution Approving A Map Prepared by the Borough Engineer as an Official Finding and Record of the Location and Boundaries of the Area or Areas Within the Borough of Englishtown that are on or Within 1,000 Feet of any School Property as Defined by N.J.S.A. 2C:35-7 and the Area or Areas Within the Borough of Englishtown That are on or Within 500 Feet of Public Housing Facilities, Public Parks, And/or Public Buildings, as Defined by N.J.S.A. 2C: 35-7.1

- G. Resolution No. 2017-125
Authorization of Services Rehabilitation of Well Pump #2 (Water Department)

- H. Resolution No. 2017-126
Authorization of Services Broken Water Main at 10 Main Street and Manhole Frame & Cover at 6 Main Street

- I. Resolution No. 2017-127
Appointment of In Rem Foreclosure Attorney

- J. Resolution No. 2017-128
Authorizing Mayor to Sign Contract for In Rem Tax Foreclosure Services

- K. Resolution No. 2017-129
Authorizing an Accelerated Tax Sale to be held in Accordance to the Rules and Regulations pursuant to N.J.S.A. 54:5-19

- L. Resolution No. 2017-130
Resolution Regretfully Accepting the Resignation of Special Law Enforcement Officer Kevin Romano

- M. Resolution No. 2017-131
Removal of Probation Period for Police Officer Michael Makwinski

- N. Resolution No. 2017-132
Authorizing Lieutenant Peter Cooke to Interview and Appoint Class II Special Law Enforcement Officer

- O. Resolution No. 2017-133
Resolution of the Mayor and Governing Body Granting Approval for Raffle Application No. RA 2017-02

 - P. Resolution No. 2017-134
Resolution Request of Start / End Time Change for CDBG (Community Development Block Grant) Curb Cut Project

 - Q. Resolution No. 2017-135
Resolution Authorizing the Execution of a Contract for Various ADA Intersections Improvements Through Community Development Block Grants.

 - R. Resolution No. 2017-136
Resolution Authorizing the Payment of Borough Bills
- 10. 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.

 - 11. Executive Session

 - 12. Adjournment

The meeting was called to order by Mayor Reynolds at 6:40 P.M.

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

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 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.

Approval of Minutes –

August 23, 2017
August 23, 2017 Executive Session

There being corrections, as amended, no deletions or additions, a motion to approve the August 23, 2017 minutes was offered by C/Robilotti and seconded by C/Krawiec. Passed on the following roll call:

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

Committee Reports:

Administration, Finance & Personnel

Councilwoman Cooke reports:

- Meeting with Supervisor Jim Mastrokalos and C/Robilotti, working on office procedures for Water / Sewer Department.

Public Utilities

Councilwoman Robilotti reports:

- Reads Water Report
- One of the Wells was fixed which lasted 13 years. The funds were in the Water Capital Plan.
- Fixed a Small leak on Main Street, also replaced manhole cover and frame at the bridge area.
- Sewers will be cleaned and checked with a camera looking for any issues hopefully all will come out clean.
- There were three water shutoffs this month.

Public Safety

Councilwoman Krawiec reports:

- Reads Police Report at this time.
- There have been interviews to fill the vacancy in the department and will have a replacement soon. Will also have a pool of future candidates when needed.

Public Buildings & Grounds

Councilman Wojyn reports:

- Public Works Department proceeded with the clean - up of the abandoned grave yard at 5 Wood Avenue. Ownership still being determined. Search of the property to be handled by Attorney Youssouf.
- Halloween Party October 30, 2017 at the firehouse from 6:00 – 8:00 P.M.
- Will be attending the Shade Tree Conference October 19th & 20th. This year it is being held during the week rather than the weekend and is not convenient.
- I am looking into on-line meeting packets. Briefly looked into Samsung Tablets with an electronic pen for \$189.00.

Code Enforcement, Public Health

Councilman Mann reports:

- No Report at this time.

Legislative, Insurance & Licenses -Councilman:

Councilman Dan Marter:

- Looking into Cloud Computing vs. In House Server.

Correspondence

Peter Gorbatuk, Municipal Clerk reports at this time:

- The Monthly Budget Report for August 2017 was sent to Mayor and Council on September 3rd and is on file in the Municipal Clerks office.
- No Further Action Letter from Department of Environmental Protection on 17 Main Street received.
- Please pass your Committee Reports to the Municipal Clerk.

At this time Mayor Reynolds elects to do Executive Session as Attorney Youssef needs to excuse self at 7:30 P.M..

Executive Session

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

WHEREAS, N.J.S.A. 10:4-12b provides that a public body may exclude the public from that portion of a meeting at which the body discusses: Litigation, Personnel. 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 of 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, 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/Krawiec

Passed unanimously

The time being 7:00 P.M.

C/Mann arrives at 7:26 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/Krawiec. Passed unanimously.

The time being 7:35 P.M.

Public Portion – Agenda Items Only

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

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

Old Business

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2017-04**

PUBLIC HEARING & ADOPTION

**BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF A DUMP TRUCK FOR THE
DEPARTMENT OF PUBLIC WORKS, BY AND IN THE
BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY;**

**APPROPRIATING \$65,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$25,000 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$65,000, which sum includes \$40,000 as the amount of down payment for said improvement or purpose as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of an appropriation 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 improvement or purpose described in Section 3 hereof and to meet the part of said \$65,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$25,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$25,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3.

(a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition of a dump truck and any associated equipment for said dump truck for the Department of Public Works and all equipment, materials and accessories necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$25,000.

(c) The estimated cost of the improvement or purpose is equal to \$65,000

SECTION 4. 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 improvement and purpose 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. 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 of the Borough is 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, 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 improvement or purpose 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 10 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 \$25,000 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 \$6,500 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 purpose or improvement 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.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the mayor, as provided by the Local Bond Law.

Offered By: C/Robilotti

Seconded By: C/Krawiec

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

Absent: None

Nays: None

This ordinance shall take effect upon final passage and after publication as required by law. Public Hearing & Adoption will take place at the September 27, 2017 meeting.

New Business:

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2017-05**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2.126 (WATER) OF THE
“CODE OF THE BOROUGH OF ENGLISHTOWN, 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 section of Chapter 2.126 be amended and supplemented as follows:

1. Section 2.126.07 (Installation fees), Subsection A of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

A. Taps.

(1) For all taps on installations from the main to the curb stop made by the Water Department, the owner shall be charged the following amounts, to be paid to the Water Department at the time of the issuance of the permit:

\$2,944.00 (two thousand, nine hundred and forty-four dollars)
per E.D.U.

2. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.
3. This Ordinance shall take effect following final adoption and publication pursuant thereto.

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

Public Hearing and Adoption is scheduled for October 25, 2017

**BOROUGH OF ENGLISHTOWN FIRST READING & INTRODUCTION
ORDINANCE NO. 2017-06**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2.106 (SEWERS) OF THE
“CODE OF THE BOROUGH OF ENGLISHTOWN, 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 section of Chapter 2.106 be amended and supplemented as follows:

1. Article I – Installation and Use, Section 2.106.2 (Connection of Future Structures), Subsection B of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

B. The owner of every residential house, building and/or structure hereafter constructed, modified or improved in the Borough of Englishtown, which may be occupied or used by human beings, shall, if connection with the sewer system of the Borough of Englishtown is made on or after October 25th, 2017, be charged a connection fee of \$932.00 (nine hundred and thirty-two dollars).

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall take effect upon final adoption and publication pursuant to law.

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

Public Hearing and Adoption is scheduled for October 25, 2017

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-122**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE HAMILTON STREET RECONSTRUCTION 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 MA-2018-Hamilton Street Reconstruction – 00029 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/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. 2017-123**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE 2018 SAFE STREETS TO TRANSIT PROGRAM**

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 - 2018-Pedesrian Improvements to Conover - 00006 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/Krawiec

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

**BOROUGH OF ENGLISHOWN
RESOLUTION NO. 2017- 124**

A RESOLUION APPROVING A MAP PREPARED BY THE BOROUGH ENGINEER AS AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF THE AREA OR AREAS WITHIN THE BOROUGH OF ENGLISHTOWN THAT ARE ON OR WITHIN 1,000 FEET OF ANY SCHOOL PROPERTY AS DEFINED BY N.J.S.A. 2C:35-7 AND THE AREA OR AREAS WITHIN THE BOROUGH OF ENGLISHTOWN THAT ARE ON OR WITHIN 500 FEET OF PUBLIC HOUSING FACILITIES, PUBLIC PARKS, AND/OR PUBLIC BUILDINGS, AS DEFINED BY N.J.S.A. 2C: 35-7.1

WHEREAS, pursuant to subsection a. of N.J.S.A. 2C:35-5 it is unlawful to:

1. Manufacture, distribute, dispense or possess with intent to manufacture, distribute or dispense a controlled dangerous substance or controlled substance analog, or;
2. To create, distribute, or possess with intent to distribute, a counterfeit controlled dangerous substance; and

WHEREAS, pursuant to N.J.S.A. 2C:35-7, there is an enhanced criminal penalty for a person who violates subsection a. of N.J.S.A. 2C:35-5 by distributing, dispensing or possessing with intent to distribute a controlled dangerous substance or controlled substance analog while in, on or within 1000 feet of any school property; and

WHEREAS, 2C:35-7 defines “school property” as any property used for school purposes which is owned by or leased to any elementary or secondary school or school board; and

WHEREAS, pursuant to N.J.S.A. 2C:35-7.1, there is an enhanced criminal penalty for a person who violates subsection a. of N.J.S.A. 2C:35-5 by distributing, dispensing or possessing with intent to distribute a controlled dangerous substance or controlled substance analog while in, on or within 500 feet of the real property comprising a public housing facility, a public park, or a public building; and

WHEREAS, 2C:35-7.1 defines “public housing facility” as any dwelling, complex of dwellings, accommodation, building, structure or facility and real property if any nature appurtenant thereto and used in connection therewith, which is owned by or leased to a local housing authority in accordance with the “Local Redevelopment and Housing Law” for the purpose of providing living accommodations to persons of low income; and

WHEREAS, 2C:35-7.1 defines “public park” as a park, recreation facility or area, or playground owned or controlled by a State, county or local government unit; and

WHEREAS, 2C:35-7.1 defines “public building” as any publicly owned or leased library or museum; and

WHEREAS, the Borough Engineer has prepared a map of those properties in the Borough of Englishtown, coming within the definitions aforesaid, of such areas within 1,000 feet of such school properties as defined by 2C:35-7 and within 500 feet of such public properties as defined in 2C:35-7.1; and

WHEREAS, in accordance with 2C:35-7 and 2C:35-7.1, the map shall be filed with the Clerk of the Borough of Englishtown and maintained as an official record of the Borough.

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. The statements of the preamble are incorporated herein by this reference.
2. The aforesaid map, produced by the Borough of Englishtown Engineer, for the purpose of depicting the location and boundaries of the area or areas within the Borough of Englishtown that are on or within 1,000 feet of any school property and for the purpose of depicting the location and boundaries of the area or areas within

the Borough of Englishtown that are on or within 500 feet of public housing facilities, public parks, public buildings, or a true copy of such a map, shall, upon proper authentication, be admissible and shall constitute prima facie evidence of the location and boundaries of those areas, provided that the governing body of the municipality or county has adopted a resolution or ordinance approving the map as official finding and record of the location and boundaries of the area or areas on or within 1,000 feet of the school property as defined in 2C:35-7 and the location and boundaries of the area or areas on or within 500 feet of public housing facilities, public parks, public buildings as defined in 2C:35-7.1.

3. The original of said map shall be filed with the Clerk of the Borough of Englishtown and maintained as an official record of the Borough.

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. 2017-125**

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:

Rehabilitation of Well Pump #2 Funds are available in Water Capital Outlay Account within the Water Operating Fund (7-05-55-511-500) -- Not to exceed \$34,848.00

Services From: A.C. Schultes, Inc
664 South Evergreen Avenue
Woodbury Heights, N.J. 08097

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. 2017-126**

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:

Broken Water Main at 10 Main Street and Manhole Frame & Cover at 6 Main Street
Funds available in Maintenance of Equipment Accounts within the Water and Sewer Operating
Budgets..... \$9,800.00

Services From:

B&W Construction Company of NJ Inc,
PO Box 974
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/Mann, C/Marter, C/Robilotti, C/Wojyn

Nays: None

Abstain: None

Absent: None

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2017-127**

APPOINTMENT OF IN REM FORCLOSURE ATTORNEY

WHEREAS, the Council of the Borough of Englishtown is knowledgeable that there is a need for the appointment of an Attorney to advise the Council of legal matters OF in Rem Tax Foreclosure Services; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40:11-1-et seq.) requires that the Resolution authorizing the appointment of an Attorney for "Professional Services" without competitive bids must be publicly advertised:

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

1. Keith A. Bonchi, Esquire be appointed as the Attorney for the handling of In Rem
2. The said party be appointed above shall provide such legal services to the Borough of Englishtown for an amount not to exceed \$10,000.00 as certified by the Chief Financial Officer against Current Fund Budget Account 7-01-20-155-100 entitled "Outside Counsel Legal Services".
3. The Borough Clerk shall cause notice of the passage of this Resolution of Appointment to be published in the official newspapers of the Borough of Englishtown in accordance with the Local Public Contracts Law.

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. 2017-128**

AUTHORIZING MAYOR TO SIGN CONTRACT FOR "IN REM FORCLOSURE SERVICES

WHEREAS, the Borough of Englishtown, has determined through the Tax Collector there are four (4) properties within the Borough that have not paid taxes; and

WHEREAS, the attached contract has been presented to the Mayor and Council to pursue In Rem procedures on the following:

Block - 4 Lot - 38

Block - 4 Lot - 40

Block - 4 Lot - 1

Block - 9 Lot - 13

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 to execute the contract the attached agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Municipal Clerk to Keith A. Bonchi, Equire, CFO Laurie Finger, CTC Janice Garcia, and the Municipal Clerk Peter Gorbatak.

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- 129**

**RESOLUTION AUTHORIZING AN ACCELERATED TAX SALE TO BE HELD IN
ACCORDANCE TO THE RULES AND REGULATIONS PURSUANT TO N.J.S.A.
54:5-19**

WHEREAS, according to the amended regulations set forth in N.J.S.A. 54:5-19 et seq., all taxes and municipal water and sewer, and other lienable charges payable through the eleventh day of the eleventh month of the current fiscal year shall be subject to tax sale and offered for sale of lien to the lowest bidder or highest premium bidder at a tax sale to be held on December 18, 2017 at 11:00 A.M., at the Borough of Englishtown Municipal Building, 15 Main Street Englishtown, New Jersey; and

WHEREAS, there are delinquencies appearing in the records of the Borough of Englishtown for monies levied on the owners of record as they appear in the official tax list filed in the office of the Collector of Taxes of the Borough of Englishtown, as well as listings from the Borough of Englishtown Municipal Water and Sewer Department.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth State of New Jersey that the Tax Collector of the municipality be and is hereby authorized, to hold a Tax Sale for taxes, water and sewer arrears for properties located in our municipality on December 18, 2017, with official notices of sale being advertised and notice the owners of record according to the requirement of N.J.S.A. 54:5-19 et seq.

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. 2017-130**

**RESOLUTION REGRETFULLY ACCEPTING THE
RESIGNATION OF SPECIAL LAW ENFORCEMENT OFFICER KEVIN ROMANO**

WHEREAS, Kevin Romano has served as a Special Law Enforcement Officer for the for the Borough of Englishtown and;

WHEREAS, Kevin Romano started his employment August 10, 2016 in the Police Department of the Borough of Englishtown and;

WHEREAS, Kevin Romano did tender his resignation to Lt. Peter Cooke with his last day of employment being August 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Englishtown Borough Council regretfully accepts the resignation of Special Law Enforcement Officer Kevin Romano.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer and Police Lt. Peter Cooke.

Offered by: C/Krawiec

Seconded by: C/Robilotti

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. 2017-131**

**REMOVAL OF PROBATION PERIOD FOR POLICE OFFICER
MICHAEL MAKWINSKI**

WHEREAS, Michael Makwinski was appointed as a full time police officer on June 23, 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 September 21, 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 Michael Makwinski.

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 Michael Makwinski.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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. 2017-132**

**AUTHORIZING LIEUTENANT TO INTERVIEW AND APPOINT
CLASS II SPECIAL LAW ENFORCEMENT OFFICER**

WHEREAS, there is a need to hire a part time Class II Special Law Enforcement Officer to maintain staffing in the Police Department.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Lieutenant Cooke along with the Police Commission is hereby authorized to proceed to interview and hire to fill the said position.

Offered By: C/Krawiec

Seconded By: C/Robilotti

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. 2017-133**

**RESOLUTION OF THE MAYOR AND GOVERNING BODY
GRANTING APPROVAL FOR RAFFLE APPLICATION NO. RA 2017-02**

WHEREAS, the Knights of Columbus #5903 has applied to the Governing Body of the Borough of Englishtown for a raffle license for December 4, 2017; and

WHEREAS, the Knights of Columbus #5903 has paid all the proper fees to the Borough of Englishtown and submitted the proper fees to be forwarded to the Legalized Games of Chance Control Commission; and

WHEREAS, the Mayor and Governing Body of the Borough of Englishtown finds that the Knights of Columbus #5903 is a qualified applicant and the members of the Knights of Columbus #5903 are designated to conduct games of chance and are of good moral character and said members have never been convicted of a crime to the best of the Council's knowledge; and

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

WHEREAS, there is satisfactory proof that the Knights of Columbus #5903 will not make payment for the conducting of the game or assisting therein, except to the extent allowed by law; and

WHEREAS, The Knights of Columbus #5903 has stated that any rental to be paid for raffle equipment does conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor, should there be one, has been approved by the Control Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Raffle Application No. RA2017-02 for the Knights of Columbus #5903 be approved as required by N.J.A.C. 13:47-4.11 and forwarded to the Legal Games of Chance Control Commission as prescribed by N.J.A.C. 13:47-4.3 (b); and

BE IT FURTHER RESOLVED, that a copy of Raffle License RA2017-02 be forwarded by the Municipal Clerk to the Legalized Games of Chance Control Commission for their review and determination; and

BE IT FURTHER RESOLVED, on the fifteenth day after Raffle Application No. RA2017-02 has been forwarded to the Legalized Games of Chance Control Commission with no objections received, Raffle License No. RA2017-02 may be issued to the Knights of Columbus #5903 and copies of said license shall be distributed to the Licensee, the Municipal Clerk, and the Borough of Englishtown Police Dept.

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. 2017-134**

**REQUEST OF START/END TIME CHANGE FOR CDBG (COMMUNITY
DEVELOPMENT BLOCK GRANT) CURB CUT PROJECT**

WHEREAS, currently the Borough of Englishtown has established in Ordinance 1998-09 hours of operation of 8:00 AM – 5:00 PM for noise control; and

WHEREAS, the Borough Engineer had run into issues for the completion of this project and had deemed it necessary to obtain A&A Curbing, Inc., of South River for completion; and

WHEREAS, the current project is funded through Community Development Block Grant (CDBG) of Monmouth County the Borough of Englishtown and must complete this project no later than December 31, 2017 or forfeit the grant award; and

WHEREAS, during the pre-construction meeting A&A Curbing, Inc. requested the hours be adjusted to 7:00 AM to 6:00 PM for this project to assure timely completion and avoid any forfeiture of this grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey agree and this request be honored.

BE IT FURTHER RESOLVED a certified true copy of this Resolution be forwarded to A&A Curbing, Inc., South River, CFO Laurie Finger, Lt. Peter Cooke and Peter Gorbatuk, Municipal Clerk.

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. 2017-135**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
FOR VARIOUS ADA INTERSECTION IMPROVEMENTS THROUGH COMMUNITY
DEVELOPMENT BLOCK GRANTS**

WHEREAS, Englishtown Borough has received Community Development Block Grant in the amount of \$114,862.00 for the project known as ADA Intersection Improvements;

WHEREAS, the Borough advertised for bids, and received proposals on August 22, 2017 at 11:00 A.M., in the Borough's offices, for the Project; and

WHEREAS, A&A Curbing 15 Terry Avenue, South River New Jersey is determined to be the lowest responsible bidder and was awarded the contract after review of the bid documents ; and

NOW THEREFORE BE IT RESOLVED, that the Mayor is authorized to execute a contract with A&A Curbing 15 Terry Avenue, South River New Jersey, in the amount of \$81,122.85, the total bid, for the improvements to the various intersections selected in a form consistent with the language of the bid proposal.

BE IT FURTHER RESOLVED, that the contract is conditioned upon the Borough Attorney's review and approval of the contract document, NJDOT approval and certification by the Borough's Chief Financial Officer of the availability of funds for this project.

BE IT FURTHER RESOLVED, that the Clerk's Office is authorized to forward a copy of this Resolution to the Borough Attorney, the Borough Engineer, A&A Curbing, and the Borough's Chief Financial Officer.

Offered: C/Robilotti

Seconded: 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. 2017-136**

**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 \$718,597.24 are hereby authorized to be paid on September 27, 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

No Tax Report for August 2017 at this time.

Public Portion

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

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

The time being 8:17 P.M.

Adjournment

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

The time being 8:00P.M.

October 25, 2017

Approved by Governing Body

Peter Gorbatuk

Municipal Clerk