

**** WORKSHOP AGENDA ****

October 23, 2019

6:30 P.M.

AMENDED AGENDA

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: Copy Machine Decision
Existing Phone System
Parking Availability in Englishtown
Interview Candidates for Vacant Council Seat
3. Adjournment

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

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

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

C/Wojyn, Copy Machine Decision to be made at the November 18th meeting.

Phones lines have not been installed as per Monmouth County Sheriffs requirement Of 4 lines and we only have 1. Ticket was requested week of the 16th Looking at the Contract.

Parking availability for local business will be addressed by Mayor Reynolds. Present owner of the property located at Main and Water has changed the parking area as it is his property. Discussed available parking at the Municipal Building, a few spots behind the building and new lot next to the Municipal Building, would first need to get the property cleared of a large pine tree, would require stone and would work with Monmouth County to develop the lot.

Council Members interviewed four candidates for the vacant seat:

Lori Cooke, Daniel Mann, Daniel Francisco, Wayne Krawiec wished not to pursue the vacant seat and withdrew. Once the interviews of the three candidates were concluded, Mayor Reynolds asked for a motion on Lori Cooke with C/Wojyn making the motion however there was no second. Mayor Reynolds asked if there was a motion for Daniel Mann and there was no motion. Mayor Reynolds asked if there was a motion for Daniel Francisco, a motion was made by C/Marter and a second by C/Robilotti a roll call vote of C/Krawiec, C/Mann, C/Marter, C/Robilotti, and C/Wojyn cast Ayes votes. Daniel Francisco to fill the vacant seat.

At this time Municipal Clerk initiates the Oath of Office for Councilman Daniel Francisco

*** 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. Englishtown Fire Department Presentation
5. Best Practices – CFO Laurie Finger
6. Approval of Minutes: September 25, 2019
Executive Session: September 25, 2019
7. Committee Reports
8. Correspondence
9. 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. 2019-125
Resolution Opposing the Attorney Generals Immigrant Trust Directive and Supporting the Monmouth County Sheriff's Continuing Cooperation With U.S. Immigration and Customs Enforcement Agents.
 - B. Resolution No. 2019-126
Resolution of Retirement of Tax Collector Janice Garcia
 - C. Resolution No. 2019-127
Resolution Authorization of Purchases Over \$2,625.00
 - D. Resolution No. 2019-128
Resolution Authorizing Payment of Borough Bills
10. Tax Collector Report: September – 2019

11. Public Portion – Non Agenda Items
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 7:52 P.M.

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

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.

Englishtown Fire Department Presentation – Attorney Joseph Youssouf.

Attorney Joseph Youssouf highlighted that the Fire District continues to serve the public interest and is more efficient than providing the same service by a public facility. He states that the Englishtown Fire District has the lowest tax rate compared to other towns. There is a shared service with Manalapan Fire District #2 which brings in revenue to help offset the maintenance of apparatus and equipment. Training of new and old firefighters is available and welcomed. Debt service is steady with no new debt until old debt is paid off. The firehouse is maintained and in good shape.

Presentation: 2019 Best Practices Inventory – CFO Laurie Finger

CFO Laurie Binger presented the Best Practices Inventory to Mayor and Council, explaining that in accordance with LFN 2019-12 the completed checklist must be an agenda item for discussion at a regular scheduled meeting and be recorded into the minutes prior to October 30, 2019.

There are a total of 84 questions of which 31 are unscored and 30 new scored questions have been added. Municipalities must receive a minimum score of 30 in order to receive 100% State Aid this year. Highest possible to score to obtain State Aid is 46.

CFO Finger went over the questions that the Borough received a NO answer to and explained that some of the questions are not geared toward small municipalities. The Borough of Englishtown obtained a score of 41.00% and will receive 100% State Aid.

Approval of Meeting Minutes: September 25, 2019.

Executive Minutes: September 25, 2019

There being no corrections, deletions or additions, a motion to approve the September 25, 2019 minutes was offered by C/Krawiec, seconded by C/Robilotti. Passed on the following roll call:

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

Nays: None

Abstain: None

Absent: None

Committee Reports

Administration, Finance & Personnel

Councilwoman Robilotti reported:

Public Safety

Councilman Wojyn reported: Read Police Reports for September

Public Buildings & Grounds

Councilman Mann reported:

Public Utilities

Councilwoman Krawiec reported:

Legislative, Insurance & Licenses

Councilman Marter reported:

Code Enforcement, Public Health, Welfare & Public Events

Councilwoman Robilotti

Technology

Councilman Marter reported:

Correspondence

Peter Gorbatuk, Municipal Clerk reported: The Monthly Budget Report September 2019 has been forwarded to Mayor and Council and is on file in the Municipal Clerks office

Please pass your 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/Robilotti.

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

New Business

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-125

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
ENGLISHTOWN OPPOSING THE ATTORNEY GENERAL'S IMMIGRANT TRUST
DIRECTIVE AND SUPPORTING THE MONMOUTH COUNTY SHERIFF'S
CONTINUING COOPERATION WITH U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT AGENTS

WHEREAS, The New Jersey Attorney General issued a directive placing limits on local police cooperation with federal immigration agents performing their sworn duty to enforce federal immigration law; and;

WHEREAS, The rationale advanced in support of this directive is to draw a clear line between enforcement of state laws by New Jersey's law enforcement officers and enforcement of federal laws by federal immigration enforcement authorities thereby maintaining trust for local police in immigrant communities; and

WHEREAS, A central precept of immigrants becoming American citizens is the oath of allegiance to our nation, compliance with its laws and respect for its institutions; and

WHEREAS, No immigrant legally entering our nation should fear federal, state or local law enforcement personnel as they all exist to serve and protect the public and insure peace and public order in our communities; and

WHEREAS, All elected and appointed state and local officials swear an oath to uphold and defend both the constitution of the United States and the constitution of the State of New Jersey and all laws enacted thereunder; and;

WHEREAS, It is the considered opinion of the Mayor and Council of the Borough of Englishtown that a directive issued by the highest law enforcement official of the state prohibiting local and county law enforcement officials from duties is inappropriate and exceeds the lawful authority of the Attorney General of the State of New Jersey; and;

WHEREAS, Continued cooperation between local and federal law enforcement agencies is in the public interest, necessary and proper to the fair administration of justice in New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that, by these presents, they express their opposition to the so-called “Immigrant Trust Directive” and express support for full cooperation between state, local and federal officials.

Offered By: C/Robilotti

Seconded By: C/Wojyn

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

Nays: None

Abstain: None

Absent: None

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-126

RESOLUTION OF RETIREMENT OF TAX COLLECTOR JANICE GARCIA

WHEREAS, Janice Garcia has been employed by the Borough of Englishtown since 1995 in multiple positions ranging from a Water/Sewer Receptionist Clerk, Deputy Tax Collector to the present day Tax Collector; and

WHEREAS, Janice Garcia has faithfully and conscientiously served the Borough and its citizens for 24 plus years; and

WHEREAS, Janice Garcia has been instrumental in introducing resident tax and utility bill paying on line; and

WHEREAS, Janice Garcia has requested retirement from her position as Borough of Englishtown Tax Collector with her last day being December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Englishtown Borough Council regretfully accepts the letter of retirement and commends Janice Garcia for the many years of Valuable service and expresses its sincere thanks on behalf of the Borough of Englishtown
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer, and Tax Collector Janice Garcia.

Offered by: C/Robilotti

Seconded by: C/Mann

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

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-127

AUTHORIZATION OF PURCHASES OVER \$2625.00

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:

Water Department \$2,988.00

Purchased From: G. P. Jager, Inc.
P O Box 50
Boonton, NJ 07005

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/Marter

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

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-128

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 \$635,758.29
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/Krawiec, C/Mann, C/Marter, C/Robilotti, C/Wojyn

Nays: None

Abstain: None

Absent: None

Tax Collector's Report: At this time Mayor Reynolds reads the following reports for September 2019

September 2019

2020 Taxes Year	\$440.96
2019 Taxes Year	\$25,199.81
<u>Interest</u>	<u>231.59</u>
Total Disbursements	\$25,872.36

CFO Laurie Finger at this time provided a report of Sale of a Bond Anticipation Note today October 23, 2019 in the amount of \$440,000.00. There were three bids received, those being from Monmouth County for 1.95% , Oppenheimer & Co for 2.25% and Roosevelt & Cross, Inc. for 3.00%. The award was made to the low bidder, Monmouth County at 1.95% for 1 year maturing on October 30, 2020.

Public Portion

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

At this time the following Resolutions are added by Chief Pete Cooke.

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-129

APPOINTMENT OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER

WHEREAS, Chapter 22 of Title 4 of the Revised Statutes, requires the municipality to appoint a Municipal Humane Law Enforcement Officer (MHLEO); and

WHEREAS, Scott Irvin Zapora of East Windsor N.J. has qualified for the position by completing the Municipal Humane Law Enforcement Officer training course developed by the New Jersey State Police Training Commission; and

WHEREAS, the Chief of Police has recommended Scott Irvin Zapora of East Windsor, N.J. for the position of Municipal Humane Law Enforcement Officer; and

WHEREAS, the Mayor and Council desire to appoint Scott Irvin Zapora of East Windsor, N.J. as the Municipal Humane Law Enforcement Officer for the Borough of Englishtown;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown County of Monmouth, State of New Jersey that Scott Irvin Zapora of East Windsor, N.J. is hereby appointed to the position of Municipal Humane Law Enforcement Officer (MHLEO) for an annual term concluding on December 31, 2019;

BE IT FURTHER RESOLVED, that a certified true copy of this resolution be forwarded to the Chief of Police, the Police Training Commission, the Monmouth County SPCA Police Chief Ross Licitra and Scott Irvin Zapora.

Offered By: C/Mann

Seconded By: C/Robilotti

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

Nays: None

Abstain: None

Absent: None

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-130

APPOINTMENT OF MUNICIPAL CODE ENFORCEMENT OFFICER

WHEREAS, there is a need to hire a Municipal Code Enforcement Officer; and

WHEREAS, the Chief of Police has recommended Richard Norman Thompson of Manalapan, N.J. for the position Municipal Code Enforcement Officer; and

WHEREAS, the Mayor and Council desire to appoint Richard Norman Thompson of Manalapan, N.J. for the position of Municipal Code Enforcement Officer for the Borough of Englishtown; and

WHEREAS, Richard Norman Thompson will be sworn in by the Municipal Clerk on October 24, 2019 as the Municipal Code Enforcement Officer for the Borough of Englishtown.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown County of Monmouth, State of New Jersey that Richard Norman Thompson is hereby appointed Municipal Code Enforcement Officer for the Borough of Englishtown as follows:

1. Appointment is effective October 24, 2019
2. Salary is effective October 24, 2019 in the amount of \$15.00 per hour, paid semi-monthly per the salary ordinance.
3. That said appointment is probationary for one year and said probation shall culminate on October 24, 2020.
4. That said appointment is for the remainder of this calendar year and subject to re-appointment annually.

BE IT FURTHER RESOLVED that a certified true copy of this resolution be forwarded to the Chief of Police, the Chief Financial Officer and Richard Thompson.

Offered By: C/Robilotti

Seconded By: C/Mann

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

Nays: None

Abstain: None

Absent: None

BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2019-131

CONDITIONAL OFFER OF EMPLOYMENT FOR CLASS II SPECIAL LAW
ENFORCEMENT OFFICER

WHEREAS, there is a need to hire a part-time Class II Special Law Enforcement Officer; and

WHEREAS, William Bryan Sabin, Jr. of Freehold, N.J. has satisfactorily completed the Basic Course for Class II Special Law Enforcement Officer; and

WHEREAS, it is the recommendation of the Chief of Police to make a conditional

offer of employment to William Bryan Sabin, Jr. of Freehold, N.J. for the position of Class II Special Law Enforcement Officer; and

WHEREAS, that the following appointment is conditional upon the successful passing of a physical examination, psychological examination, drug testing by urinalysis, firearms qualification and satisfactorily paying any financial obligation owed to the municipality that sent William Bryan Sabin, Jr. to the Ocean County Police Academy to attend the Basic Course for Class II Special Law Enforcement Officer, and

WHEREAS, said appointment shall be in accordance with any existing laws or policies regulating said office; and

WHEREAS, the date of hire shall be determined by the Chief of Police and the Salary shall be at the rate of \$14.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown County of Monmouth, State of New Jersey that the Chief of Police is authorized to offer a conditional offer of employment to William B. Sabin, Jr. of Freehold, N.J. for the position of Class II Special Law Enforcement Officer and the following appointment is conditional upon the successful passing of a physical examination, psychological examination, drug testing by urinalysis, firearms qualification and satisfactorily paying any financial obligations owed to the municipality that sent him to the Ocean County Police Academy to attend the Basic Course for Class II Special Law Enforcement Officer.

BE IT FURTHER RESOLVED that a certified true copy of this resolution be forwarded to the Chief of Police, Police Commissioner Greg Wojyn and William Bryan Sabin, Jr.

Offered By: C/Robilotti

Seconded By: C/Mann

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

Nays: None

Abstain: None

Absent: None

Chief Pete Cooke

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

Executive Session:

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

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

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc;
4. Any collective bargaining agreement or terms and conditions related thereto;
- 5.
6. Any matter involving the purchase, lease or acquisition of real property with public funds;
7. Any tactics and techniques utilized in protecting the public safety and property;
8. 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;
9. 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;
10. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit; and

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

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Sections 8 of N.J.S.A. 10:4-12b is required to discuss attorney performance.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the public be excluded from this portion of the public meeting convened on the 30th. day of October, 2019 pursuant to Section 8 of the Open Public Meetings Act.

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

Offered By: C/Mann

Seconded By: C/Marter

Passed unanimously

The time being 8:37 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 8:53 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 8:54P.M.

November 18, 2019

Approved by Governing Body

Peter Gorbatuk

Municipal Clerk