

**BOROUGH OF ENGLISHTOWN**

**\*\* MINUTES \*\***

**January 25, 2023**

**7:30 P.M.**

**WORK SESSION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN  
15 Main Street, Englishtown, New Jersey 07726.**

**Meeting Called to Order and Roll Call:**

The meeting was called to order by Mayor Reynolds at 7:30 P.M.

Roll Call Present: C/Francisco, C/Krawiec, C/M.Lewis, C/W.Lewis, C/Mann,  
C/Robilotti and Mayor Reynolds

Absent: None

Also Present: Borough Attorney Joseph Youssef, Police Chief Cooke

There were no discussion items this evening.

**Adjournment:**

There being no discussion items a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Mann, with all present Council members in favor of adjournment. Time of adjournment was 7:32 pm.

**REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN  
15 Main Street, Englishtown, New Jersey 07726.**

**Meeting Called to Order and Roll Call:**

The meeting was called to order by Mayor Reynolds at 7:32 P.M.

Roll Call Present: C/Francisco, C/Krawiec, C/M.Lewis, C/W.Lewis, C/Mann,  
C/Robilotti and Mayor Reynolds

Absent: None

Also Present: Borough Attorney Joseph Youssef, Police Chief Cooke

**Statement of Compliance with Sunshine Law**

Mayor Reynolds announced that 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. The meeting was deemed in compliance with the Open Public Meetings Act.

**Moment of Silence and Salute to the Flag**

Led by Mayor Reynolds.

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-041**

**APPOINTMENT OF INTERIM MUNICIPAL CLERK/REGISTRAR**

**WHEREAS**, their exists a temporary vacancy in the position of Municipal Clerk Registrar in the Borough of Englishtown; and

**WHEREAS**, during the interim vacancy the Council desires to fill the vacant position by appointing Christine Robbins as the Municipal Clerk/Registrar at an hourly rate of \$40.00 and not to exceed twenty-five (25) hours per week with an effective date of January 25, 2023. This term will last until a new Clerk is appointed.

**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 appoints Christine Robbins as the Interim Municipal Clerk/Registrar

**BE IT FURTHER RESOLVED** that a certified true copy of this Resolution be forwarded to the Chief Financial Officer.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis	X	X			
W. Lewis	X	X			
Mann		X			
Robilotti		X			
Mayor Reynolds	tie vote only				

Oath of Office Administered to Christine Robbins to serve as Interim Municipal Clerk/Registrar for the Borough of Englishtown, by Township Attorney, Joseph Youssouf. Meeting turned over to Clerk Robbins.

**Approval of Minutes:**

December 28, 2022  
 December 28, 2022 Executive Session

Council had no time to review minutes and requested they be tabled. Motion to table the Approval of Minutes for December 28, 2022 and December 28, 2022 Executive Session Minutes to the February 22, 2023 Council Meeting was made by C/Mann and seconded by C/W. Lewis. All in favor.

**Councilmember Committee Reports:**

Council Assignments not yet voted on so Committee Reports moved to later in the meeting.

**Correspondence:**

There are no correspondence this evening.

**Open Public Portion Limited to Agenda Items Only:**

Motion was made by C/W. Lewis, seconded by C/Francisco All in favor.

**Public Comment:**

There being no public comments on agenda items, a motion was made by C/Mann, seconded by C/Robilotti to close to public comment section. All in favor.

**OLD BUSINESS:**

**BOROUGH OF ENGLISHTOWN – Tabled at the January 10, 2023 Council Meeting  
RESOLUTION NO. 2023-011**

**COMMITTEE ASSIGNMENTS**

**WHEREAS**, the business and affairs of the Borough of Englishtown may properly be classified and divided into six groups:

1. Administration, Finance, Personnel Committee and Technology
2. Public Safety Committee
3. Public Buildings and Grounds Committee
4. Public Utilities Committee
5. Legislative, Insurance and Licenses Committee
6. Code Enforcement/Public Health, Welfare and Public Events Committee

**BE IT FURTHER RESOLVED**, that the standing committees are appointed to expedite and facilitate the work of Council, but only within statutory limits as the entire Council is held responsible for any or all of its acts performed within the scope of authority.

**Administration, Finance, Personnel and Technology**

**Chairperson: C/Robilotti Co: C/W. Lewis**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the administration, finance and personnel activities and matters listed below as established by Council:

1. The examination, review, and approval of all vouchers prior to their submission to the Council for authority to pay same.
2. The administration, practices, procedures, and records as established by Council of the following:
  - a. The administrator/clerk and his/her office
  - b. The treasurer and his/her clerk
  - c. The tax collector and his/her office
  - d. The water and sewer clerk and his/her office
  - e. The court administrator and his/her office

3. The coordination of departmental budgets, the preparation of budgetary figures relative to the activities above-mentioned. The final preparation, explanation, and continuing supervision of the entire municipal budget.
4. The maintenance, review, and revision of the Borough cost system and balance of appropriations.
5. Primary responsibility for the recruitment and recommendation of personnel for position within the Borough Municipal Government and review of Borough personnel policy manual as needed.
6. The review of maintenance, inventory, and security procedures for equipment and records of the Borough Offices.
7. It shall also serve as the liaison between the Council and the Municipal Auditor, and with any other body or organization on fiscal matters.
8. Technology: will be responsible to have oversight of the Borough Website, IT Communication, Tech. Infrastructure and how it could relate to enhanced service to the residents of the Borough of Englishtown.

**Public Safety    Chairperson: C/W. Lewis    Co: C/Francisco**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the public safety administration, practices, procedures, and records activities and matters listed below as established by Council:

1. Supervision and direction of police department.
2. Highway and street traffic and all parking matters.
3. Investigation and inspection of persons and premises prior to granting licenses, as directed by Council.
4. Inform proper committee chairperson of all hazardous, unsafe and unhealthy conditions in the Borough.
5. The review of maintenance, inventory, and security procedures.
6. Assists in coordinating emergency management plan for the Borough.
7. Shall act as liaison to the fire and first aid units serving the Borough of Englishtown.
8. It shall also serve as liaison between Council and other forms of law and public safety organizations.

**Public Buildings and Grounds Chairperson: C/Krawiec Co: C/Mann**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the Public Buildings and Grounds administration, practices, procedures, and records activities and matters listed below as established by Council:

1. Maintenance and use of all municipal owned building and equipment.
2. Control inventory of all Borough equipment and supplies relevant to maintenance of Borough property.
3. Maintenance of Borough fire alarm system (with recommendation of public safety committee).
4. Park maintenance.
5. Maintenance and cleaning of public grounds, roads, streets, curbs, and gutters of snow and litter, and cutting of grass and weeds and litter removal.
6. Erection of signs and street painting as designated by Council.
7. Maintenance, cleaning and improvements of off street parking areas.
8. Street and road construction and improvements.
9. Proper maintenance, inventory, and security of department equipment.
10. Primary supervision of Borough maintenance personnel.
11. It shall also serve as the liaison between the Council and State and County highway department, except in traffic matters, which are under the jurisdiction of public safety committee.

**Public Utilities Chairperson: C/Mann Co: C/Robilotti**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the Public Utilities administration, practices, procedures, and records activities and matters listed below as established by Council:

1.
  - a. Water Department
  - b. Sewer Department
  - c. Garbage, refuse, and recycling activities
2. It shall also serve as the liaison between Council and the various utility organizations operating within the Borough, such as; electric, telephone, transportation, natural gas and cable TV.

**Legislative, Insurance, and Licenses Chairperson: C/M. Lewis Co: C/Krawiec**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the legislative, insurance and licenses administration, practices, procedures, and records activities and matters listed below as established by Council:

1. The examination, review and investigation of any and all legislation effecting the Borough and to make recommendations to Council and act as a liaison between Council and the State Legislature, County Freeholders, and the Federal Government.
2. The examination, review and approval of all licenses prior to submission to Council.
3. The review, revision, and all other matters pertaining to any insurance coverage of the Borough.

**Code Enforcement/Public Health, Welfare and Public Events Committee**

**Chairperson: C/Francisco**

**Co: C/M. Lewis**

**BE IT FURTHER RESOLVED**, that the Chairperson of this committee oversees the code enforcement, public health, welfare and public events administration, practices, procedures, and records activities and matters listed below as established by Council:

1. Supervision and direction of Code Enforcement Dept.
  - a. Code enforcement officer in matters related to health
  - b. Animal control activities
2. It shall also serve as liaison between the Council and the Board of Health and other organizations or agencies concerned with public health and/or welfare.
3. Responsible for scheduling and organization of public events, recreation and public park usage.

**BE IT FURTHER RESOLVED**, that the entire membership of this Borough Council shall be constituted as an auditing committee and audit all vouchers for payment of money and that all vouchers much be submitted to the chairperson of the Committee for which the said voucher has been rendered for his/her approval or disapproval before coming to full Council for payment.

**BE IT FURTHER RESOLVED**, that all purchase orders be signed by the appropriate Chairperson, prior to payment processing.

**BE IT FURTHER RESOLVED**, the committees shall meet when requested by the Chairperson, Mayor, or at the request of Council, and that all members thereof shall participate actively in the committee deliberations, performance of duties and the formulation of its recommendation to Council.

**BE IT FURTHER RESOLVED**, the Chairperson of each standing committee shall prepare a report for the Mayor and Council for the monthly council meeting on principal activities and achievements of his/her committee.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X	X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**NEW BUSINESS:**

**BOROUGH OF ENGLISHTOWN  
ORDINANCE NO. 2023-01**

**FIRST READING & INTRODUCTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 2022-01 OF THE  
BOROUGH OF ENGLISHTOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
CREATING A SOLID WASTE UTILITY AND SETTING FORTH THE METHOD OF  
CALCULATION AND COLLECTION OF SERVICE FEES FOR SAME**

**WHEREAS**, the Borough Council of the Borough of Englishtown desires to create a solid waste utility to provide the mechanism to award a municipal solid waste collection contract; and

**WHEREAS**, N.J.S.A. 40A:-34 through 40A:4-26 provides for the establishment of a dedicated utility fund; and

**WHEREAS**, a bid has been prepared and a bid received for the provision of solid waste collection services in accordance with applicable law.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, that a solid waste utility is herewith created by amending Chapter 2, Section 57 BRUSH, TRASH AND DEBRIS, to include a new section 57.05, SOLID WASTE UTILITY, by adding new sections as follows:

**57.05 SOLID WASTE UTILITY**

- A. A solid waste utility is hereby created to transact the collection and disposal of solid waste as provided by law.
- B. Said solid waste utility shall be self-liquidating with a dedicated budget as provided by N.J.S.A.40A: :4-34 through 40A:4-36.

**57.05.01 Recovery of costs; fees.**

The costs associated with the collection and disposal of solid waste shall be recovered as may be provided in the contract or contracts made by the Borough for such services, plus uniform fees fixed from time to time by the Borough Council and collected from the property owners to whom the service is available.

**57.05.02 Service charge.**

There is hereby established a solid waste service charge to be imposed annually upon the owners of those properties for which a solid waste collection and disposal service is made available by the Borough. The funds so collected shall be paid into the dedicated Solid Waste Utility Fund of the Borough of Englishtown.

**57.05.03 Computation of service charge.**

The solid waste service charge for residential properties served, unless and until nonresidential properties are served shall be computed by dividing the approved annual budget of the Solid Waste Utility by the number of residential units to which the service will be made available by the Borough. The annual service fee for solid waste collection shall be three hundred ninety dollars (\$390.00) per annum per residential unit. Said service fee shall begin on January 1, 2023.

**57.05.04 Payment of service charge.**

Upon approval of the annual service charge by the Borough Council, the Borough utility collector shall bill the owner of each property to which the service is available, based upon the number of residential units therein, during the first 30 days of each year or as soon thereafter as is practical. The annual solid waste service charge shall be paid in two equal installments, being due on April 1 and October 1.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco				X	
Krawiec		X			
M Lewis				X	
W. Lewis		X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular Council Meeting of the Borough of Englishtown held on January 25, 2023 and will be further considered for final passage after a Public Hearing during the council meeting to be held on February 22, 2023 at 7:30 p.m. in the Englishtown Borough Municipal Building, 15 Main Street, Englishtown, N.J. At said time and place, all persons will be granted the opportunity to be heard concerning this Ordinance prior to its consideration for adoption by Council.

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-042**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trystone Capital Assets, LLC :

Tax Sale Certificate No. 21-00011  
 Block 17, Lot 9  
 18 Victory Drive  
 in the amount of \$8,979.14  
 premium of \$4,900.00  
 total of **\$13,879.14**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$13,879.14.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$13,879.14 to Trystone Capital Assets, LLC, P.O. Box 1030, Brick, NJ 08723:

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



<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X	X			
Robilotti		X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-043**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trystone Capital Assets, LLC :

Tax Sale Certificate No. 22-00004  
 Block 2, Lot 20.71  
 71 Carriage Lane  
 in the amount of \$36.17  
 premium of \$1,800.00  
 total of **\$1,836.17**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$1,836.17.

**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 \$1,836.17 to Trystone Capital Assets, LLC, P.O. Box 1030, Brick, NJ 08723:

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco	X	X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann		X			
Robilotti		X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-044**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trystone Capital Assets, LLC :

Tax Sale Certificate No. 22-00020  
 Block 14, Lot 1  
 14 Harrison Avenue  
 in the amount of \$228.38  
 premium of \$1,800.00  
 total of **\$2,028.38**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$2,028.38.

**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 \$2,028.38 to Trystone Capital Assets, LLC, P.O. Box 1030, Brick, NJ 08723:

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X	X		
Krawiec			X		
M. Lewis			X		
W. Lewis			X		
Mann			X		
Robilotti	X		X		
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-045**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trade Money LLC:

Tax Sale Certificate No. 22-00013  
 Block 6, Lot 14.22 Qual # C22  
 22 Oxford Court  
 in the amount of \$358.23  
 premium of \$1,800.00  
 total of **\$2,158.23**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$2,158.23.

**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 \$2,158.23 to: Trystone Capital Assets LLC., P.O. Box 1030 Brick, N.J. 08723.

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X	X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-046**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trade Money LLC:

Tax Sale Certificate No. 22-00024  
 Block 26.03, Lot 8.03  
 4 Matlosz Court  
 in the amount of \$358.23  
 premium of \$1,800.00  
 total of **\$2,158.23**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$2,158.23.

**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 \$2,158.23 to: Trade Money LLC, 2 Palisades Road, Old Bridge, NJ 08857

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco	X	X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X	X			
Robilotti		X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-047**

**AUTHORIZING REFUND OF TAX SALE CERTIFICATE**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to Trystone Capital Assets, LLC :

Tax Sale Certificate No. 22-00008  
 Block 2, Lot 22.64 Qual #C64  
 64 English Club Dr.  
 in the amount of \$36.60  
 premium of \$2,100.00  
 total of **\$2,136.60**

**WHEREAS**, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$2,136.60.

**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 \$2,136.60 to Trystone Capital Assets, LLC, P.O. Box 1030, Brick, NJ 08723:

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis	X	X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-048**

**AUTHORIZATION OF SERVICES**

**WHEREAS**, the Borough of Englishtown Council requires that purchases and services over \$6,600.00 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:

2014 Dodge Engine Repair for the Police Department.....\$10,957.91

Services From:

All Car Auto Repair LLC.  
 84 Tracy Station Road  
 Manalapan, N.J. 07726

**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.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis	X	X			
W. Lewis		X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-049**

**AUTHORIZATION OF SERVICES**

**WHEREAS**, the Borough of Englishtown Council requires that purchases and services over \$6,600.00 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:

Water Main Break Repair on Wood Ave & Northgate Drive for the Water Dept....\$21,860.96

Services From:

B&W Construction Co of NJ Inc  
 PO Box 574  
 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.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis	X	X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-050**

**AUTHORIZING REFUND OF DUPLICATE TAX PAYMENT**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that, a refund is due to an overpayment on a Tax Sale Certificate being received from:

Trade Money LLC  
 For Block 13, Lot 8.01  
 in the amount of \$60.00

**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 \$60.00 to Trade Money LLC, 29 Palisades Road, Old Bridge, NJ 08857.

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X	X		
Krawiec			X		
M. Lewis			X		
W. Lewis			X		
Mann			X		
Robilotti	X		X		
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-051**

**AUTHORIZATION OF SERVICES**

**WHEREAS**, the Borough of Englishtown Council requires that purchases and services over \$6,600.00 or more be pre-approved by the Governing Body except in the case of imminent emergency situation; and

**WHEREAS**, the following itemized request(s) were submitted to the Chief Financial Officer by the respective Committee Chairperson(s) for Council approval; and

**WHEREAS**, the Chief Financial Officer certifies that appropriate funds are available for the following:

Software Maintenance for Finance, Tax, Animal & Water Sewer Departments.....\$11,445.52

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

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-052**

**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 \$775,767.90 are hereby authorized to be paid on January 25, 2023,
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.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann		X			
Robilotti	X	X			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
RESOLUTION NO. 2023-053**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
SUPPORTING THE APPLICATION OF ENCHANTING DANDELIONS LLC OF THE STATE  
OF NEW JERSEY CANNABIS REGULATORY COMMISSION FOR A CLASS 5 CANNABIS  
MICROBUSINESS RETAILER LICENCE WITHIN ENGLISHTOWN, NEW JERSY**

**WHEREAS**, tin 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law .L 2021. C 16, known as the “New Jersey cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the Act), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed Cannabis businesses, including Class 5 Cannabis Retailer Licenses, for businesses involved in retailing cannabis; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-7.10 Applicants for cannabis business licenses (License Applicants) need to submit proof of local support in the form of municipal approval from certain designated areas of its geographic boundaries; and

**WHEREAS**, at the hearing an opportunity for cross examination was offered to the public and a transcript was made which shall be made available at a reasonable fee for any interested party; and

**WHEREAS**, under N.J.S.A. 24:61, if a municipality does not enact an ordinance or repeals and ordinance banning one or more classes of cannabis businesses, then cannabis businesses will automatically be permitted to operate in the following areas for the next 5 years: A cultivator, manufacturer, wholesaler, distributor, or delivery service shall be permitted uses in all industrial zones of the municipality and a retailer shall be conditional use in all commercial zones or retail zones, though they must still meet any applicable zoning ordinance or get a variance in accordance with the “Municipal Land Use Law” P.L. 1975, c.291 (C.40:55D-1 et seq.). However, the Borough may still pass an ordinance addressing the permissible hours of operation and manner of operation at a later date; and

**WHEREAS**, the Borough Council has not imposed a limit on the number of licensed cannabis businesses within its jurisdiction, and has therefore determined that the issuance of a license to below license-applicants by the State Cannabis Regulatory Commission would not exceed any licensing limits; and

**WHEREAS**, in providing this letter of local support, the Borough Council expresses no opinion regarding the completeness of any application, its compliance with the Cannabis regulatory Commission’s application requirements or any applicable Borough zoning, land use, or planning requirements; and



**WHEREAS**, Enchanting Dandelions LLC is registered to do business in that State of New Jersey and intends to apply to the New Jersey Cannabis regulatory Commission for conversion of its conditional license to an annual Cannabis Retailer to operate an adult-use cannabis retail business within the Borough of Englishtown, New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Englishtown hereby supports the application of Enchanting Dandelions to the State of New Jersey Cannabis regulatory Commission for conversion of its conditional license to an annual Cannabis retailer License to operate and adult-use cannabis retail business within the Borough of Englishtown, New Jersey’s jurisdiction in accordance with the repeal of Ordinance No. 2022-012, as adopted on November 21, 2022; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide the Applicant with a sealed copy of this resolution to be included as part of their applications to the State of New Jersey Cannabis Regulatory Commission.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X		X		
Robilotti		X	X		
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-054**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN  
 COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
 SUPPORTING THE APPLICATION OF BUD IT UP LLC OF THE STATE OF NEW JERSEY  
 CANNABIS REGULATORY COMMISSION FOR A CLASS 5 CANNABIS MICROBUSINESS  
 RETAILER LICENCE WITHIN ENGLISHTOWN, NEW JERSEY**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law .L 2021. C 16, known as the “New Jersey cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the Act), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed Cannabis businesses, including Class 5 Cannabis Retailer Licenses, for businesses involved in retailing cannabis; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-7.10 Applicants for cannabis business licenses (License Applicants) need to submit proof of local support in the form of municipal approval from certain designated areas of its geographic boundaries; and

**WHEREAS**, at the hearing an opportunity for cross examination was offered to the public and a transcript was made which shall be made available at a reasonable fee for any interested party; and

**WHEREAS**, under N.J.S.A. 24:61, if a municipality does not enact an ordinance or repeals and ordinance banning one or more classes of cannabis businesses, then cannabis businesses will automatically be permitted to operate in the following areas for the next 5 years: A cultivator, manufacturer, wholesaler, distributor, or delivery service shall be permitted uses in all industrial zones of the municipality and a retailer shall be conditional use in all commercial zones or retail zones, though they must still meet any applicable zoning ordinance or get a variance in accordance with the “Municipal Land Use Law” P.L. 1975, c.291 (C.40:55D-1 et seq.). However, the Borough may still pass an ordinance addressing the permissible hours of operation and manner of operation at a later date; and

**WHEREAS**, the Borough Council has not imposed a limit on the number of licensed cannabis businesses within its jurisdiction, and has therefore determined that the issuance of a license to below license-applicants by the State Cannabis Regulatory Commission would not exceed any licensing limits; and

**WHEREAS**, in providing this letter of local support, the Borough Council expresses no opinion regarding the completeness of any application, its compliance with the Cannabis regulatory Commission’s application requirements or any applicable Borough zoning, land use, or planning requirements; and

**WHEREAS**, BUD IT UP LLC is registered to do business in that State of New Jersey and intends to apply to the New Jersey Cannabis regulatory Commission for conversion of its conditional license to an annual Cannabis Retailer to operate an adult-use cannabis retail business within the Borough of Englishtown, New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Englishtown hereby supports the application of BUD IT UP LLC to the State of New Jersey Cannabis regulatory Commission for conversion of its conditional license to an annual Cannabis retailer License to operate and adult-use cannabis retail business within the Borough of Englishtown, New Jersey’s jurisdiction in accordance with the repeal of Ordinance No. 2022-012, as adopted on November 21, 2022; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide the Applicant with a sealed copy of this resolution to be included as part of their applications to the State of New Jersey Cannabis Regulatory Commission.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco	X	X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann			X		
Robilotti	X		X		
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN  
 RESOLUTION NO. 2023-055**

**APPOINTMENT OF ALTERNATE II MEMBER OF THE  
 BOROUGH OF ENGLISHTOWN UNIFIED PLANNING/ZONING BOARD**

**WHEREAS**, there is a vacancy in the Unified Planning/Zoning Board; and

**WHEREAS**, the Borough of Englishtown Unified Planning/Zoning Board has a vacancy in the Alternate II seat; and

**WHEREAS**, it is the wishes of the Governing Body to fill said vacancy; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Kim Sabin be appointed a Alternate II member of the Borough Of Englishtown Unified Planning/Zoning Board for a term of one (1) year ending December 31, 2023.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be given to the Borough of Englishtown Unified Planning/Zoning Board Secretary and Kim Sabin.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis	X	X			
W. Lewis		X			
Mann		X			
Robilotti		X			
Mayor Reynolds	tie vote only				

**Tax Collector’s Reports:** November 2022 and December 2022  
 Read by Mayor Reynolds

**Open Public Portion Non-Agenda Items:**  
 Motion was made by C/Robilotti, seconded by C/Mann. All in favor.

**Public Comment:**

William Sabin – 22 Tennent Avenue

- Received a check for being on Council. Never wanted to take a salary. Would like to donate check to be put towards Recreation Committee.

Mayor and Council thank Mr. Sabin.

Scott – (Daniels Law)

- Spoke about Mayor and Council being more receptive to the needs of the town. It’s a vey safe town and wants to keep it that way. Urges that we need to hire more Special Officers. Taxes going up, deserve better services and police protection. Class II Officers deserve a salary increase. They put their life on the line daily. Need to get back to 8 full time officers. Currently only 7 which creates a managerial nightmare for the Chief to operate a 24/7 department.

Councilman Mann comments he spoke to the Police Chief and he advised him to put up a public question on the ballot to go over budget CAP. Everyone who pays taxes should have a vote.

Councilman William Lewis comments he is the new Police Commissioner and he will be presenting something soon.

Jesse Tossetti – 37 Hospitality Way

- Spoke about the Police Chief working for 2 years with no contract. We are the safest because of Chief Cooke and his understaffed force. Urges residents to give the newly elected officials time for change.

Lauren Roth, 40 Tennent Avenue

- Spoke about the Community Development Committee (CDC) which was created and reports it's going well. Requests a section on the agenda for the CDC and Rec Committee to give a report. Presents Mayor and Council the January publication she created and requests they review it. She would like to put it on the website.

Councilman William Lewis comments that the committee reports would be given to the Public Events Chairperson and they will read the reports into record.

There being no further comments, motion was made by C/Mann, seconded by C/Robilotti to close the public portion. All in favor.

### **Councilmember Committee Reports:**

**Councilman Krawiec – Public Buildings and Grounds** - reports that he's happy to be appointed to this committee. Was previously a DPW employee for 17 years and knows department functions well. Met with DPW today. Currently there is 1 full time and 1 part time worker. Asked them if they were prepared for ice and snow. They reassured him they are ready for any situation. Some of their duties include the cleaning of Borough Hall 3x/week, servicing the water plant everyday by adding lime and taking samples that get sent to the Water Superintendent. Asked them to continue picking up Christmas trees until all gone. Asked if there were any water meter failures during the cold months. This happens because some of the meters are in crawl spaces or on cold basement walls. They said they had to replace 4 meters of which were also replaced just last year because there is nothing protecting them from the cold. Urges residents to check where your water meters are and if in a cold space, wrap them. If residents do have a freeze, there is a shut off on each side of the meter. Will put this information on social media. Advises residents if they have any Public Buildings and Grounds issues to contact him and he will get back to all.

**Councilman Lewis- Public Safety** - turns it over to Chief Cooke who reads aloud the Police reports for December 2022 and 2022 Year to Date. Police Chief Cooke advises residents that the Police Department has a pick-up truck which is equipped with a plow to assist DPW in keeping parking lot clean and to be able to respond to any resident in the case of emergency.

Councilmember Mann inquires about other towns who have put stricter penalties in place for auto thefts is this something we should do.

Attorney Youssouf responded that thus far there has been no litigation regarding the stricter penalties put in place but let larger towns try this first.

**Councilwoman Robilotti – Administration, Finance, Personnel and Technology** - no report tonight.

**Councilman Francisco – Code Enforcement, Public Health, Welfare and Public Events** - turns over to Chief Cooke who reads aloud Code Enforcement report. Speaks about new Landlord Identity Law that landlords must register with the town for 2 family non-owner-occupied units. This law now includes room rentals. Must provide NJ Liability Insurance. Suggests Code Enforcement enforces these laws.

Councilman Krawiec asks how this works with group homes?

Attorney Youssouf responds this class is exempt from Code Enforcement and falls under State guidelines. They are permitted by State Law and regulated by State Law.

Councilman Francisco thanks all who want to bring business to our town and partner with Englishtown.

**Councilman Mann – Public Utilities** - no report tonight.

**Councilwoman Lewis – Legislative, Insurance and Licenses** – no report tonight

**Executive Session (Personnel):**

**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 contract negotiations;

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc.
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters, falling within the attorney-client privilege, to the extent that confidentiality is required.
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current officer or employee, employed or appointed by the public body.
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or suspension or loss of a license or permit.

**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.

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

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the public be excluded from this portion of the public meeting convened this 26<sup>th</sup> day of January, 2022, pursuant to Section 4 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.

Enter into Executive Session: Time: 8:31 P.M.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis	X	X			
W. Lewis		X			
Mann		X			
Robilotti		X			
Mayor Reynolds	tie vote only				

Council returned from Executive Session at 8:35 P.M. No action is taken.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
M. Lewis		X			
W. Lewis		X			
Mann	X	X			
Robilotti		X			
Mayor Reynolds	tie vote only				

**Adjournment:**

There being no further business a motion to adjourn was offered by C/W. Lewis seconded by C/Mann. All in favor. The time being 8:36 P.M.

February 22, 2023  
 Date Approved

Christine Robbins  
 Interim Municipal Clerk